



FSRA
FINANCIAL SERVICES
REGULATORY AUTHORITY

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SUPPLIER PRE – QUALIFICATION DOCUMENT

PRE-QUALIFICATION NUMBER: PRC-EOI-2024-001

CATEGORY(S) DESCRIPTION (Please indicate):

ITEM CODE(S):

SUBMISSION DATE AND TIME: **Wednesday 30 October 2024 at 14:30 hours**

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SECTION A: INTRODUCTION

Note: all vendors are kindly requested to complete their proposals following the outline shown in the document under review.

Background of the Financial Services Regulatory Authority (FSRA)

The FSRA, a Category A Public Enterprise established in 2010 has a mandate to license, regulate, monitor, and supervise the conduct of the business of financial services providers in the Kingdom of Eswatini. The FSRA also takes measures for the better protection of stakeholders within the financial sector in the quest to ensure the stability of the Eswatini financial system.

This Pre-qualification document and the response thereof shall be the ONLY basis for prequalification as a supplier in the specified categories. Please read through this document carefully and provide the requested information together with ALL the required supporting documents.

SECTION B: INSTRUCTIONS TO VENDORS

Introduction: The FSRA will evaluate and short list all eligible companies for the provision of various works, services or supplies for the Financial **Years [2024 - 2027]**. Once a vendor has been short listed, it will be invited, several times during the financial year, to submit a proposal for the provision of some or all of the works, services or supplies. Further, the FSRA reserves the right to add similar types of works, services or goods to the list in *Section C*.

Procurement Narrative Description: The FSRA invites sealed Applications from reputable providers for works, services or goods for the provision of various works, services or supplies for **3 Financial Years [2024 - 2027]**. The list of items required during the above-mentioned financial year is given in *Section C*. The FSRA further highlights that the works, services or supplies are not restricted to those listed in *Section C*.

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Moreover, the purpose of this document is to assist the FSRA Procurement Office in the identification and evaluation of potential vendors who may subsequently be invited to tender or give quotations for the supply of goods and/ or services within the specified category for the years 2024 to 2027 (three years). We reserve the right to prequalify more than one bidder per category of goods and/or services. In order to simplify this process, you need to provide **certified copies** of all supporting documents requested under the questionnaire. You may also be asked to clarify your answers or provide more details. Please answer ALL questions. If the question does not apply to you, please indicate with Not Applicable, N/A.

1. FSRA will examine the documents to determine completeness, general orderliness, and sufficiency of response. Failure to complete this questionnaire and/or to provide written answers to any further questions or requested additional information for clarification will result in the supplier's disqualification from further consideration. Where necessary and if insufficient space has been provided on the questionnaire for the answers, please provide the answers as supplementary on separate sheets.
2. The information provided in the prequalification document is strictly confidential and solely for use by FSRA. Please note that by responding to this questionnaire you accept that all answers provided in this questionnaire **are legally binding** and should the need arise, may be used as evidence in any court of law, which has jurisdiction. Further, FSRA reserves the right, without further recourse, to verify at its own cost the accuracy of any answers provided herein.
3. FSRA will have the right to inspect the business premises of the supplier as part of the evaluation process.
4. Participants are to kindly note that this document does not amount to any contractual obligation on the part of FSRA, and that FSRA is not obliged to invite tenders/quotation from any or all who express interest by responding to this pre-qualification process.

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5. The original Document shall contain no interlineations or overwriting, except as necessary to correct errors made by the supplier. Any such corrections must be initialed by the person or persons who sign(s) the document.

6. The Applicant shall bear all costs associated with the preparation and submission of its Application, and the FSRA will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the short-listing process. The completed document shall be signed off and initialed by the Director/Partner of the organization and **rubber stamped on each page** and signed on the last page in the space provided.

7. A prospective vendor requiring any clarification of the short-listing documents may notify the FSRA in writing or by cable (hereinafter, the term cable is deemed to include telephone, e-mail and facsimile) at the client’s address indicated below. The FSRA will respond to any request for clarification provided that such request is received **no later than 7 Working days before tender closing**. Written copies of the FSRA’s response (including an explanation of the query but without identifying the source of inquiry) will be sent to all prospective vendor that have received the short-listing documents. **Questions Concerning the Procurement:** All questions about this prequalification to be directed to

Oscar Simelane

at this email address:

procurement@fsra.co.sz

The cut-off date for questions is **(Monday 23 October 2024)**”.

8. Complete set of Pre-qualification documents in plain sealed envelope clearly marked:

“**REF: PRC-EOI-2024-001 PRE-QUALIFICATION OF SUPPLIERS FOR CATEGORY (please indicate)**” should be addressed and delivered to:

**FINANCIAL SERVICES REGULATORY AUTHORITY 5th FLOOR,
INGCAMU BUILDING, MHLAMBANYATSI ROAD, MBABANE,
ESWATINI**

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9. The participant agrees, as evidenced by signature below, that the completed Pre-qualification document including all required submissions and the flow down clauses contained herein, constitute the entire agreement for the services described herein.

By: *(Company Name)*

Signature:

Title: _____ Date: _____

Eligible Applicants and Countries: An applicant, and all parties constituting the Applicant, shall meet the following criteria to be eligible to participate in public procurement:

- a) the applicant has the legal capacity to enter into a contract;
- b) the applicant is not:
 - (i) insolvent;
 - (ii) in receivership;
 - (iii) bankrupt; or
 - (iv) being wound up
- c) the applicant's business activities have not been suspended;
- d) the applicant is not the subject of legal proceedings for any of the circumstances in (b);
and
- e) the applicant has fulfilled his or her obligations to pay taxes and social security contributions.

Further, all countries are eligible except countries subject to the following provisions. A country shall not be eligible if:

- a) as a matter of law or official regulation, the Government of Eswatini prohibits commercial relations with that country, provided that the Government of Eswatini is satisfied that such exclusion does not preclude effective competition for the provision of supplies or related services required; or
- b) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the Government of Eswatini prohibits any import of Supplies from that country or any payments to persons or entities in that country”.

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Furthermore, An Applicant shall be a natural person, private entity, government-owned entity, subject to the last paragraph of the subtopic under review, or any combination of them with the formal intent to enter into an agreement or under an existing agreement in the form of a joint venture, consortium or association. In the case of a joint venture, consortium or association, unless otherwise specified in the **Application Submission Sheet**, all parties shall be jointly and severally liable.

Moreover, An Applicant and all parties constituting the Applicant shall have the nationality of an eligible country. An Applicant shall be deemed to have the nationality of a country if the Applicant is a citizen, or is constituted, incorporated or registered and operates in conformity with the provisions of the laws of that country. It is highlighted that the said criterion shall also apply to the determination of the nationality of proposed subcontractors or providers for any part of the Contract including related services.

More still, applicants shall not have a conflict of interest. All Applicants found to be in conflict of interest shall be disqualified. Applicants shall be considered to have a conflict of interest with one or more parties in this short-listing process, if they:

- c) have controlling shareholders in common; or
- d) receive or have received any direct or indirect subsidy from any of them; or
- e) have the same legal representative for purposes of this application; or
- f) have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the application of another Applicant, or influence the decision of the Procuring Entity regarding this short-listing process; or
- g) participated as a consultant in the preparation of the design or technical specifications of the works, services or supplies that are the subject of this short listing.

Further, a firm shall submit only one tender in the same tendering process, either individually as a Tenderer or as a partner of a joint venture. No firm can be a subcontractor while submitting a tender individually or as a party of a joint venture in the same tendering process.

A firm, if acting in the capacity of Subcontractor in any tender, may participate in more than

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one tender, but only in that capacity. A Tenderer who submits, or participates in, more than one tender will cause all the proposals in which the Tenderer has participated to be disqualified. It is further highlighted that a firm that is under a declaration of suspension by the Authority at the date of submission of the application or thereafter, shall be disqualified.

Also, Government-owned entities in Eswatini shall be eligible only if they can establish that they are legally and financially autonomous, and operate under commercial law, and that they are not a dependent agency of the Procuring Entity. Over and above, applicants shall provide such evidence of their continued eligibility satisfactory to the Procuring Entity, as the Procuring Entity shall reasonably request.

Amendment of short-listing Document: At any time prior to the deadline for submission of applications, the FSRA may amend the Short-listing Document by issuing addenda. Further, any addendum issued shall be part of the Short-listing Document and shall be communicated in writing to all who have obtained the short-listing document from the FSRA. In the quest to give prospective vendors reasonable time to take an addendum into account in preparing their applications, the FSRA may, at its discretion, extend the deadline for the submission of applications.

SECTION C: CATEGORIES FOR SUPPLY OF GOODS AND SERVICES

The FSRA, Eswatini Stock Exchange (ESE) and Ombudsman of Financial Services (OFS) hereby invite competent and reputable vendors for prequalification to be registered into our supplier database for the supply of products and services. Although this prequalification is not limited to Eswatini Businesses, Eswatini nationals are encouraged to apply. The required categories of goods and services are as follows:

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PRC/2024-2027/01	Promotional Items & Corporate Gifts
PRC/2024-2027/02	General & Printed Stationery Supply
PRC/2024-2027/03	Corporate Wear / Uniform
PRC/2024-2027/04	Cleaning Services
PRC/2024-2027/05	Billboards and Signage
PRC/2024-2027/06	Transport Services
PRC/2024-2027/07	Marketing, Media & Advertising
PRC/2024-2027/08	Videography Services i.e., stakeholder or consumer education videos
PRC/2024-2027/09	IT Equipment & Consumables
PRC/2024-2027/10	Electrical Consumables Suppliers
PRC/2024-2027/11	Air Conditioning Supply and Maintenance
PRC/2024-2027/12	Sound Hire / Entertainment Hosting
PRC/2024-2027/13	Hospitality Services (Meals, Canteen, Catering)
PRC/2024-2027/14	Provision of Plants and Maintenance
PRC/2024-2027/15	Interior Décor Services

The FSRA reserves the right to accept or reject any application either in whole or in part and is not bound to give reasons for its decisions. Each supplier is allowed to show interest in up to a maximum of three categories of interest. Only successful vendors will be contacted.

SECTION D: PRE-QUALIFICATION QUESTIONNAIRE

(a) Corporate Information

No.	PARTICULARS	RESPONSE
1.1	Full name of organization:	
1.2	Is your organization (Please tick one)	(i) Public/Private Limited company? Yes, please attach certified copies of the company's memorandum of association.

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		(ii) Partnership? Yes, please attach certified copy of partnership deed.	
		(iii) Sole proprietorship? Yes, please attach certified copies of registration documents (iv) Any other form of business? Yes, please specify and attach certified copies the registration documents.	
1.3	Date of Registration:		
1.4	Full physical address of principal place of business: Full postal address of the principal place of business: Telephone number:		
1.5	E-mail address: Website address (if any):		
1.6	Valid Tax Compliance (attach)		
1.7	VAT Registration number		
1.8	Period in which you have been in the specific business for which you wish to be pre-qualified		
1.9	Company profile		
1.10	Certified Form J & C (Attach)		
1.11	Original Police Clearance for Directors (Attach)		

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1.12	Names and contact details of at least three (3) reference customers	
1.13	ENPF Employer's Compliance Certificate (Attach)	
1.14	Certified valid Trading License (Attach)	
1.15	Certified copy of current Certificate of Company Registrations, Memorandum and Articles of Association (Attach)	
1.16	Directors IDs [must be certified] (Attach)	
1.17	Associated companies (if any)	
1.18	Contact person within the organization to whom enquiries about this bid should be directed:	NAME:
		TITLE
		CELL:
		EMAIL:

(b) Financial Information

1.19	What was your turnover in the last two years? for year ended ----/-----/----- for year ended ----/-----/-----
1.20	Has your organization met all its obligations to pay its creditors and staff during the past year?	Yes / No	
	If no, please give details		

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1.21	Have you had any contracts terminated for poor performance in the last three years, or any contracts where damages have been claimed by the contracting authority?	Yes / No
	If yes, please give details:	
1.22		Bank:
		Branch:
	What is the name(s) and branch(es) of your bankers (who could provide a reference)? Provide banking information	Telephone Number:
		Postal Address:
		Contact Person Name:
		Contact Position

(c) Business Activities

1.23	What are the main business activities of your organization? (Please specify). List main activities undertaken by your company
1.24	How many staff does your organization have? Indicate the number under each category: i. Technical (Permanent....., Temporary.....) ii. Semiskilled (Permanent....., Temporary.....)
1.25	Please generally describe the experience and expertise your organization possesses that will enable you to undertake the work you are bidding for effectively and efficiently as required by the FSRA 1.25.1 Attach CVs of key staff 1.25.2 For Expatriate, provide certified copies of valid work permit

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(d) Trade References

Please provide in the table below details of at least three (3) projects/jobs you have undertaken relevant to the job you are bidding for performed over the last two (2) years, or that are relevant to this pre-qualification document.

#	Customer Organization (name)	Customer contact name, phone number and Email address	Contract reference and brief description:	Date contract awarded	Value of businesses transacted:
(i)					
(ii)					
(iii)					

(e) Agencies and Partnerships

- i. Detail any agencies and partnerships that you have that are relevant to the categories of goods and/or services you are interested in supplying.
- ii. List your primary sources of supply for goods that you propose to supply.

(f) Business Probity and Litigation Management

Please confirm whether any of the following criteria applies to your organization: Note that failure to disclose information relevant to this section may result in your exclusion as a potential FSRA supplier.

#	Particulars	Response
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1.26	Is the organization bankrupt or being wound up, having its affairs administered by the court, or have you entered into an arrangement with creditors, suspended business activities or any analogous situation arising from similar proceedings in Eswatini or the country in which it is established?	
1.27	Please provide a statement of any material pending or threatened litigation or other legal proceedings.	
1.28	Has any partner, director, shareholder, or employee been convicted of an offence concerning his professional conduct?	
1.29	Has any partner, director or shareholder been the subject of corruption or fraud investigations by the police, Anti-Corruption Bureau, or similar authority in the country in which your organization is established?	
1.30	Has the organization not fulfilled obligations relating to the payment of any statutory deductions or contributions including income tax as required under Eswatini Laws or the laws of the country in which it is established?	
1.31	Please state if any Director, shareholder/ Partner and / or Company Secretary of the Organization is currently employed or has been employed in the past three years by FSRA.	

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1.32	Please state if any Director / Partner and / or Company Secretary of the Organization has a close relative who is employed by the FSRA, who is in a position to influence the award of any supply. For purpose of the pre-qualification process, close relative refers to parents, siblings, spouse, or children including spouse's children	
------	--	--

(g) Insurance

Please provide details of your current insurance cover & attach certified copies of current covers/policies.		Value
1.33	Employer's Liability:	
1.34	Public Liability:	
1.35	Professional Indemnity (if applicable)	
1.36	Other (specify)	

SECTION E: SUMMARY OF EVALUATION PROCESS

(a) Mandatory Requirements - General

No.	Requirement	Score
1.	Certified Copy of Certificate of Registration/Incorporation	Mandatory
2.	Tax Compliance Certificate - Valid	Mandatory
3.	Form J and C or Equivalent certified copies (indicating company directorship)	Mandatory
4.	Bidders in the industry regulated by the Construction Industry Council (CIC) must submit a valid CIC Certificate for the trade applied for	Mandatory
5.	Transport Hire Firms, Taxis, etc...must attach evidence of having taken all the necessary insurance covers.	Mandatory

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6.	Outside Catering services and hotels must attach food handling certification from the relevant authorities.	Mandatory
7.	Original Police Clearance for Directors	Mandatory
8.	Certified Valid Trading License	Mandatory

(b) Technical Evaluation – General

Requirement	Pass/Fail	Selected option
Trading license and Tax Compliance Certificate		
Staffing, Attach CVs of key technical staff and directors		
Evidence of financial capability. Attach copies of your most recent audited financial statements (for the last two years or since inception for new companies)		
Past Performance, Experience and Reference; provide contracts/Local Purchase Orders (LPOs)/Recommendation letters etc.		
Properly filled prequalification questionnaire and well-arranged business profile		
Final decision		

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(c) Curriculum Vitae – Standard Template

FORMAT OF CURRICULUM VITAE (CV) FOR CONSULTANT

Name of Consultant: _____

Profession: _____

Date of Birth: _____

Nationality: _____

Membership in Professional bodies: _____

Key Qualifications:

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

Education:

[Summarize college/university and other specialized education, giving names of institutions, 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 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 employers references, where appropriate. Use about two pages.]

Languages:

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

Certification:

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

Date: *Day/Month/Year*

[Signature of Consultant]

Full name of Consultant: _____

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(d) The Declaration of Eligibility Form

DECLARATION OF ELIGIBILITY

[The Consultant(s) 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 Consultant(s), Address, and Date>>>]

To: [>>>Procuring Entity, Address, and Date>>>]

Dear Sirs,

Re: Procurement Reference Number:.....

I/We hereby declare that:-

- (a) I/We, including any joint venture partners or consortium partners, are a legal entity and have the legal capacity to enter into the contract;
- (b) I/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) I/We have fulfilled our obligations to pay taxes
- (d) I/We have not, and our directors or officers have not, been convicted of any criminal offence related to our 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;
- (e) I/We do not have a **conflict of interest** in relation to the procurement requirement.

Signature: _____ Name: _____

Position: _____ Date: _____

(DD/MM/YY)

Authorised for and on behalf of:

Company: _____

Address: _____

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(e) Certificates, Accreditations and Approvals

Attach any relevant certifications and accreditations by principals or accreditation bodies and attach certified copies of such certification. Such certifications may be for your company or for your Individual staff as relevant to the work they do and the key skills for the service or goods you Propose to supply.

(f) General Requirements

- i.* The returned documents must be bound and clearly marked as per SECTION B *Instructions to Bidders*;
- ii.* FSRA will examine the documents to determine completeness, general orderliness, and sufficiency in responsiveness;
- iii.* Suppliers shall not contact any FSRA, OFS and ESE officer on the matter relating to the prequalification process from the time of submission to the official communication of the results. Any attempts by the supplier to influence FSRA in the evaluation shall result in disqualification of their application as suppliers;
- iv.* Pre-qualification will be based on meeting the minimum criteria regarding the Applicant's legal status, general and particular experience, personnel, and financial position as demonstrated by the responses in the attached forms;
- v.* The applicants should have registered offices and FSRA reserves the discretion of visiting physical premises from which the applicant conducts business if so desired to confirm existence and capability to deliver the said goods/services; and
- vi.* Suppliers who qualify according to the selection criteria will be invited to submit their quotations for the supply of goods/services as and when required depending on continuous performance.

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(g) Additional Requirements

- i. Agents/Distributors/ shall provide copies of Letters of appointment by the manufacturers to be dealers; and
- ii. Attach catalogues and brochures for the items you wish to supply.

SECTION F: DECLARATION

I declare that to the best of my knowledge the answers submitted in this pre-qualification questionnaire (and any supporting documentation) are correct. I understand that any misrepresentation will render my organization ineligible to participate in any future business activities with the FSRA.

FORM COMPLETED BY	
Name:	
Position (Job Title):	
Date:	
Cellphone number:	
Email:	
Signature:	

FORM WITNESSED BY	
Name:	
Position (Job Title):	
Date:	
Cellphone number:	
Email:	
Signature:	

