



A NATION AT WAR WITH HIV & AIDS

EXPRESSION OF INTEREST

For

PREQUALIFICATION OF SCHOOL FEEDING COMMODITIES BIDDERS

Procuring Entity:	National Emergency Response Council on HIV/AIDS (NERCHA)
Tender No:	EOI_02_2025
Issue date of Tender Documents:	15th April 2025
Submission date:	29th April 2025, 10:00 AM

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



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_02_2025

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 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 one (1) year.

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.esppra.co.sz or collected from the NERCHA reception area.

Applications must be sealed and delivered to the address below at or before 1000hrs, on the **29th April 2025**. Applications shall be valid for a period of 60 days after the deadline of tender submission. Late submissions will be rejected. Applications 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_02_2025", 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:

Disclaimer
This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representation or warranties with respect to the accuracy, completeness, or reliability of the information contained herein. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



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) Bidder's financier confirmation addressed to NERCHA outlining the current credit position.
 - (h) A fully signed document providing Power of Attorney (Annex 1)
 - (i) A fully signed Declaration of Eligibility (Annex 2)
 - (j) All Other documents as specified in Annex 3-6
 - (k) Proof of ability to deliver food commodities to the various schools and number of fleet allocated to the project (transport/fleet ownership or arrangements in form of lease/ proposed contract agreement with transporter)
 - (l) Proof of business physical address in terms of a lease/title deed.
3. Company Profile with curriculum vitae for key personnel/ key staff who will work on this project (**Director, focal contact person, quality assurance officer**).
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. The reference letters should be in **clients letter head, contact and email address**.
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. Current Health Clearance Certificate and Grading Certificate (lowest being **B**) for the bidding year. For the establishment and food commodities.
6. Proof of Payment for E500.00 (Five 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 Reference.

Requests for clarification must be in writing via email to procurement@nercha.org.sz and phumelele.motsa@nercha.org.sz. NERCHA shall respond in writing via e-mail to any requests for clarification up until close of business on the **24th April 2025**.

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.

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



SECTION 2: INSTRUCTIONS TO TENDERERS

I. INTRODUCTION

NERCHA in collaboration with the Ministry of Education and Training (MoET) are implementing the school feeding programme. On behalf of the MoET, NERCHA is running the school feeding tender to ensure supply of food commodities for the next twelve months.

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 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:

DETAILED PRODUCT SPECIFICATIONS

A. BEANS SPECIFICATION

REFERENCE

Codex Standard for certain pulses grains (Codex Stan 171-1989, rev. 1-1995).

PRODUCT SPECIFICATION

- Moisture content: **14.0% max**
- Size **As per contractual agreement**
- Total blistered wrinkle and/or broken grains **3.5% max**
- Splits: **3.0% max**
- Damaged: **3.0% max**
- Foreign matters: **0.5% max**
- Stone: **0.2% max**
- Glasses or metals: **Nil**

- Contrasting class: **0.5 % max**

- Live insects: **Nil**

- Clean and bright appearance, Natural odour

- Cooking time: **60-90 minutes after overnight soaking**

Disclaimer This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representation or warranty, in whole or in part, for any purpose. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, accuracy, security, confidentiality, and any other warranties, express or implied. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



- Production year: **As per contractual agreement**

Contaminants and Toxins

Beans shall not contain contaminants and toxins in amounts which may represent a hazard to human health. Specific limit of some contaminants and toxins is presented in table 1.

Table 1: Limit of contaminants and toxins

NO	CONTAMINANT	TOXIN LIMIT
Heavy metal		
1	Arsenic (As)	0.10 ppm max.
2	Copper (Cu)	2.0 ppm max.
3	Lead (Pb)	0.10 ppm max.
4	Cadmium (Cd)	0.02 ppm max.
5	Mercury (Hg)	0.01 ppm max.
Pesticide residues		
6	Carbamate	< 10 ppb
7	Organochlorine	< 10 ppb
8	Organophosphorus	< 10 ppb
9	Pyrethroid	< 10 ppb
Toxic or noxious seeds		
10	Crotalaria (Crotalaria spp.)	0.05% max.
Radiation		
11	Radiation	10 Bq/Kg max.
Mycotoxins		
12	Aflatoxin (total B1+B2+G1+G2)	20 ppb max.
13	Fumosin	5 ppb max.
14	Zearalenone	100 ppb max.
15	Ochratoxin A	5 ppb max.

PACKAGING AND MARKING

Beans shall be packed in new uniform strong polypropylene bag of a net content of 50 kg, fit for export and multiple handing.

The bag shall be marked the following information

- Name of the product:
- Net content:
- Name and address of the supplier (including country of origin).
- Additional marking as per contractual agreement.

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



B. SUNFLOWER OIL SPECIFICATION

Sunflower Oil is derived from the dried seeds of the *Helianthus annuus* L. plant. Refined **Sunflower Oil** is fortified with vitamin A and vitamin D in proportions described in product specifications.

Standards and recommendations

Sunflower Oil shall be manufactured in accordance with: “Recommended International Code of Practice: General Principles of Food Hygiene”, CAC/RCP 1-1969 Rev 3 1997 Amended (1999) including Annex “Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for its application”.

PRODUCT SPECIFICATIONS

Sunflower Oil is manufactured according to a process that should confer to the finished product the following specifications:

Specifications

Organoleptic
flavours

Moisture and volatile matter

Insoluble impurities

Free fatty acid

Linoleic acid (C18:2)

Delta-7-Stigmasterol

Acid value

Color

Red:

Yellow:

Soap content

Peroxide number

Saponification value

Iodine value

Unsataponifiable matter

Refractive index (ND 40 °C)

Relative density

Recommended value

Neutral/bland taste; absence of foreign odours and

0.2% maximum

0.05% maximum

0.15% maximum expressed as oleic acid

48.3-74% of total fatty acids

6.5-24 % of total sterol

0.6 mg maximum of KOH/g oil

5-1/4 inch Lovibond cell

1.5 maximum

15 maximum

0.005% maximum

2 milliequivalents maximum of active oxygen per kg oil

188-194 mg KOH/g oil

118– 141 g / 100g oil

1.5% maximum

1.461 – 1.468

(20°C /water at 20°C) 0.918 – 0.923

Authorized additives

-Butylated hydroxyanisol

-Butylated Hydroxytoluene

Vitamin A

Vitamin D

175 mg/kg maximum

75 mg/kg maximum

24000– 36000 UI per kg oil

2400 – 3600 UI per kg oil

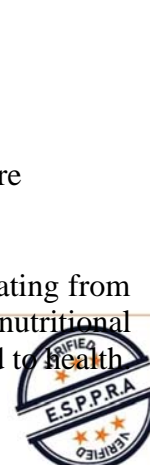
Additional Requirements

Sunflower Oil shall meet the following additional requirements:

Shelf life: it shall retain above qualities for at least one year from date of manufacture when stored dry at ambient temperatures prevalent in the country of destination

Safety: it shall be free from objectionable matter; not contain any substances originating from micro-organisms or any other poisonous or deleterious substances such as anti-nutritional factors, heavy metals or pesticide residues, in amounts which may represent a hazard to health

Disclaimer
This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the published information. Further, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



- Lead (Pb) Max 0.1 ppm
- Arsenic (As) Max 0.1 ppm
- Iron (Fe) Max 1.5 ppm
- Cooper (Cu) Max 0.1 ppm

Polycyclic Aromatic Hydrocarbons (PAH)

- PAH heavy Max 5 ppb
- PAH total Max 25 ppb
- Benzo(a)pyrene Max 2 ppb

Free from radioactivity

Free from Genetically Modified Organisms (GMO) (*if required by the contract*).

PACKAGING

Sunflower Oil to be packaged into 20 liters jerry cans, to constitute the primary packaging.

Specifications:

- Material: HDPE
- Rated capacity: 20 liters
- Screw cap with inner plug

MARKING

On jerry cans:

The following information should be available on cans

- Name of the product:
- Net content:
- Name and address of the supplier (including country of origin).
- Batch number (or SI).
- Production date.
- Additional marking as per contractual agreement.

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



C. SPECIFICATION FOR RICE

For the purposes of this tender: long grain, parboiled rice shall apply.

Long grain rice has either: a kernel length of more than 6.0 mm and with a length/width ratio of more than 2 but less than 3.0mm

ESSENTIAL COMPOSITION AND QUALITY FACTORS

Quality factors – general

Rice shall be safe and suitable for human consumption. Rice shall be free from abnormal flavors, odors, living insects and mites.

Quality factors – specific

- **Moisture content** 15% m/m max
Lower moisture limits should be required for certain destinations in relation to the climate, duration of transport and storage. Governments accepting the Standard are requested to indicate and justify the requirements in force in their country.
- **Extraneous matter:** is defined as organic and inorganic components other than kernels of rice.
- **Filth:** impurities of animal origin (including dead insects) 0.1% m/m max
- **Other organic extraneous matter** such as foreign seeds, husk, bran, fragments of straw, etc. shall not exceed the following limits:
Maximum level
Husked Rice 1.5% m/m
Milled Rice 0.5% m/m
Husked Parboiled Rice 1.5% m/m
Milled Parboiled Rice 0.5% m/m 2 Codex Standard 198-1995

Inorganic extraneous matter such as stones, sand, dust, etc. shall not exceed the following limits:

- Maximum level**
Husked Rice 0.1% m/m
Milled Rice 0.1% m/m
Husked Parboiled Rice 0.1% m/m
Milled Parboiled Rice 0.1% m/m

CONTAMINANTS

- **Heavy metals** - The products covered by the provisions of this standard shall be free from heavy metals in amounts which may represent a hazard to human health.
- **Pesticide residues** - Rice shall comply with those maximum residue limits established by the Codex Alimentarius Commission for this commodity.
- **Containers** - Rice shall be packaged in containers which will safeguard the hygienic, nutritional, technological, and organoleptic qualities of the food. The containers, including packaging material, shall be made of substances which are safe and suitable for their intended use. They should not impart any toxic substance or undesirable odor or flavor to the product. When the product is packaged in sacks, these must be clean, sturdy, and strongly sewn or sealed.

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



In addition to requirements of the Codex *General Standard for the Labelling of Prepackaged Foods* (CODEX STAN 1-1985), the following specific provisions apply:

- #### **D. SPECIFICATION FOR MAIZE**

Quality requirements

White maize may contain no more than 2.0 % by weight of maize of other colours. Maize grains which are white and/or light pink in colour are white maize. White maize also means maize grains which are white and pink in colour, provided the pink colour covers less than 50 % of the surface of the grain.

Flint maize includes maize of any colour which consists of 95 % or more by weight of grains of flint maize.

Dent maize includes maize of any colour which consists of 95 % or more by weight of grains of dent maize.

Flint and dent maize include maize of any colour which consists of more than 0.5 % but less than 95.0 % of flint maize.

Maize shall be free from foreign odours, moulds, live pests, rat droppings, toxic or noxious weed seeds and other injurious contaminants as determined from samples representative of the lot.

Maize shall be of a reasonably uniform colour according to type, be whole and clean.

- Grading- Maize grains may be graded into three grades on the basis of the tolerable limits established in Table 1 which shall be additional to the general requirements set out in this standard.

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties regarding its accuracy, reliability, completeness or suitability for any particular purpose. The information is provided as a guide only and does not constitute an offer. The user acknowledges that the use of this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including without limitation, warranties of merchantability, title, suitability for a particular purpose, non-infringement, confidentiality, and that the information will meet the requirements of any law or regulation. Any warranty made by the user shall survive the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



requirements provided in 4.1 and are not rejected maize grains. Ungraded maize can be sorted out to Grade 1, 2 or 3 in accordance with the relevant procedures.

- **Reject grade maize grains-** This comprises maize grains which have objectionable odour, off flavour, living insects or which do not possess the quality characteristics specified in Table 1. They cannot satisfy the conditions of ungraded maize grains and shall be graded as reject maize grains and shall be regarded as unfit for human consumption.

Table 1 — Specific requirements

Characteristics	Maximum limits
	Grade 2
Foreign matter, % m/m	1.0
Inorganic matter, % m/m	0.5
Broken kernels, % m/m	4.0
Pest damaged grains, % m/m	3.0
Rotten & diseased grains, % m/m	4.0
Discoloured grains, % m/m	1.0
Moisture, % m/m	14.0
Immature/shrivelled grains, % m/m	2.0
Filth, % m/m	0.1
Total Aflatoxins, ppb, max	10
Aflatoxin B1, ppb, max	5
Fumonisin, ppm, max	2
Total defective grains, % m/m	5.0

CONTAMINANTS

- **Toxic metals-** Maize grains shall comply with those maximum limits for heavy metals established by the Codex Alimentarius
- **Pesticide residues-** Maize grains shall comply with those maximum pesticide residue limits established by the Codex Alimentarius Commission for this commodity
- **Mycotoxin limits-** Maize grains shall comply with those maximum mycotoxin limits established by the Codex Alimentarius Commission for this commodity. In particular, total aflatoxin levels in all grades of maize grains for human consumption shall not exceed 10 µg/kg (ppb) with B1 not exceeding 5 µg/kg (ppb) when tested according to ISO 16050 and total fumonisins shall be not more than 2 mg/kg when determined in using validated methods.

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



PACKAGING

- Maize grains shall be packed in suitable packages which shall be clean, free from insect, fungal infestation and the packing material shall be of food grade quality and free from damage.
- Maize grains shall be packed in containers which will safeguard the hygienic, nutritional, and organoleptic qualities of the products.
- The containers, including packaging material, shall be made of substances which are safe and suitable for their intended use. They shall not impart any toxic substance or undesirable odour or flavour to the product.
- Each package shall contain maize grains of the same type and of the same grade designation.
- If maize grains are presented in bags, the bags shall also be free of pests and contaminants.
- Each package shall be securely closed and sealed.

MARKING OR LABELLING

In addition to the requirements in SZNS CODEX STAN 1, each package shall be legibly and indelibly marked with the following:

- product name as “White Maize Grains, Yellow Maize Grains, Red Maize Grains, Purple Maize Grains or Mixed Maize Grains”;
- grade;
- name, address and physical location of the producer/ packer/importer;
- lot/batch/code number;
- net weight, in kg;
- the declaration “Food for Human Consumption”
- storage instruction as “Store in a cool dry place away from any contaminants”;
- crop year;
- packing date;
- instructions on disposal of used package;
- country of origin;
- a declaration on whether the maize was genetically modified where applicable.

LABELLING OF NON-RETAIL CONTAINERS

Information for non-retail containers shall either be given on the container or in accompanying documents, except that the name of the product, lot identification and the name and address of the manufacturer or packer shall appear on the container. However, lot identification and the name and address of the manufacturer or packer may be replaced by an identification mark, provided that such a mark is clearly identifiable with the accompanying documents.

Disclaimer

This tender document and the information contained therein is provided “as is” and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



METHODS OF SAMPLING

Sampling shall be done in accordance with the EN ISO 24333:2009.

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 delivery of 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 596 primary schools and 288 High Schools.
- Ensure Food Safety Management compliance before and during delivery.
- The Tenderer shall be responsible for submitting invoices and delivery notes to the MOET to facilitate payments.

IV. ELIGIBILITY

- ✓ To be eligible for selection, the tenderer must provide documentary evidence for eligibility as required.
 - a) Original Valid Tax Compliance Certificate
 - b) Copy of a Valid Trading Licence
 - c) A copy of Company VAT Registration
 - d) Certificate of incorporation
 - e) Form J
 - f) Form C
 - g) Police Clearance Certificates for Active Company Director
 - h) Certified copies of National IDs of Company's Directors
- ✓ 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:

1. The below eligibility documents will be on a **pass/fail** basis:

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Part of the information contained herein is based on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, express or implied, is made by the ESPPRA for the use of the information contained herein for any purpose other than the intended purpose. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



- 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. Bidder's financier confirmation addressed to NERCHA outlining the current credit position.
- h. Certificate of incorporation
- i. Form J
- j. Form C

2. The bidder that will comply on the eligibility documents shall further be evaluated for the below technical capacity and food safety management.

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

CRITERION	Points Allocated
Technical Capacity	40
<ul style="list-style-type: none"> a) Latest Company Financial Statements b) Bidder's financier confirmation addressed to NERCHA outlining the current credit position. 	10
<ul style="list-style-type: none"> (a) A fully signed document providing Power of Attorney (Annex 1) (b) A fully signed Declaration of Eligibility (Annex 2) (c) All Other documents as specified in Annex 3-6 	10
<ul style="list-style-type: none"> (a) Proof of ability to deliver food commodities to the various schools and number of fleet allocated to the project (transport/fleet ownership or arrangements in form of lease/ proposed contract agreement with transporter) (b) Proof of business physical address in terms of a lease/title deed. 	10
<ul style="list-style-type: none"> a) Proof of Payment for E500 (Five Hundred Emalangeneni only) 	10
Experience in conducting similar works	30
<ul style="list-style-type: none"> b) Job and client reference for similar assignments in the last 5 years, including values of contracts; 3 client 	



Food and safety management	30
a) Company Profile with curriculum vitae for key personnel/ key staff who will work on this project (Director, focal contact person, quality assurance officer).	15
b) 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. Current Health Clearance Certificate and Grading Certificate (lowest being B) for the bidding year. For the establishment and food commodities.	15
Total	100

An Application shall be rejected at this stage if it does not respond to important aspects of the EOI or if it fails to achieve the minimum technical score of seventy (70) points.

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 twelve (12) months 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:

- ✓ prepared and submitted in sealed envelopes and shall be clearly marked “WITHDRAWAL,” “SUBSTITUTION,” or “MODIFICATION;” and

✓ received by the Purchaser prior to the deadline prescribed for submission of EOI.

Submissions requested to be withdrawn shall be returned unopened to the Bidders.

Disclaimer
This tender document and the information contained therein is provided “as is” and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at their own risk. The ESPPRA expressly disclaims all warranties, including but not limited to, warranties of accuracy, reliability, timeliness, title, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



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 All Company's Directors	
	(f) Proof of Payment for a non-refundable E500 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 and codes of conduct form (Annex 5 & 6)	
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.	Financial Capacity and security: Submit reference letter from the bidder's financier addressed to NERCHA demonstrating that the bidder has the financial capacity, capability and track record, and support, to successfully deliver the Project.	
10.	Submission of copies of Curriculum Vitae with certified copies of certificates for all the Management/Key Technical personnel (Director, Focal person, Quality Assurance Officer)	

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



Sr No.	Documentation	Comply (YES/NO)
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. Number of vehicles allocated to the project.) If not owned, provide documentary evidence of lease or proposed agreement for hire with logistics company.	
12.	Submission of the bidder's valid 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. Current Health Clearance Certificate and Grading Certificate (lowest being B) for the bidding year. For the establishment and food commodities.	
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.	

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



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_02_2025

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 60 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

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any responsibility towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



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: _____ 2025,

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: _____

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



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_____

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



ANNEX 3

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.

	Part 1 General Business Name..... Contact: County Business is located..... Town Business is located..... Name of Building & Floor Plot No,Street/Road Postal address: Tel No. Email Other towns with business presence Nature of Business: Registration Certificate No: (on the certificate of registration issued by Registrar of Companies)																				
	Part 2 (a) – Sole Proprietor Your name in full..... Age..... Nationality.....Country of Origin..... Citizenship details																				
	Part 2 (b) – Partnership Given details of partners as follows <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Name</th> <th style="width: 25%;">Nationality</th> <th style="width: 35%;">Citizenship Details</th> <th style="width: 25%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>2.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>3.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> <tr> <td>4.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>	Name	Nationality	Citizenship Details	Shares	1.	2.	3.	4.
Name	Nationality	Citizenship Details	Shares																		
1.																		
2.																		
3.																		
4.																		
	Part 2 (c) – Registered Company Private or Public State the nominal and issued capital of company Nominal SZL Issued SZL Given details of all directors as follows <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Name</th> <th style="width: 25%;">Nationality</th> <th style="width: 35%;">Citizenship Details</th> <th style="width: 25%;">Shares</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>.....</td> <td>.....</td> <td>.....</td> </tr> </tbody> </table>	Name	Nationality	Citizenship Details	Shares	1.												
Name	Nationality	Citizenship Details	Shares																		
1.																		

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



	<p>4.</p> <p>5. Etc.</p>
	<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 and confirmation of banking details:</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:

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims all warranties towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



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)

	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>			

3. Experience of the company in provision of goods/service/works similar to this assignment:

Signed: Date:

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.

STAMPED



ANNEX 5

Tenderer'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 personnel in your organization with the number 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 – Quality Assurance Officer [input position in the company]</p> <p>.....</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>

Disclaimer

This tender document and the information contained therein are for the use of the tenderer only. The tenderer shall be responsible for the accuracy of the information provided. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



4.	<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>
----	---

Signed: Date:

STAMPED

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



ANNEX 6

Code of Ethical Conduct in Business for Tenderers and Providers

1. Ethical Principles

Tenderers and providers shall at all times-

- (a) maintain integrity and independence in their professional judgement and conduct;
- (b) comply with both the letter and the spirit of-
 - i. the laws of Eswatini; and
 - ii. any contract awarded.
 - iii. The Global Fund Integrity Due Diligence requirements (https://www.theglobalfund.org/media/13707/fundingmodel_supplier-integrity-due-diligence_guidelines_en.pdf)
- (c) avoid associations with businesses and organisations which are in conflict with this code.

2. Standards

Tenderers and providers shall-

- (a) strive to provide works, services and Goods of high quality and accept full responsibility for all works, services or Goods provided;
- (b) comply with the professional standards of their industry or of any professional body of which they are members.

3. Conflict of Interest

Tenderers and providers shall not accept contracts which would constitute a conflict of interest with, any prior or current contract with any procuring entity. Tenderers and providers shall disclose to all concerned parties those conflicts of interest that cannot reasonably be avoided or escaped.

4. Confidentiality and Accuracy of Information

- (1) Information given by Tenderers and providers in the course of procurement processes, or the performance of contracts shall be true, fair and not designed to mislead.
- (2) Providers shall respect the confidentiality of information received in the course of performance of a contract and shall not use such information for personal gain.

5. Gifts and Hospitality

Tenderers and providers shall not offer gifts or hospitality directly or indirectly, to staff of a procuring entity that might be viewed by others as having an influence on a government procurement decision.

6. Inducements

- (1) Tenderers and providers shall not offer or give anything of value to influence the action of a public official in the procurement process or in contract execution.
- (2) Tenderers and providers shall not ask a public official to do anything which is inconsistent with the Act, Regulations, Guidelines or the Code of Ethical Conduct in Business.

7. Fraudulent Practices

Tenderers and providers shall not-

- (a) collude with other businesses and organisations with the intention of depriving a procuring entity of the benefits of free and open competition;
- (b) enter into business arrangements that might prevent the effective operation of fair competition;
- (c) engage in deceptive financial practices, such as bribery, double billing or other improper financial practices;
- (d) misrepresent facts in order to influence a procurement process or the execution of a contract to the detriment of the Procuring entity; or offer false documents;

Disclaimer

This tender document and the information contained therein are the property of the Eswatini Public Procurement Regulatory Agency (ESPPRA) and shall not be used for any purpose other than the procurement process. The ESPPRA makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at their own risk. The ESPPRA does not warrant the accuracy, completeness, reliability, or timeliness of the information contained herein. The ESPPRA further disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, the ESPPRA does not warrant the accuracy, completeness, reliability, or timeliness of the information contained herein. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



- (e) unlawfully obtain information relating to a procurement process in order to influence the process or execution of a contract to the detriment of the PE; and
- (f) withholding information from the PE during contract execution to the detriment of the PE.

I agree to comply with the above code of ethical conduct in business.

AUTHORISED SIGNATORY

NAME OF TENDERER

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.



Eligible Countries

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 The Kingdom of Eswatini prohibits commercial relations with that country, provided that the Government of The Kingdom of Eswatini is satisfied that such exclusion does not preclude effective competition for the provision of Goods 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 The Kingdom of Eswatini prohibits any import of Goods from that country or any payments to persons or entities in that country.

Disclaimer

This tender document and the information contained therein is provided "as is" and the Eswatini Public Procurement Regulatory Agency (ESPPRA) makes no express or implied representations or warranties with regard thereto. Portions of the information may be incorrect or not current. Any person or entity that relies on any information obtained from this tender document does so at own risk. The ESPPRA expressly disclaims all implied warranties, including, without limitation, warranties of merchantability, title, suitability to task, non-infringement, compatibility, security, and accuracy. The ESPPRA furthermore disclaims any warranty towards the accuracy, correctness, reliability, and timeliness of the publishing of content. Furthermore, no warranty, expressed or implied, is given this tender document is free of viruses, trojans, bombs, time-locks or any other data or code which have the ability to corrupt or affect the operation of any computer system it is used on. The ESPPRA cannot accept any responsibility for any loss, disruption, or damage to any of your data or computer system which may occur whilst using this tender document.

