



**Request for Expression of Interest  
For construction of the Lesotho  
Revenue Authority Headquarters**

**EOI No: LRA/03/19/1**

**Project Brief**

# Conditions for Application

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## TABLE OF CONTENTS

<b>1</b>	<b>GENERAL</b>	<b>3</b>
1.1	INTRODUCTION	3
1.1.1	The Project	3
1.1.2	Call for Expressions of Interest	3
1.1.3	Other Project Work	3
1.2	THE EXPRESSION OF INTEREST PROCESS	3
1.3	CONTACT PERSON	4
1.4	INDICATIVE TIMETABLE	4
1.5	CODE OF GOOD PRACTICE FOR PROCUREMENT	5
<b>2</b>	<b>FURTHER INFORMATION</b>	<b>5</b>
2.1	ADDENDA TO THIS REQUEST FOR EOI	5
2.2	BRIEFING FOR POTENTIAL APPLICANTS	5
2.3	DISCLAIMER	5
<b>3</b>	<b>EVALUATION CRITERIA</b>	<b>5</b>
3.1	MANDATORY EVALUATION CRITERIA	5
3.1.1	Legal Entity	6
3.1.2	Financial Capacity	6
3.1.3	Quality Management	7
3.1.4	Local Participation	7
3.2	PROJECT SPECIFIC EVALUATION CRITERIA	7
3.2.1	Applicant's Experience and Capability	7
3.2.2	Proposed Personnel	8
3.2.3	Proposed Consultants	8
3.2.4	Understanding of Project Requirements	8
3.2.5	Program	8
<b>4</b>	<b>SUBMISSION OF EOI APPLICATIONS</b>	<b>9</b>
4.1	DOCUMENTS TO BE SUBMITTED	9
4.2	LODGEMENT METHODS	9
4.2.1	Electronic Applications	9
4.3	HARD COPY APPLICATIONS (OPTIONAL)	9
4.4	LATE APPLICATIONS	9
4.5	APPLICANTS TO INFORM THEMSELVES	9
<b>5</b>	<b>AFTER EOI APPLICATIONS CLOSE</b>	<b>10</b>
5.1	EVALUATION OF APPLICATIONS	10
5.2	MANDATORY EVALUATION CRITERIA	10
5.3	PROJECT SPECIFIC EVALUATION CRITERIA	10
5.4	OUTCOME OF THE EOI PROCESS	11
5.5	DISCLOSURE OF INFORMATION	11
5.6	CHANGES IN CIRCUMSTANCES	11
5.7	PUBLICITY	11
5.8	PROTECTION OF PRIVACY	11
5.9	EXCHANGE OF INFORMATION BETWEEN GOVERNMENT AGENCIES	12

## **1 GENERAL**

### **1.1 Introduction**

#### **1.1.1 The Project**

#### **1.1.2 Call for Expressions of Interest**

Expressions of Interest (EOI) are invited from property developers wishing to be pre-registered to tender for the proposed contract for construction of the Lesotho Revenue Authority (LRA) Headquarters.

The project consists of a new LRA building located in Maseru, at the site provided by the property developer and approved by the Authority. The location of the site for building LRA House should be in the Maseru district within the capital city boundaries, should meet the accommodation requirements and be easily accessible to Clients and Stakeholders. The property developer will deliver a state of the art Office Building that will serve as a Headquarters, accommodate about 700 hundred employees and include a commercial space that can generate income from the property.

The scope of work under the proposed contract includes:

- *Securing of a site within 15km radius from Maseru CBD, (desirable for the purpose) and all required clearances and documentation;*
- *Designs; Architectural, Structural and all relevant;*
- *Undertaking and documenting all requisite environmental, social, technical and financial studies;*
- *Funding for the project;*
- *Construction and Supervision;*
- *Installations of utilities;*
- *Exterior and Interior finishes, (including furniture);*
- *Landscaping;*
- *Access roads and traffic management;*
- *Post construction maintenance and land restoration;*
- *Transfer of property to the LRA*

Note that this is a brief overview of the proposed contract and the scope of work. More details will be included in the Request for Proposal (RFP) document that will be provided to property developers who will be invited to submit tenders as a result of this EOI process.

#### **1.1.3 Other Project Work**

### **1.2 The Expression of Interest Process**

The EOI is the first stage of a multi-stage tender process. The objective of the EOI process is to identify and pre-select property developers that are interested in entering into the proposed contract and have suitable capacity, capability and experience.

An Evaluation Committee will evaluate EOI applications on the basis of the evaluation criteria set out in Section 3 of this Request for Expressions of Interest (Request for EOI).

The Evaluation Committee will identify the applicants that best satisfy the evaluation criteria and will recommend a minimum of 65 and a maximum of 100 to be pre-registered and invited to submit tenders for the proposed contract. The Evaluation

## Conditions for Application

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Committee may nominate one or two of the next ranked applicants as reserves to allow for possible withdrawal of selected applicants.

The Evaluation Committee will determine which of the applicants will be pre-registered. Only property developers that are pre-registered and selected through this EOI process will be eligible to submit tenders.

Under this EOI, the Principal will not be liable for any costs incurred by applicants through participation in the EOI process.

### 1.3 Contact Person

Refer all requests for information about this EOI process to the following Contact Person:

Name:	Emma George (Ms)
Telephone number:	00266 52215133
Cell number	00266 62112715
e-mail address:	<a href="mailto:supplychainmanagement@lra.org.ls">supplychainmanagement@lra.org.ls</a> e.george@lra.org.ls

### 1.4 Indicative Timetable

An indicative timetable for the EOI process is as follows:

Expressions of Interest Pre-Bid Meeting <b>Venue: LRA Auditorium Training Centre Old Parliament Road</b>	2019/04/02 0900hrs – 1000hrs
Expressions of Interest close:	2019/04/12
Evaluation completed:	2019/04/25
Successful applicants notified:	2019/04/26
RFP Documents issued:	2019/05/07
Tenders close:	2019/05/30
Contract awarded:	2019/06/30
All work under the contract completed:	2021/09/30

## **1.5 Code of Good Practice for Procurement**

Applicants must comply with the Lesotho Public Procurement Regulations Code of Good Practice. Lodgement of an EOI is evidence of an applicant's agreement to comply with the Code during the Request for EOI process and any subsequent tendering process. If an applicant fails to comply with the Code, its application may be passed over.

## **2 FURTHER INFORMATION**

### **2.1 Addenda to this Request for EOI**

The Principal (The Authority) may issue an instruction amending the Request for EOI, as a result of an applicant's request for clarification or any other reason. Any such instruction will be issued in writing in the form of an Addendum, which becomes part of this Request for EOI. Written Addenda issued by the Principal are the only recognised explanations of, or amendments to, the Request for EOI documents.

Any applicant that did not obtain the Request for EOI documents directly from the Principal should advise the Contact Person before submitting an application, to ensure that they have received all Addenda and allowed for any changed requirements.

### **2.2 Briefing for Potential Applicants**

A briefing session will be held at the time and place as per Section 1.4 of this document. It is not mandatory for applicants to attend the briefing.

An applicant may be represented at the briefing by a maximum of two people. Confirm attendance with the Contact Person by noon on the business day before the briefing.

Written questions about the Request for EOI may be submitted before the briefing and applicants may ask questions at the briefing. If a question cannot be answered at the briefing, a written response will be provided as soon as possible afterwards.

A written record of all questions asked at or before the briefing, and all answers given, will be provided to applicants in the form of an Addendum.

### **2.3 Disclaimer**

The Principal is not committed contractually in any way to those applicants whose applications are accepted. The issue of this Request for EOI does not commit or otherwise oblige the Principal to proceed with any part or steps of the process.

Whilst the information contained in this Request for EOI has been formulated with all due care, the Principal does not warrant or represent that the information is free from errors or omissions. The information is made available on the understanding that the Principal and its respective employees and agents, shall have no liability (including liability by reason of negligence) for any loss, damage, cost or expense incurred or arising by reason of any person using or relying on the information and whether caused by reason of any error, omission or misrepresentation in the information or otherwise.

## **3 EVALUATION CRITERIA**

### **3.1 Mandatory Evaluation Criteria**

Applicants are required to complete the Pre-qualification Questionnaire. To be considered to be pre-registered, applicants must also demonstrate that they meet

mandatory requirements in respect of the following evaluation criteria which bears 10% per criterion:

- Financial capacity
- Qualification and experience of the proposed professional team and sub-contracting models
- Track record of like structures constructed in the past
- References from previous clients
- Acceptability of the proposed site
- Viability of the proposed project funding model
- Partnership with local companies
- Environmental management
- Quality management
- Program Management Methodology

The requirements for these mandatory criteria are set out below.

### **3.1.1 Legal Entity**

An applicant must be a legal entity that is recognised and acceptable to the Principal. EOIs will not be considered from firms under any form of external administration, Trusts etc.

Any applicant that is an unincorporated business such as a sole trader, partnership or business name must identify the legal entity that would enter into the proposed contract.

Pre-registration of an applicant will not extend to any associated or subsidiary entity owned or controlled by the applicant.

If an applicant is related to other potential participants in the EOI process, the applicant must provide sufficient information relating to the proposed probity arrangements to satisfy the Principal that any probity or competitiveness risks are eliminated. Depending upon the information provided, the applicant may be required to:

- provide clarification or further information;
- establish and comply with internal governance arrangements and procedures that address the Principal's concerns about probity and competitiveness; and
- provide certification of compliance with all such arrangements and procedures.

The relationships between organisations (including the existence of related entities and common directors) will be taken into account in determining the organisations to be pre-registered. The Principal may choose to pre-register only one of any related organisations.

It is important to submit all relevant information applicable to the entity to demonstrate compliance with this criterion.

### **3.1.2 Financial Capacity**

An applicant must have appropriate financial capacity. Where the applicant is a subsidiary company and does not have sufficient financial capability in its own right, the EOI may be submitted in the name of the holding and subsidiary companies jointly and severally, providing the holding company meets these financial requirements.

The main criteria considered in the financial assessment of applicants include:

- Net Worth (total assets, excluding any assets of company directors, less total liabilities less intangible assets) exceeds 5% of the estimated contract sum or estimated initial contract price;

- Current Ratio (ratio of current assets to current liabilities) exceeds 1;
- Working Capital (current assets less current liabilities) exceeds 10% of the estimated contract sum or estimated initial contract price;
- any other significant detrimental financial characteristics.

Deviations below these criteria will not necessarily prevent the Principal from considering any application, and this may be considered in short listing a prospective tenderer.

Successful applicants may be requested to provide additional financial information for assessment at the next stage, generally the tender/pricing phase.

Submit all relevant information to demonstrate compliance with this criterion.

### **3.1.3 Quality Management**

Applicants must demonstrate the capacity to plan and manage systematically the quality of work in accordance with international *Quality Management Systems Guidelines for construction*.

Applicants are required to provide evidence of how they have implemented the management of quality on projects.

Applicants are required to provide evidence of implementation of their certified QMS on previous projects, including demonstrated capacity to plan and manage systematically the quality of work in accordance.

The applicant must also confirm that it is willing to undergo and act upon audits carried out by the Principal.

Submit relevant information to demonstrate compliance with this criterion.

### **3.1.4 Local Participation**

To be pre-registered, applicants must demonstrate commitment and capacity to create and extend opportunities for local enterprises through carrying out the work,

Submit relevant information to demonstrate percentage of local participation as compliance with this criterion.

## **3.2 Project Specific Evaluation Criteria**

Applicants are required to respond to the following evaluation criteria by submitting the information required by the applicable Returnable Schedules:

The Evaluation Committee will score each criterion on the basis of information submitted. The scores will be weighted to reflect the relative importance of each criterion to the project and the Principal.

### **3.2.1 Applicant's Experience and Capability**

This criterion relates to the applicant's:

- demonstrated successful recent experience in delivering projects of similar size, type, value and complexity;
- demonstrated achievement of satisfactory work quality within required timeframes;
- demonstrated commitment to cooperative contracting relationships.

Verification of the applicant's successful experience and performance may be obtained from formal performance reports and representatives of client organisations.

### **3.2.2 Proposed Personnel**

This criterion relates to the personnel proposed by the applicant to manage the proposed project, including:

- the composition of the applicant's team proposed
- the size, structure and relevant competencies of the proposed team;
- the proposed roles and extent of involvement of key personnel;
- the qualifications of key personnel and their demonstrated successful recent experience in carrying out similar work;
- the availability of key personnel, including the extent of their proposed involvement on the Site; and
- the availability of equivalent replacement personnel, if required.

The Evaluation Committee will assess whether an adequate level of resources is offered and whether the application demonstrates that they have the competencies required to achieve satisfactorily the desired project outcomes.

Submit the information.

### **3.2.3 Proposed Consultants**

This criterion relates to the consultants proposed for design, documentation or certification, including:

- their proposed roles and extent of involvement;
- their demonstrated successful recent experience in undertaking similar services; and
- the demonstrated competencies of the personnel proposed.

The Evaluation Committee will assess the extent to which the involvement of the proposed consultants will support the achievement of the desired project outcomes.

### **3.2.4 Understanding of Project Requirements**

This criterion relates to the applicant's understanding of the work and proposed approach to likely issues and includes:

- risk identification and risk management strategies;
- the proposed design management process;
- adequacy of the concept design to meet project objectives;
- proposed innovations that will add value to the project for the Principal;
- proposed relationship management and communication strategies;
- proposals for meeting sustainability objectives; and
- the proposed construction methodology for critical activities, including the availability and suitability of key items of plant and equipment.

### **3.2.5 Program**

This criterion relates to the applicant's ability to meet the indicative project program.

- proposed delivery program;
- the applicant's own anticipated commitments on other works;
- how will the applicant address and resolve anticipated as well as unexpected resourcing issues or potential conflicts.

To respond to this criterion, submit the relevant information.



## **4 SUBMISSION OF EOI APPLICATIONS**

### **4.1 Documents to be submitted**

Applicants must lodge, by the time and date stated on the cover of this EOI or in the invitation, the Pre-qualification Questionnaire Understanding of Project Requirements

Also submit requirements under this project brief that may not appear in the pre-qualification questionnaire.

### **4.2 Lodgement Methods**

#### **4.2.1 Electronic Applications**

Applicants are encouraged to lodge applications through the Authority's email at:

[supplychainmanagement@lra.org.ls](mailto:supplychainmanagement@lra.org.ls)

An application that cannot be evaluated because it is incomplete or electronically corrupted may be passed over.

### **4.3 Hard Copy Applications (Optional)**

Applications may be lodged in the physical tender box at:

*LRA, Ground Floor, Supply Chain Office 0013, Lesotho Government Complex, Phase 3 Finance House*

Applications lodged in hard copy through a physical tender box must:

- include one original and one printed copy of the submissions;
- be enclosed in a sealed package such as an envelope and marked with the EOI number and name.

### **4.4 Late Applications**

In accordance with the Authority's *Code of Good Practice for Procurement*, late applications will not be accepted. Any application that is not received in full by the closing time and date shall not be considered.

Where an application is received by post after the closing time and date, the applicant may need to satisfy the Principal that all the required information was posted or lodged at a Post Office or other recognised delivery agency at a time that should reasonably have allowed delivery before the closing time and date.

Applications sent by email and not completely received by the closing time and date shall not be considered.

### **4.5 Applicants to inform themselves**

Applicants shall be deemed to have:

- examined the invitation documents and any other information made available in writing by the Authority to applicants for the purpose of responding to the invitation;
- examined all information relevant to the risks, contingencies, and other circumstances having an effect on their EOI application and which is obtainable by the making of reasonable enquiries; and
- satisfied themselves as to the correctness and sufficiency of their EOI applications and that their responses cover the EOI conditions and all matters and things necessary for the due and proper performance and completion of the work described in the invitation documents.

Should an applicant find any discrepancy, error or omission in the EOI, the applicant shall notify the Contact Officer in writing on or before the closing date and closing time.

## **5 AFTER EOI APPLICATIONS CLOSE**

### **5.1 Evaluation of Applications**

The Evaluation Committee will evaluate each application in accordance with the evaluation criteria set out in Section 1.2 and Section 3 of this Request for EOI.

The evaluation will be based on information provided with the application. Any information required by the EOI which is omitted, illegible or unintelligible may be treated as failing to fulfil the relevant requirement.

The Evaluation Committee may request some or all applicants to provide additional information to clarify aspects of their applications, either in writing or during post-tender interviews. If a written response is requested, it must be provided within 48 hours after the request is received.

The Evaluation Committee may make enquires to establish the past performance of applicants in respect of similar work.

All information submitted in the application or obtained subsequently by the Evaluation Committee will be treated as confidential.

### **5.2 Mandatory Evaluation Criteria**

Any application that does not demonstrate that the applicant meets all the mandatory evaluation criteria listed in Section 1.2 and Section 3 will be eliminated from consideration.

#### Legal Entity

A search may be undertaken to verify that an applicant is a bona-fide registered company or business.

Applicants may be required to provide evidence of the legal entity submitting the EOI by providing a copy of an official document such as:

- company registration and names of office bearers issued at source.
- a statement confirming the legal entity, signed by a practicing solicitor.

#### All Applicants must be Tax Compliant

#### Financial Capacity

To assist in confirming that an applicant has adequate financial capacity, the Evaluation Committee may:

- request further information from the applicant;
- hold discussions with relevant personnel representing the applicant;
- hold discussions with referees, including clients of the applicant; and/or
- obtain a financial assessment from an independent financial assessor.

### **5.3 Project Specific Evaluation Criteria**

Applications will be evaluated in terms of the project specific evaluation criteria listed in Section 1.2 and Section 3, using a weighted scoring process. Any application that does not demonstrate that the applicant meets the minimum standard required by the Evaluation Committee for any one of the criteria may be eliminated from consideration.

The past performance of applicants will be assessed using:

- Contractor Performance Reports lodged under the Performance Management System managed by Authority's Procurement; and/or
- information obtained from contact persons from client organisations.

Client contact persons may be interviewed by telephone or asked to complete a written survey confirming the applicant's past performance in terms of the performance indicators and scoring system set out in the *Contractor Performance Report*.

#### **5.4 Outcome of the EOI process**

The decision to pre-register an applicant, with or without conditions, is at the sole discretion of the Principal. The Principal will not be liable for any costs or damages incurred by applicants through exercising this discretion.

Applicants may be pre-registered even if their applications do not conform strictly to all requirements of the EOI. Note that pre-registration does not constitute entering into a contract for the proposed work.

Applicants will be advised in writing whether they are to be pre-registered or were unsuccessful.

The Contact Person will arrange a debriefing for any unsuccessful applicant, in accordance with the LRA *Supply Chain Policy*. An unsuccessful applicant will not be provided with information specifically comparing its application with those of other applicants. No rating data will be provided.

#### **5.5 Disclosure of Information**

Details of this EOI and the outcome of the tender process will be disclosed in accordance with the Authority's policy.

#### **5.6 Changes in Circumstances**

Applicants must advise the Contact Person immediately in writing of any material change to the information contained in the EOI application, including any substantial change in their ownership or their financial or technical capacity. Copies of relevant documents must be submitted with the advice. For successful applicants, this requirement applies until a contract is awarded as a result of any subsequent tendering process.

It is expected that key personnel nominated in the application will be utilised, in the capacity indicated, during any early tender involvement process and the resulting contract. If any such key personnel become unavailable, the applicant must advise the Contact Person and provide relevant details of a replacement together with an updated pre-qualification questionnaire. The replacement must have equivalent expertise and experience. Such changes will be taken into account in selecting tenderers and evaluating tenders.

#### **5.7 Publicity**

Pre-registered applicants must not advertise or publish their pre-registration in any form without the prior written consent of the Principal, until they are formally invited to tender for the proposed project.

#### **5.8 Protection of Privacy**

The applicant warrants that information provided in the application is accurate, up to date and complete, and that nominated individuals authorise its collection and are aware:

- that the information is being collected for the purpose of evaluating EOI applications and may be made available to the Principal and its agents for that purpose;
- of any consequences for the individual if the information (or any part of it) is not provided;
- if the supply of information by the individual is required by law or is voluntary; and

- of the existence of any right to access or correct the information.

#### **5.9 Exchange of Information between Government Agencies**

By submitting an EOI application, the applicant authorises the Principal to gather, monitor, assess, information about the applicant's financial position and its performance in respect of any contract that may be ultimately awarded. Such information may be used by those agencies or authorities in considering whether to offer the applicant future opportunities for work.