



## **FEDERAL HOUSING AUTHORITY (FHA)**

IN LINE WITH

**THE INFRASTRUCTURE CONCESSION REGULATORY COMMISSION ESTABLISHMENT ACT (2005) AND  
NATIONAL POLICY ON PUBLIC PRIVATE PARTNERSHIP (N4P)**

### **INVITATION TO TENDER FROM PROSPECTIVE INVESTORS FOR THE DEVELOPMENT OF A HOUSING ESTATE IN AJODA NEW TOWN, IBADAN, OYO STATE**

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### **1. Background Information**

In line with the FHA's mandate of developing residential buildings, and in compliance with the requirements of the Infrastructure Concession Regulatory Commission (Establishment Act) 2005, FHA hereby invites suitably qualified firms to submit Tenders to develop segments of the housing estate at Ajoda New Town, Ibadan through a Public Private Partnership (PPP). The successful firm shall be required to finance and construct the homes and complementary engineering infrastructure as applicable per lot in accordance with FHA's specifications. Upon development of the homes, the successful investors / Developers shall in conjunction with FHA sell the housing units to interested buyers and the general public.

Prospective bidders should bid for one lot only from the following lots listed and the most responsive bid then wins and becomes the preferred Project Proponent per lot:

**Lot 1:** 170 units of 2 Bedroom Semi-Detached Bungalow; 32 units of 3 Bedroom Semi-Detached Bungalow & 10 units of 3 Bedroom Detached Bungalow with complementary Engineering Infrastructure;

**Lot 2:** 108 units of 2 Bedroom Semi-Detached Bungalow;

**Lot 3:** 82 units of 2 Bedroom Semi-Detached Bungalow; 32 units of 3 Bedroom Semi-Detached Bungalow & 2 units of 3 Bedroom Detached Bungalow;

**Lot 4:** 86 units of 2 Bedroom Semi-Detached Bungalow; & 17 units of 3 Bedroom Detached Bungalow;

**Lot 5:** 114 units of 2 Bedroom Semi-Detached Bungalow; 44 Units of 3 Bedroom Semi-Detached Bungalow & 61 units of 3 Bedroom Detached Bungalow with complementary Engineering Infrastructure.

## DISCLAIMER

The information contained herein (or subsequently provided) to the Applicants, whether verbally or in documentary or any other form, by or on behalf of the Sponsors or any of its employees or advisors is provided to Applicant(s) on the terms and conditions set out in this RFQ Package and such other terms and conditions subject to which such information is provided.

This RFQ Package is not an agreement and is neither an offer nor invitation by the Sponsors (as hereinafter defined) to the prospective Applicants or any other person. The purpose of this RFQ Package is to provide interested parties with information that may be useful to them in the formulation of their application for qualification pursuant to this RFQ Package (the “**Application**”). This RFQ Package includes statements, which reflect various assumptions and assessments arrived at by the Sponsors in relation to the Project. Such assumptions, assessments and statements do not purport to contain all the information that each Applicant may require. This RFQ Package may not be appropriate for all persons, and it is not possible for the Sponsors, its agencies or advisors to consider the investment objectives, financial situation and particular needs of each party who reads or uses this RFQ Package. The assumptions, assessments, statements and information contained in this RFQ Package may not be complete, accurate or adequate. Each Applicant may conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments, statements and information contained in this RFQ Package and obtain independent advice from appropriate sources.

Information provided in this RFQ Package to the Applicants is on a wide range of matters, some of which may depend upon interpretation of law. The information given is not intended to be an exhaustive account of statutory requirements and should not be regarded as a complete or authoritative statement of law. The Sponsors accept no responsibility for the accuracy or otherwise for any interpretation or opinion on law expressed herein.

The Sponsors, their agencies and advisors make no representation or warranty and shall have no liability to any person, including any Applicant or Bidder, under any law, statute, rules or regulations or tort, principles of restitution or unjust enrichment or otherwise for any loss, damages, cost or expense which may arise from or be incurred or suffered on account of anything contained in this RFQ Package or otherwise, including the accuracy, adequacy, correctness, completeness or reliability of the RFQ Package and any assessment, assumption, statement or information contained therein or deemed to form part of this RFQ Package or arising in any way with qualification of Applicants for participation in the qualification process.

The Sponsors also accept no liability of any nature whether resulting from negligence or otherwise howsoever caused arising from reliance of any Applicant upon the statements contained in this RFQ Package. The Sponsors may, in their absolute discretion but without being under any obligation to do so, update, amend or supplement the information, assessment or assumptions contained in this RFQ Package. The issue of this RFQ Package does not imply that the Sponsors are bound to select and short-list qualified Applications for the Project and the Sponsors reserve the right to reject all or any of the Applications or Bids without assigning any reasons whatsoever.

The Applicant shall bear all its costs associated with or relating to the preparation and submission of its Application and the Sponsors shall not be liable in any manner whatsoever for the same or for any other costs or other expenses incurred by an Applicant in preparation or submission of the Application.

## 2. LIST OF DEFINITIONS

Applicant	An interested party or Consortium who submits an Application in accordance with the provisions of this RFQ.
Application	The submission of an interested party or Consortium in response and in accordance with the provisions of this RFQ.
Authorized Representative	A natural person designated by the Applicant or Consortium who has the legal authority to represent the Applicant or Consortium for all matters relating to the RFQ.
Bid Documents	RFP and other documents to be provided by the Project Development Team (PDT).
Bid Stage	The second stage of the Bidding Process.
Bidder	A qualified and shortlisted Applicant.
Bidding Process	The two-stage process adopted by Project Development Team (PDT) involving the Qualification Stage followed by the Bid Stage.
Bids	Technical and financial offers to be submitted by bidders.
Concession	Public Private Partnership (PPP) arrangement granted by FHA through competitive tender.
Concessionaire	Holder(s) of a concession or grant. Bidder(s) who emerges successful and signs concession agreement with FHA.

Consortium	A group of entities coming together to submit an Application
FGN	Federal Government of Nigeria.
FHA	Federal Housing Authority
ICRC	Infrastructure Concession Regulatory Commission.
Lead Member	A Member of a Consortium holding or intending to hold at least 30% interest in the Consortium as well as have management control of the Project.
N4P	National Policy on Public Private Partnership.
NDA	Non-Disclosure Agreement to be signed by an Applicant prior to being issued the Bidding Document.
Project	Development of housing estates via a Public Private Partnership (“PPP”) arrangement.
Proponent	A party or Consortium interested in or contemplating submitting an Application in response to this RFQ.
PDT	Project Development Team.
PSC	Project Steering Committee.
PPP	Public Private Partnership.
Principal Contact Person	A natural person designated by the Applicant or Consortium who acts as the contact person of the Applicant or Consortium for all matters relating to the RFQ.
Qualification Stage	The first stage of the Bidding Process.
RFP	Request for Proposals.
RFQ	Request for Qualification.
Sponsors	Joint reference to the Federal Government of Nigeria (FGN) and) Federal Housing Authority (FHA).
SPV	Special purpose vehicle established by a Consortium.

### 3. Bidding Process

- 3.1 The PDT Evaluation Committee, has adopted a two-stage-in-one bidding process (collectively referred to as the “**Bidding Process**”) for selection of the Bidder for Award of the Project. The first stage (the “**Qualification Stage**”) of the process involves qualification (the “**Qualification**”) of interested parties/consortia who submits an Application in accordance with the provisions of this RFQ (the “**Applicant**”, which expression shall, unless repugnant to the context, include the Members of the Consortium). At the end of this stage, the PDT expects to proceed with opening the bid of qualified Applicants who shall be invited to witness the second stage of the Bid opening. The bidders must execute a Non-Disclosure Agreement.
- 3.2 In the Bid Stage, the Bidders will be called upon to submit their technical and financial offers (the “**Bids**”) in accordance with the RFP and other documents to be provided by the PDT (collectively the “**Bidding Documents**”).
- 3.3 During the Bid Stage, Bidders are invited to examine the Project in greater detail, and to carry out, at their cost, such studies as may be required for submitting their respective Bids for implementation of the Project.
- 3.4 As part of the Bidding Documents, the PDT will provide draft Concession Agreement as well as other information pertaining/relevant to the Project.
- 3.5 Details of the process to be followed at the Bid Stage and the terms thereof will be spelt out in the Bidding Documents.
- 3.6 Schedule of RFQ Process

The timeline is stated below:

Key Milestone	Date
Bid Documents available for access to interested Applicants	March 16 <sup>th</sup> , 2020
Deadline for Clarification	March 27 <sup>th</sup> , 2020
Deadline for submission of Tender by interested Applicants	March 30 <sup>th</sup> , 2020

### 4. INSTRUCTIONS TO APPLICANTS

#### 4.1 Scope of Application

- 4.1.1 This Invitation to Tender is issued for reputable and qualified applicants to submit bids for the Project.

#### 4.2 Eligibility of Applicants

The following factors shall be applied to determine the eligibility of Applicants for qualification for the Project:

- 4.2.1 An Applicant may be a single entity or a group of entities ("**Consortium**") coming together to submit an Application for the implementation of the Project. However, no Applicant applying individually or as a member of a Consortium can be member of another Applicant. The term Applicant used herein would apply to both a single entity and a Consortium.
- 4.2.2 A group of entities forming a Consortium must provide evidence thereto by a Letter of Intent to enter into a Consortium Agreement or an existing Consortium Agreement specifically entered into by all the entities for this application. However, when the preferred Applicant is selected, the Consortium shall be required to establish a special purpose vehicle ("**SPV**") in order to sign the Concession Agreement. A Consortium must have a Lead Member (holding at least 30% interest in the Consortium as well as have management control of the Project). All parties in a Consortium shall be jointly and severally liable for the relevant obligations in respect of the Application. Changes in the membership of a Consortium (whether by way of exit of existing members or entry of new members or internal reapportionment of the participation percentages) following the submission of the Application must be notified to the PDT no later than the submission of the Bids during the Bid Stage and provided: (i) the Consortium continues to fulfill the minimum technical and minimum financial criteria set out under the RFQ; and (ii) any notification to the PDT in relation to any change in the membership of a Consortium by way of entry of new members must be accompanied by the necessary supporting documents as applicable otherwise the change shall not be approved. The formation of a new Consortium by any way following the submission of Application by the Applicant is not permitted.
- 4.2.3 The eligibility criteria listed in this Clause 4.2.2 shall apply to the Applicant, including the parties constituting the Applicant.
- 4.2.4 An Applicant may have the nationality of any country. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered and operates in conformity with the provisions of the laws of that country, as evidenced by its Certificate of Incorporation / Registration or any other equivalent document evidencing registration of the company or companies (for a Consortium) in country of registration, Articles of Incorporation, Charters, or any document constituting its constitutional documents.
- 4.2.5 An Applicant shall submit only one Application in the same process, either individually as an Applicant or as a Member of a Consortium. No Applicant can be a subcontractor while submitting an Application individually or as a Member of a Consortium in the same process. An Applicant who submits, or participates in, more than one Application will cause all the applications in which the Applicant has participated to be disqualified.
- 4.2.6 An Applicant will be disqualified if it (or in the case of a Consortium, any of its members) does meet any of the following exclusion criteria:
  - (a) The Applicant must not be in a state of bankruptcy or liquidation;

- (b) The Applicant must not be subject to a bankruptcy application;
  - (c) The Applicant has not been found guilty of an offence which raises doubts about the professional integrity of the Applicant, its shareholders, or member(s);
  - (d) The Applicant has not committed a grave error in the performance of its profession;
  - (e) The Applicant has met its obligations with regard to the payment of taxes, in accordance with the legal requirements in the country in which it is established;
  - (f) The Applicant has not been guilty of making false statements in the provision of information, including statements made for the purpose of an application and the information submitted on the basis thereof.
  - (g) The Applicant is not Nigerian Government owned or controlled (whether wholly or partly);
  - (h) In the case of a Consortium, all Consortium Members have applied only once and are not Applicants in their own right or Consortium Member of another Applicant;
- 4.2.7 Any Applicant found to have a Conflict of Interest in respect of this process shall be disqualified. An Applicant shall be deemed to have a Conflict of Interest, if:
- (a) such Applicant has the same legal representative for purposes of this Application as any other Applicant; or
  - (b) such Applicant, or any officer thereof has a relationship with another Applicant, or any officer thereof, directly or through common third party/ parties, that puts either or both of them in a position to have access to each other's information about, or to influence the Application of either or each other; or
  - (c) such Applicant, or any officer thereof has participated as a consultant to the PDT in the preparation of any documents, design or technical specifications of the Project; or
  - (d) the Applicant engages any adviser that has previously advised the Sponsors or any of their agencies in any manner in relation to the Project.

#### 4.3 Amendment to RFQ Package

- 4.3.1 The PDT may for any reason, whether at its own initiative or in response to clarifications requested by an Applicant, amend the RFQ Package by issuing an addendum at any time prior to the deadline for submission of applications.
- 4.3.2 Any addendum issued shall be part of the RFQ Package and shall be communicated in writing to all Applicants who have obtained the RFQ Package.
- 4.3.3 The PDT may, at its discretion, extend the deadline for the submission of applications in order to give prospective Applicants reasonable time to take an addendum into account in preparing their applications.



#### 4.4 Preparation of Application

##### 4.4.1 Number of Application

No Applicant shall submit more than one Application for the Project. An applicant applying individually or as a member of a Consortium shall not be entitled to submit another Application either individually or as a member of any Consortium, as the case may be.

##### 4.4.2 Cost of Application

The Applicant shall bear all costs associated with the preparation and submission of the Application. The FHA will not be responsible or liable for those costs, regardless of the conduct or outcome of the qualification process.

Also, evidence of payment of a non-refundable fees of One Hundred Thousand naira (N100,000.00) through the REMITA platform should be attached to the envelope and will be required for presentation to be sighted before being issued Bid Documents.

##### 4.4.3 Language of Application

The Application as well as all correspondence and documents relating to the RFQ exchanged by the Applicant and the FHA, shall be written in the English language.

##### 4.4.4 Currency

All amounts and calculations in this Application shall be presented in the Nigerian Naira ("N").

#### 4.5 Application Process

- 4.5.1 The Technical and Financial Bids must be prepared as separate documents. Three (3) copies of each bid must be separately packaged in sealed envelopes, marked as either TECHNICAL BID or FINANCIAL BID as appropriate and put in a single (bigger) envelope which should clearly indicate the "LOT NO., TENDER FOR THE DEVELOPMENT OF RESIDENTIAL HOUSING IN AJODA-IBADAN" and all documents must be properly bound. An electronic copy on USB drive or CD-ROM should also be included. All envelopes should bear the Name of Company/Consortium on the reverse side and it should be delivered not later than 12:00 Noon Nigerian time on **March 30<sup>th</sup>, 2020** to the address below:

Executive Director (Business Development) Conference Room

Attention: DGM (Partnership and Zonal Coordination)

Federal Housing Authority

26, Julius Nyerere Crescent

Asokoro - Abuja

*E-mail: [akin.olagbemiro@fha.gov.ng](mailto:akin.olagbemiro@fha.gov.ng)*

*Tel. No: +234 803 786 4804*

- 4.5.2 The FHA will not accept any responsibility for not processing any application submitted that was not identified as stated in Clause 4.5.1 above.

#### 4.6 Modification and Withdrawal of Applications

4.6.1 The Applicant may modify, substitute or withdraw its Application after submission, provided that written notice of the modification, substitution or withdrawal is received by the FHA prior to the deadline for submission of Applications. No Application shall be modified, substituted or withdrawn by the Applicant on or after the deadline for submission of Applications.

4.6.2 Any alteration/modification in the Application or additional information supplied subsequent to the deadline for submission of Applications, unless the same has been expressly sought for by the FHA, shall be disregarded.

#### 4.7 Deadline for Submission of Applications

4.7.1 Applications shall be submitted no later than 12noon on March 30<sup>th</sup>, 2020.

4.7.2 The FHA may, at its discretion, extend the deadline for the submission of applications by amending the RFQ package, in which case all rights and obligations of the FHA and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

#### 4.8 Late Submissions

Any Application received by the FHA after the deadline for submission of Applications prescribed in this instruction shall not be eligible for consideration and shall be disqualified.

#### 4.9 Contact Information

The Application shall state the name and the contact details of the Applicant, and the Applicant's authorized representative and the Applicant's principal contact person and his/her designated alternate. FHA shall only communicate with the principal contact person or his/her designated alternate in the absence of the former.

#### **4.10 Clarifications**

4.10.1 Applicants may request for clarifications on any information contained in the RFQ Package no later than Three (3) days before the deadline for the submission of applications. All such communication between the Applicants through its designated contact person pursuant to Clause 9 above with FHA shall be by email and/or hard copy letter to the contact addresses and/or email addresses in Sub-clause 4.5.1 above.

4.10.2 FHA shall endeavour to respond to the questions raised or clarifications sought by the Applicants. However, FHA reserves the right not to respond to any question or provides any clarification, in its sole discretion, and nothing in this clause shall be taken or read as compelling or requiring FHA to respond to any question or to provide any clarification.

4.10.3 The FHA may also on its own motion, if deemed necessary, issue interpretations and clarifications to all Applicants. All clarifications and interpretations issued by FHA shall be deemed to be part of the submission.

#### **4.11 Acknowledgment**

By submitting Applications in response to this, all Applicants fully acknowledge that:

- (a) They have carefully examined all information in this package and received all information which they require to submit an Application; and
- (b) They accept the risk of any inadequacy, error or mistake in the information provided in the Package and agree to be bound by the relevant undertakings provided therein.

#### **4.12 Acceptance/Rejection of Bids**

- 4.12.1 Notwithstanding anything contained in this RFQ package, the FHA reserves the right to accept or reject any Application, annul the qualification process and reject all Applications, at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons thereto. In the event that the FHA rejects or annuls all the Bids, it may, in its discretion, invite all eligible Bidders to submit fresh Bids hereunder.
- 4.12.2 The FHA reserves the right at any time to disqualify any Application which it discovers to contain a material misstatement or misrepresentation.
- 4.12.3 If the Applicant/Bidder is a Consortium, then the entire Consortium may be disqualified / rejected.

#### **4.13 Anti-Corruption Matters**

The Applicants and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the application process. Notwithstanding anything to the contrary contained herein, FHA may reject an Application without being liable in any manner whatsoever to the Applicant if it determines that the Applicant has, directly or indirectly, engaged in any corrupt, fraudulent, coercive, unethical or restrictive practice in the application process.

### **5. FRAMEWORK/CRITERIA FOR EVALUATION OF APPLICATIONS**

#### **5.1 Opening and Evaluation of Applications**

- 5.1.1 The PDT evaluation committee shall open the Applications on a date after the deadline for submission of Applications. The PDT evaluation committee shall prepare a record of the opening of Applications which shall include, as a minimum, the name of the Applicant.
- 5.1.2 Information relating to the evaluation of RFQ submissions, and recommendation for qualification, shall not be disclosed to Applicants or any other persons not officially concerned with such process or who is not a retained professional advisor advising the PDT Evaluation Committee in relation to, or on matters arising out of, or concerning the Bidding Process. The PDT Evaluation Committee will treat all information, submitted as part of Application, in confidence and will require all those who have access to such material to treat the same in confidence. The PDT Evaluation Committee may not divulge any such information unless it is directed to do so by any statutory entity that

has the power under law to require its disclosure or to enforce or assert any right or privilege of the statutory entity and/or the PDT Evaluation Committee or as may be required by law or in connection with any legal process.

- 5.1.3 From the deadline for submission of RFQ to the time of notification of the results of the qualification, any Applicant that wishes to contact the FHA on any matter related to the RFQ process, may do so but only in writing.
- 5.1.4 To assist in the evaluation of RFQ submissions, the PDT Evaluation Committee may, at its discretion, ask any Applicant for a clarification of its submission which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing.
- 5.1.5 When an Applicant does not provide clarifications of the information requested by the date and time set in the PDT Evaluation Committee's request for clarification, its application may be rejected. In case the Application is not rejected, the PDT Evaluation Committee may proceed to evaluate the Application by construing the particulars requiring clarification to the best of its understanding, and the Applicant shall be barred from subsequently questioning such interpretation of the PDT Evaluation Committee.
- 5.1.6 The PDT Evaluation Committee may reject any Application which is not responsive to the requirements of the RFQ Package and no request for alteration, modification, substitution or withdrawal shall be entertained by the PDT Evaluation Committee in respect of such Application. An Application shall be considered responsive only if:
  - (a) it is submitted prior to the deadline for submission of Applications;
  - (b) it contains all the information and documents (complete in all respects) as requested in this RFQ;
  - (c) it contains information in formats same as those specified in this Package;
  - (d) it does not contain any condition or qualification.
- 5.1.7 The PDT Evaluation Committee shall use the factors, methods, criteria, and requirements defined in the Qualification Criteria and Requirements to evaluate the qualifications of the Applicants. Qualification Criteria are indicative of the qualification factors and may be amended prior to the deadline for submission of applications. Any amendments shall be communicated to all Applicants.
- 5.1.8 The PDT Evaluation Committee reserves the right to accept or reject any Application, and to annul the qualification process and/or any other process before the execution of definitive/project agreements and reject all Applications at any time, without thereby incurring any liability to the Applicants.
- 5.1.9 Applicants are advised that qualification of Applicants will be entirely at the discretion of the PDT Evaluation Committee. Applicants will be deemed to have understood and agreed that no explanation or justification on any aspect of the Bidding Process or selection will be given.

5.1.10 All Applicants whose applications have met or exceeded (“passed”) the specified threshold requirements will be qualified by the PDT Evaluation Committee.

## 5.2 Qualification and Bidding

5.2.1 After the evaluation of Applications, the PDT would notify qualified Applicants (Bidders) to witness the opening of the Bid and only the Financial proposals of successful bidders shall be evaluated. The PDT will not entertain any query or clarification from Applicants who fail to qualify.

5.2.2 Bidders will be required to execute a Non-Disclosure Agreement (NDA) prior to being issued the Bidding Document. The Bidders will be requested to submit a Bid in the form and manner to be set out in the Bidding Documents..

5.2.3 All documents and other information supplied by the FHA or submitted by an Applicant to the PDT shall remain or become the property of the FHA. Applicants are to treat all information as strictly confidential and shall not use it for any purpose other than for preparation and submission of their Application. The PDT Evaluation Committee will not return any Application or any information provided along therewith.

5.2.4 Save and except as provided here, the PDT Evaluation Committee shall not entertain any correspondence with any Applicant in relation to the acceptance or rejection of any Application.

## 6 IMPORTANT GENERAL NOTES

6.1 No verbal discussion with any staff or advisor of FHA can change, add to or clarify any of the terms and conditions contained in this RFQ. Bidders should only rely on written changes, additions or clarifications from duly authorised staff of FHA circulated to each bidder. Email communications from FHA to bidders will count as written communications. All enquiries and requests for further information in this respect must be in writing, and directed to email: [akin.olagbemiro@fha.gov.ng](mailto:akin.olagbemiro@fha.gov.ng), Telephone No: +234 803 786 4804

6.2 A response to the enquiry may be circulated to other interested bidders. Any notices sent from FHA to interested bidders shall be considered to have been delivered to an interested bidder if sent by e-mail, or by ordinary mail.

6.3 Bidders are responsible for all costs related to their bid. FHA will not compensate bidders for any costs, regardless of the outcome of the bid.

6.4 FHA may change the timetable and may also make other changes to the RFQ, or add to it, or provide clarification, at any time. FHA may cancel the bid at any time without prior notice.

- 6.5 FHA will not be responsible for any costs or damages whatsoever if it makes any changes to the bid, cancels the bid, or disqualifies any bidder. FHA will not be responsible for any costs or damages whatsoever if it exercises any other rights as described in this RFQ.
- 6.6 Qualified bidders will be required, upon submission of their final bids under the RFP, to re-affirm that the shareholding reflected in their RFQ bid submissions has not materially changed. Any qualified bidder that submits a final bid in terms of the RFP that does not materially comply with this requirement, may be disqualified from the procurement process. Any change in shareholding that could affect the manner in which an interested bidder qualified for this PPP opportunity, should be communicated to FHA.
- 6.7 Shareholders in one consortium submitting a bid in response to this RFQ may not be shareholders in any other consortium submitting a bid for the same PPP opportunity.
- 6.8 If an interested bidder is selected as a qualified bidder, the qualified bidder will be required to pay a bid bond of 2% of the project cost to FHA within 15 days of the qualification announcement. The bid bond must be in the form of or bank guarantee issued by a reputable bank acceptable to FHA.
- 6.9 The bid is governed by the laws of the Federal Republic of Nigeria and this RFQ.

## **7. THE PURPOSE OF THE RFQ**

The purpose of issuing the RFQ is to enable FHA to pre-qualify interested bidders, by assessing whether they fulfil FHA's requirements as set out below.

The RFQ and subsequent procurement processes will be conducted in a transparent and open manner in order to ensure that FHA meets its value-for-money objectives in the PPP. Bidders are to submit detailed technical and financial proposals at the same time.

The objectives of the RFQ include ensuring that the interested bidders which successfully pre-qualify for the PPP opportunity:

- have the financial strength to finance to project
- Technical capability to build the homes and attendant infrastructure and market the housing units and;
- have an established track record in providing services in the building Industry

## **8. FINANCIAL CAPACITY**

The Applicant shall provide: (i) evidence that it is in a good financial position at the close of the preceding financial year; and/or (ii) a letter of financial support from a credible financial institution that supports its ability to provide financing for the Project.

The anticipated capital investment required in the project requires that interested bidders demonstrate financial strength.

Bidders must provide evidence of an asset value of at least a minimum tangible net worth of \$1.5 million USD at the close of the preceding financing year. The interested bidder must also demonstrate, to FHA's satisfaction, that its shareholders are solvent. Each application must be accompanied by the Audited Financial Statements prepared in accordance with the International Financial Reporting Standards (IFRS) of the bidding company or members of consortium for the last three (3) years, proceeding the year in which the Application is made. Interested bidders must demonstrate evidence of their ability to raise debt and equity and to provide bid bond security.

Interested bidders must provide information on the ownership of the entities of which the interested bidders are comprised, together with organograms reflecting this.

## **9. TECHNICAL REQUIREMENTS:**

Interested bidders must have appropriate experience and expertise in the Development of residential homes and /or estates and infrastructure provision.

Interested bidders must provide evidence of similar projects they have undertaken.

Minimum of five (3) years of experience and track records of similar projects in building and infrastructure construction (financing, engineering, construction and maintenance);

Experience in a developing economy (similar environment to Nigeria)

## **10. MANDATORY REQUIREMENTS:**

Interested and competent Contractors wishing to be prequalified should submit the following pre-qualification requirements

- (a) Evidence of registration and incorporation by the Corporate Affairs commission (CAC), by inclusion of certificate of incorporation and Articles of Association. In the case of a consortium, evidence in the form of an agreement - joint venture agreement and/or Memorandum of Understanding (MOU).
- (b) Evidence of current Tax Clearance Certificate (for the last three years) corresponding with declared Annual Turnover, by inclusion of photocopies (2017, 2018 and 2019)
- (c) Evidence of registration with National Pension Commission (Pencom Certificate which expires in December 2020) in compliance with the provisions of the Pension Reform Act, 2004.
- (d) Evidence of Compliance with the Industrial Training Fund Amendment act 2011 (ITF Certificate which expires in December 2020)
- (e) Evidence of Compliance with the Employers Compensation Acts issued by the Nigeria Social Insurance Trust Fund (NSITF Certificate) which expires in December 2020.
- (f) Evidence of registration on National Database of Contractors, consultants and Service Providers by inclusion of Interim Registration report (IRR which expires in June, 2020 or Certificate from Bureau of Public Procurement BPP)
- (g) Company audited account for the last three (3) years, (2017, 2018 and 2019), AUDITED ACCOUNT must tally with Tax Clearance Certificate
- (h) Reference letter from a reputable bank
- (i) A sworn Affidavit stating the following:
  - a. that no Director of the Company has been convicted in any Country for criminal offences related to fraudulent or corrupt practices
  - b. that no officer of FHA or BPP is a former or a present director(s) or shareholder or has any pecuniary interest in the company (bidder)
  - c. The Company has not been declared bankrupt.
  - d. All documents submitted are genuine, true and correct.
- (j) Company Profile including curriculum vitae and details of professional Qualification and up-to-date practising license of the personnel in the following field:- Architecture, Engineering, Building, Quantity Surveying. (Photocopies must be attached)



(k) Evidence of at least two (2) completed relevant works/project in the last five (5) years (2014 to 2019) including award letters and completion certificate / Interim certificate.

(m) List of plants or equipment with proof of ownership / lease.

Kindly note as follows:-

(i) That items (a) – (m) in 3.0 above are MANDATORY and failure to produce any will lead to AUTOMATIC disqualification of a company.

(ii) THAT NO BIDDER IS ALLOWED TO BID FOR MORE THAN ONE LOT.

Please note that failure to follow instruction (i) and (ii) above will also lead to disqualification of the bidder.

## **11. BID EVALUATION**

11.1 The evaluation of bids will be based on the information requested in this RFQ. This evaluation shall be conducted by the PDT, which will determine whether the interested bidders meet the requirements set out in this RFQ.

11.2 Only interested bidders which successfully qualified will be invited to take part in the RFP procurement.