

THE LESOTHO NATIONAL DEVELOPMENT CORPORATION



**PREQUALIFICATION DOCUMENT FOR
PROCUREMENT OF WORKS FOR HA CLIFFORD
VENDORS MARKET (Plot # 12284-285)**

APRIL 2026

Specific Procurement Notice Template

Invitation for Prequalification for Ha- Clifford Vendors Market

Country: Lesotho

Name of Project: Ha-Clifford Vendors Market

Contract Title: Design - Bid - Build

Sector: Works

Prequalification Reference No.: LNDC-PQ-PDM-2026-01

1. LNDC intends to prequalify contractors for ***Ha-Clifford Vendors Market, design, construct, and transfer a formalized, multi-purpose small vendors market at Ha-Clifford, Maseru. The current informal vendor sprawl across the city creates an unattractive, unhygienic, and disorderly environment, deterring large-scale investment. This project will consolidate eligible historic vendors into a structured facility with trading bays, storage, sanitation, waste management, and ancillary retail spaces. It is expected that the Request for Tenders will be made in June 2026.***
2. Prequalification will be conducted through the procedures as specified in Lesotho's "Public Procurement Act 2023 and Regulations 2025", and is open to all eligible Applicants as defined in the Public Procurement Act.
3. Interested eligible Applicants may obtain further information from the LNDC at the address below, during office hours, **0900 to 16:30 hours**. A complete set of prequalification documents in English may be obtained by interested Applicants by email to procurement@lndc.org.ls or by downloading the application from www.lndc.org.ls or by calling the procurement office on +26622312012 for no cost.

Bids should be sealed in a single envelope, clearly marked with the **Procurement Reference Number** above, the **Bidder's name** and the **name of the Procuring entity**. Envelopes should be sealed in such a manner that opening and resealing cannot be achieved undetected.

LNDC

EX-Clifford Vendors Market

LNDC-PQ-PDM-2026-01

"Bidders Name, address & contact details"

4. Applications for pre-qualification should be submitted in clearly marked envelopes and delivered to the address below by **10:00am** on **11 June 2026**. Late applications shall be rejected.

Name of PE: *Lesotho National Development Corporation*

Name of Officer and Title: *Chief Executive Officer*

Postal address: P/Bag A96, Maseru,100 Lesotho

Telephone Number: (+266) 22312012

Email Address: *procurement@lndc.org.ls*

Social Media Platforms: *Facebook, LinkedIn, Instagram and X*

Prequalification Document for Works

Procurement of:
Ha-Clifford Vendors Market

Invitation for Prequalification No.: LNDC-PQ-PDM-2026-01

Project: *Ha-Clifford Vendors Market Plot #12284-285*

Procuring Entity: *Lesotho National Development Corporation*

Country: *Lesotho*

Issued on: **24 April 2026**

Closing Date: **11 June 2026**

Opening Time: **10:15am**

Table of Contents

PART 1 – Prequalification Procedures	3
Section I - Instructions to Applicants.....	5
Section II - Prequalification Data Sheet (PDS)	25
Section III - Qualification Criteria and Requirements	29
Section IV - Application Forms.....	39
Section V - Eligible Countries	63
Section VI - Fraud and Corruption.....	65
PART 2 – Works’ Requirements	67
Section VII - Scope of Works	69

PART 1 – Prequalification Procedures

Section I - Instructions to Applicants

Contents

A. General.....	7
1. Scope of Application.....	7
2. Source of Funds.....	7
3. Fraud and Corruption.....	7
4. Eligible Applicants.....	8
5. Eligibility.....	10
B. Contents of the Prequalification Document	10
6. Sections of Prequalification Document	11
7. Clarification of Prequalification Document and Pre-Application Meeting	11
8. Amendment of Prequalification Document.....	12
C. Preparation of Applications	13
9. Cost of Applications.....	13
10. Language of Application	13
11. Documents Comprising the Application	13
12. Application Submission Letter	14
13. Documents Establishing the Eligibility of the Applicant	14
14. Documents Establishing the Qualifications of the Applicant.....	14
15. Signing of the Application and Number of Copies.....	14
D. Submission of Applications	15
16. Sealing and Marking of Applications.....	15
17. Deadline for Submission of Applications.....	15
18. Late Applications.....	16
19. Opening of Applications	16
E. Procedures for Evaluation of Applications	16
20. Confidentiality	16
21. Clarification of Applications.....	16
22. Responsiveness of Applications	17
23. Margin of Preference.....	17
24. Subcontractors	17
F. Evaluation of Applications and Prequalification of Applicants	18
25. Evaluation of Applications.....	18
26. Procuring Entity's Right to Accept or Reject Applications	21
27. Prequalification of Applicants.....	22
28. Notification of Prequalification	22

29. Request for Tenders.....	22
30. Changes in Qualifications of Applicants.....	22

Section I - Instructions to Applicants

A. General

- 1. Scope of Application**
- 1.1 In connection with the invitation for Prequalification¹ indicated in Section II (Prequalification Data Sheet) (PDS), the Procuring Entity, as defined **in the PDS**, issues this Prequalification Document (“Prequalification Document”) to prospective applicants (“Applicants”) interested in submitting applications (“Applications”) for prequalification to tender for the Works described in Section VII (Scope of Works). In case the Works are to be tender as individual contracts (i.e., the slice and package procedure), these are listed **in the PDS**. The Request for Tenders (RFT) number corresponding to this prequalification is also provided **in the PDS**.
- 2. Source of Funds**
- 2.1 The Procuring Entity specified **in the PDS** has received financing (hereinafter called “funds”) from the Government of Lesotho toward the project named **in the PDS**. The Procuring Entity intends to apply a portion of the funds to eligible payments under the contract for which this prequalification is conducted.
- 3. Fraud and Corruption**
- 3.1 The Government requires compliance with its Anti-Corruption Laws and Guidelines and its prevailing sanctions policies and procedures as set forth in Section VI.
- 3.2 In further pursuance of this policy, tenderers shall permit and shall cause their agents (where declared or not), subcontractors, sub-consultants, service providers, suppliers, and their personnel, to permit the Government to inspect all accounts, records and other documents relating to any prequalification process, tender submission, and contract performance (in the case of award), and

¹ *The Invitation for Prequalification (IFP) provides information for potential tenderers to decide whether to participate, including the essential items listed in the Standard Prequalification Document and also any important or specialized prequalification requirements requested to qualify for the prequalification.*

to have them audited by auditors appointed by the Government.

4. Eligible Applicants

- 4.1 Applicants shall meet the eligibility criteria as per ITA 5.1 and 5.2.
- 4.2 An Applicant may be a firm that is a private entity, a state-owned enterprise or institution subject to ITA 4.8 or any combination of such entities in the form of a joint venture ("JV") under an existing agreement or with the intent to enter into such an agreement supported by a letter of intent. In the case of a joint venture, all members shall be jointly and severally liable for the execution of the entire Contract in accordance with the Contract terms. The JV shall nominate a Representative who shall have the authority to conduct all business for and on behalf of all the members of the JV during the prequalification process, Tendering (in the event the JV submits a Tender) and during contract execution (in the event the JV is awarded the Contract). Unless it is specified **in the PDS**, there is no limit on the number of members in a JV.
- 4.3 A firm may apply for prequalification both individually and as part of a joint venture or participate as a subcontractor. If prequalified, it will not be permitted to tender for the same contract both as an individual firm and as a part of the joint venture or as a subcontractor. However, a firm may participate as a subcontractor in more than one Tender, but only in that capacity. Tenders submitted in violation of this procedure will be rejected.
- 4.4 A firm and any of its affiliates (that directly or indirectly control, are controlled by or are under common control with that firm) may submit its application for prequalification either individually, as joint venture or as a subcontractor among them for the same contract. However, if prequalified, only one prequalified Applicant will be allowed to tender for the same contract. All Tenders submitted in violation of this procedure will be

rejected.

- 4.5 An Applicant may have the nationality of any country, subject to the restrictions pursuant to ITA 5.1 and 5.2. An Applicant shall be deemed to have the nationality of a country if the Applicant is constituted, incorporated or registered in and operates in conformity with the provisions of the laws of that country, as evidenced by its articles of incorporation (or equivalent documents of constitution or association) and its registration documents, as the case may be. This criterion also shall apply to the determination of the nationality of proposed specialized sub-contractors or suppliers for any part of the Contract including related Services.
- 4.6 Applicants shall not have a conflict of interest. Applicants shall be considered to have a conflict of interest if they, or any of their affiliates, participated as a consultant in the preparation of the design or technical specifications or have been hired or proposed to be hired by the Procuring Entity as Engineer for contract implementation of the Works that are the subject of this prequalification. In addition, Applicants may be considered to have a conflict of interest if they have a close business or family relationship with a professional staff of the Procuring Entity or Government who: (i) are directly or indirectly involved in the preparation of the prequalification Document or Request for Tenders (RFT) Document or specifications of the Contract, and/or the Tender evaluation process of such Contract; or (ii) would be involved in the implementation or supervision of such Contract.
- 4.7 A Tenderer that has been sanctioned by the Government, pursuant to the Its Anti-Corruption Laws and Guidelines, in accordance with its prevailing sanctions policies and procedures as described in Section VI paragraph 2.2 d., shall be ineligible to be prequalified for, tender for, or be awarded a Government-financed contract or

benefit from a Government-financed contract, financially or otherwise, during such period of time as the Government shall have determined. The list of debarred firms and individuals is available at the electronic address specified in the PDS.

- 4.8 Applicants that are state-owned enterprises may be eligible to prequalify, compete and be awarded a Contract(s) only if they can establish that they (i) are legally and financially autonomous (ii) operate under commercial law, and (iii) are not under supervision of the Procuring Entity.
- 4.9 An Applicant shall not be under suspension from Tendering by the Procuring Entity as the result of the execution of a Tender/Proposal–Securing Declaration.
- 4.10 An Applicant shall provide such documentary evidence of eligibility satisfactory to the Procuring Entity, as the Procuring Entity shall reasonably request.

5. Eligibility

- 5.1 Firms and individuals may be ineligible if they are nationals of ineligible countries as indicated in Section V. The countries, persons or entities are ineligible if:
- (a) as a matter of law or official regulations, the Government of Lesotho prohibits commercial relations with that country; 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 Lesotho prohibits any import of goods or contracting of works or services from that country, or any payments to any country, person, or entity in that country.

B. Contents of the Prequalification Document

6. Sections of Prequalification Document

- 6.1 This Prequalification Document consists of parts 1 and 2 which comprise all the sections indicated below, and which should be read in conjunction with any Addendum issued in accordance with ITA 8.

PART 1 Prequalification Procedures

- Section I - Instructions to Applicants (ITA)
- Section II - Prequalification Data Sheet (PDS)
- Section III - Qualification Criteria and Requirements
- Section IV - Application Forms
- Section V – Eligible Countries
- Section VI – Fraud and Corruption

PART 2 Works Requirements

- Section VII - Scope of Works
- 6.2 Unless obtained directly from the Procuring Entity, the Procuring Entity accepts no responsibility for the completeness of the document, responses to requests for clarification, the minutes of the pre-Application meeting (if any), or Addenda to the Prequalification Document in accordance with ITA 8. In case of any discrepancies, documents issued directly by the Procuring Entity shall prevail.
- 6.3 The Applicant is expected to examine all instructions, forms, and terms in the Prequalification Document and to furnish with its application all information or documentation as is required by the Prequalification Document.

7. Clarification of Prequalification Document and Pre-Application Meeting

- 7.1 An Applicant requiring any clarification of the Prequalification Document shall contact the Procuring Entity in writing at the Procuring Entity's address indicated **in the PDS**. The Procuring Entity will respond in writing to any request for clarification provided that such request is received **no later than fourteen (14)** days prior to the deadline for submission of the applications. The Procuring Entity shall forward a copy of its response to all prospective Applicants who have

obtained the Prequalification Document directly from the Procuring Entity, including a description of the inquiry but without identifying its source. If so, indicated **in the PDS**, the Procuring Entity shall also promptly publish its response at the web page identified **in the PDS**. Should the Procuring Entity deem it necessary to amend the Prequalification Document as a result of clarification, it shall do so following the procedure under ITA 8. and in accordance with the provisions of ITA 17.2.

7.2 If indicated **in the PDS**, the Applicant's designated representative is invited at the Applicant's cost to attend a pre-Application meeting at the place, date and time mentioned **in the PDS**. During this pre-Application meeting, prospective Applicants may request clarification of the project requirement, the criteria for qualifications or any other aspects of the Prequalification Document.

7.3 Minutes of the pre-Application meeting, if applicable, including the text of the questions asked by Applicants, including those during the meeting (without identifying the source) and the responses given, together with any responses prepared after the meeting will be transmitted promptly to all prospective Applicants who have obtained the Prequalification Document. Any modification to the Prequalification Document that may become necessary as a result of the pre-Application meeting, shall be made by the Procuring Entity exclusively through the use of an Addendum pursuant to ITA 8. Non-attendance at the pre-Application meeting will not be a cause for disqualification of an Applicant.

8. Amendment of Prequalification Document

8.1 At any time prior to the deadline for submission of Applications, the Procuring Entity may amend the Prequalification Document by issuing an Addendum.

8.2 Any Addendum issued shall be part of the Prequalification Document and shall be communicated in writing to all Applicants who have obtained the Prequalification Document from

the Procuring Entity. The Procuring Entity shall promptly publish the Addendum at the Procuring Entity's web page identified **in the PDS**.

- 8.3 To give Applicants reasonable time to take an Addendum into account in preparing their Applications, the Procuring Entity may, at its discretion, extend the deadline for the submission of Applications in accordance with ITA 17.2.

C. Preparation of Applications

9. Cost of Applications

- 9.1 The Applicant shall bear all costs associated with the preparation and submission of its Application. The Procuring Entity will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the prequalification process.

10. Language of Application

- 10.1 The Application as well as all correspondence and documents relating to the prequalification exchanged by the Applicant and the Procuring Entity, shall be written in the language specified **in the PDS**. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages in the language specified **in the PDS**, in which case, for purposes of interpretation of the Application, the translation shall govern.

11. Documents Comprising the Application

- 11.1 The Application shall comprise the following:
- (a) **Application Submission Letter:** in accordance with ITA 12.1;
 - (b) **Eligibility:** documentary evidence establishing the Applicant's eligibility, in accordance with ITA 13.1;
 - (c) **Qualifications:** documentary evidence establishing the Applicant's qualifications, in accordance with ITA 14; and
 - (d) any other document required as specified **in the PDS**.
- 11.2 The Applicant shall furnish information on

commissions and gratuities, if any, paid or to be paid to agents or any other party relating to this Application

12. Application Submission Letter

12.1 The Applicant shall complete an Application Submission Letter as provided in Section IV (Application Forms). This Letter must be completed without any alteration to its format.

13. Documents Establishing the Eligibility of the Applicant

13.1 To establish its eligibility in accordance with ITA 4, the Applicant shall complete the eligibility declarations in the Application Submission Letter and Forms ELI (Eligibility) 1.1 and 1.2, included in Section IV (Application Forms).

14. Documents Establishing the Qualifications of the Applicant

14.1 To establish its qualifications to perform the contract(s) in accordance with Section III, Qualification Criteria and Requirements, the Applicant shall provide the information requested in the corresponding Information Sheets included in Section IV (Application Forms).

14.2 Wherever an Application Form requires an Applicant to state a monetary amount, Applicants should indicate the LSL equivalent or USD for international Applicants using the rate of exchange determined as follows:

- (a) For construction turnover or financial data required for each year - Exchange rate prevailing on the last day of the respective calendar year (in which the amounts for that year is to be converted).
- (b) Value of single contract - Exchange rate prevailing on the date of the contract.

Exchange rates shall be taken from the publicly available source identified **in the PDS**. Any error in determining the exchange rates in the Application may be corrected by the Procuring Entity.

15. Signing of the Application and Number of Copies

15.1 The Applicant shall prepare one original of the documents comprising the Application as described in ITA 11 and clearly mark it "ORIGINAL". The original of the Application shall be typed or written in indelible ink and shall be signed by a

person duly authorized to sign on behalf of the Applicant. In case the Applicant is a JV, the Application shall be signed by an authorized representative of the JV on behalf of the JV and so as to be legally binding on all the members as evidenced by the power of attorney signed by their legally authorized signatories.

- 15.2 The Applicant shall submit copies of the signed original Application, in the number specified **in the PDS**, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

D. Submission of Applications

16. Sealing and Marking of Applications

- 16.1 The Applicant shall enclose the original and the copies of the Application in a sealed envelope that shall:
- (a) bear the name and address of the Applicant;
 - (b) be addressed to the Procuring Entity, in accordance with ITA 17.1; and
 - (c) bear the specific identification of this prequalification process indicated **in the PDS** 1.1.
- 16.2 The Procuring Entity will accept no responsibility for not processing any envelope that was not identified as required in ITA 16.1 above.

17. Deadline for Submission of Applications

- 17.1 Applicants may either submit their Applications by mail or by hand. Applications shall be received by the Procuring Entity at the address no later than the deadline indicated **in the PDS**. When so specified **in the PDS**, Applicants have the option of submitting their Applications electronically, in accordance with electronic Application submission procedures specified **in the PDS**.
- 17.2 The Procuring Entity may, at its discretion, extend the deadline for the submission of Applications by amending the Prequalification Document in accordance with ITA 8, in which case all rights and

obligations of the Procuring Entity and the Applicants subject to the previous deadline shall thereafter be subject to the deadline as extended.

18. Late Applications

18.1 The Procuring Entity reserves the right to accept applications received after the deadline for submission of applications, unless otherwise specified **in the PDS**.

19. Opening of Applications

19.1 The Procuring Entity shall open all Applications at the date, time and place specified **in the PDS**. Late Applications shall be treated in accordance with ITA 18.1.

19.2 Applications submitted electronically (if permitted pursuant to ITA 17.1) shall be opened in accordance with the procedures specified **in the PDS**.

19.3 The Procuring Entity shall prepare a record of the opening of Applications to include, as a minimum, the name of the Applicants. A copy of the record shall be distributed to all Applicants.

E. Procedures for Evaluation of Applications

20. Confidentiality

20.1 Information relating to the Applications, their evaluation and results of the prequalification shall not be disclosed to Applicants or any other persons not officially concerned with the prequalification process until the notification of prequalification results is made to all Applicants in accordance with ITA 28.

20.2 From the deadline for submission of Applications to the time of notification of the results of the prequalification in accordance with ITA 28. any Applicant that wishes to contact the Procuring Entity on any matter related to the prequalification process may do so only in writing.

21. Clarification of Applications

21.1 To assist in the evaluation of Applications, the Procuring Entity may, at its discretion, ask an Applicant for a clarification (including missing documents) of its Application, to be submitted

within a stated reasonable period of time. Any request for clarification from the Procuring Entity and all clarifications from the Applicant shall be in writing.

21.2 If an Applicant does not provide clarifications and/or documents requested by the date and time set in the Procuring Entity's request for clarification, its Application shall be evaluated based on the information and documents available at the time of evaluation of the Application.

22. Responsiveness of Applications

22.1 The Procuring Entity may reject any Application which is not responsive to the requirements of the Prequalification Document. In case the information furnished by the Applicant is incomplete or otherwise requires clarification as per ITA 21.1, and the Applicant fails to provide satisfactory clarification and/or missing information, it may result in disqualification of the Applicant.

23. Margin of Preference

23.1 Unless otherwise specified **in the PDS**, a margin of preference for domestic tenderers² shall not apply in the Tendering process resulting from this prequalification.

24. Subcontractors

24.1 Unless otherwise stated **in the PDS**, the Procuring Entity does not intend to execute any specific elements of the Works by sub-contractors selected in advance by the Procuring Entity (so-called "Nominated Subcontractors").

24.2 The Applicant shall not propose to subcontract the whole of the Works. The Procuring Entity, in ITA 25.2, may permit the Applicant to propose subcontractors for certain specialized parts of the work as indicated therein as ("Specialized Subcontractors"). Applicants planning to use such Specialized Subcontractors shall specify, in the Application Submission Letter, the activity(ies) or

² An individual firm is considered a domestic tenderer for purposes of the margin of preference if it is registered in Lesotho, has more than 50 percent ownership by nationals of Lesotho, and if it does not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign contractors. JVs are considered as domestic Tenderers and eligible for domestic preference only if the individual member firms are registered in Lesotho, have more than 50 percent ownership by nationals of Lesotho, and the JV shall be registered in Lesotho. The JV shall not subcontract more than 10 percent of the contract price, excluding provisional sums, to foreign firms. JVs between foreign and national firms will not be eligible for domestic preference.

parts of the Works proposed to be subcontracted along with details of the proposed subcontractors including their qualification and experience.

F. Evaluation of Applications and Prequalification of Applicants

25.Evaluation of Applications

- 25.1 The Procuring Entity shall use the factors, methods, criteria, and requirements defined in Section III, Qualification Criteria and Requirements, to evaluate the qualifications of the Applicants, **and no other methods, criteria, or requirements shall be used.** The Procuring Entity reserves the right to waive minor deviations from the qualification criteria if they do not materially affect the technical capability and financial resources of an Applicant to perform the Contract.
- 25.2 Subcontractors proposed by the Applicant shall be fully qualified for their parts of the Works. The subcontractor's qualifications shall not be used by the Applicant to qualify for the Works unless their parts of the Works were previously designated by the Procuring Entity **in the PDS** as can be met by Specialized Subcontractors, in which case, the qualifications of the Specialized Subcontractor proposed by the Applicant may be added to the qualifications of the Applicant for the purpose of the evaluation.
- 25.3 In case of multiple contracts, Applicants should indicate in their applications the individual contract or combination of contracts in which they are interested. The Procuring Entity shall prequalify each Applicant for the maximum combination of contracts for which the Applicant has thereby indicated its interest and for which the Applicant meets the appropriate aggregate requirements. The qualification criteria and requirements are specified in Section III.
- 25.4 However, with respect to the specific experience under item Section III (Qualification Criteria and Requirements), 4.2 (a), the Procuring Entity will select any one or more of the options as identified

below:

N is the minimum number of contracts

V is the minimum value of a single contract.

(a) Prequalification for one Contract:

Option 1: (i) N contracts, each of minimum value V;

Or

Option 2: (i) N contracts, each of minimum value V,

Or

(ii) Less than or equal to N contracts, each of minimum value V, but with total value of all contracts equal or more than $N \times V$

(b) Prequalification for Multiple Contracts

Option 1: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the Applicant has applied for as follows, and N1, N2, N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of minimum value V1.

Lot 2: N2 contracts, each of minimum value V2.

Lot 3: N3 contracts, each of minimum value V3; ----etc.

Or

Option 2: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the Applicant has applied for as follows, and N1, N2, N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of

minimum value V1;

Lot 2: N2 contracts, each of minimum value V2;

Lot 3: N3 contracts, each of minimum value V3; ----etc,

Or

(ii) Lot **1:** N1 contracts, each of minimum value V1; or number of contracts less than or equal to N1, each of minimum value V1, but with total value of all contracts equal or more than $N1 \times V1$

Lot 2: N2 contracts, each of minimum value V2; or number of contracts less than or equal to N2, each of minimum value V2, but with total value of all contracts equal or more than $N2 \times V2$

Lot 3: N3 contracts, each of minimum value V3; or number of contracts less than or equal to N3, each of minimum value V3, but with total value of all contracts equal or more than $N3 \times V3$ ----etc.

Or

Option 3: (i) Minimum requirements for combined contract(s) shall be the aggregate requirements for each contract for which the Applicant has applied for as follows, and N1, N2 ,N3, etc. shall be different contracts:

Lot 1: N1 contracts, each of minimum value V1;

Lot 2: N2 contracts, each of minimum value V2;

Lot 3: N3 contracts, each of minimum value V3; ----etc,

Or

(ii) **Lot 1:** N1 contracts, each of minimum value V1; or number of contracts less than or equal to N1, each of minimum value V1, but with total value of all contracts equal or more than $N1 \times V1$

Lot 2: N2 contracts, each of minimum value V2; or number of contracts less than or equal to N2, each of minimum value V2, but with total value of all contracts equal or more than $N2 \times V2$

Lot 3: N3 contracts, each of minimum value V3; or number of contracts less than or equal to N3, each of minimum value V3, but with total value of all contracts equal or more than $N3 \times V3$ ----etc,

Or

(iii) Subject to compliance as per (ii) above with respect to minimum value of single contract for each lot, total number of contracts is equal or less than $N1 + N2 + N3$ +--but the total value of all such contracts is equal or more than $N1 \times V1 + N2 \times V2 + N3 \times V3$ +---.

25.5 Only the qualifications of the Applicant shall be considered. The qualifications of other firms, including the Applicant's subsidiaries, parent entities, affiliates, subcontractors (other than Specialized Subcontractors in accordance with ITA 25.2 above) or any other firm(s) different from the Applicant shall not be considered.

**26.Procuring
Entity's Right to
Accept or
Reject
Applications**

26.1 The Procuring Entity reserves the right to accept or reject any Application, and to annul the prequalification process and reject all Applications at any time, without thereby incurring any liability to the Applicants.

- 27. Prequalification of Applicants**
- 27.1 All Applicants whose Applications substantially meet or exceed the specified qualification requirements will be prequalified by the Procuring Entity.
- 27.2 An Applicant may be “conditionally prequalified,” that is, qualified subject to the Applicant submitting or correcting certain specified nonmaterial documents or deficiencies to the satisfaction of the Procuring Entity.
- 27.3 Applicants that are conditionally prequalified will be informed along with the statement of the condition(s) which must be met to the satisfaction of the Procuring Entity before or at the time of submitting their Tenders.
- 28. Notification of Prequalification**
- 28.1 The Procuring Entity shall notify all Applicants in writing of the names of those Applicants who have been prequalified or conditionally prequalified. In addition, those Applicants who have been disqualified will be informed separately.
- 28.2 Applicants that have not been prequalified may write to the Procuring Entity to request, in writing, the grounds on which they were disqualified.
- 29. Request for Tenders**
- 29.1 Promptly after the notification of the results of the prequalification, the Procuring Entity shall invite Tenders from all the Applicants that were prequalified or conditionally prequalified.
- 29.2 Tenderers may be required to provide a Tender Security or a Tender-Securing Declaration acceptable to the Procuring Entity in the form and an amount to be specified in the Tender Document, and the successful Tenderer shall be required to provide a Performance Security as specified in the Tender Document.
- 30. Changes in Qualifications of Applicants**
- 30.1 Any change in the structure or formation of an Applicant after being prequalified in accordance with ITA 27 and invited to tender (including, in the case of a JV, any change in the structure or formation of any member and also including any change in any specialized subcontractor whose

qualifications were considered to prequalify the Applicant) shall be subject to the written approval of the Procuring Entity prior to the deadline for submission of Tenders. Such approval shall be denied if (i) a prequalified applicant proposes to associate with a disqualified applicant or in case of a disqualified joint venture, any of its members; (ii) as a consequence of the change, the Applicant no longer substantially meets the qualification criteria set forth in Section III (Qualification Criteria and Requirements); or (iii) in the opinion of the Procuring Entity, the change may result in a substantial reduction in competition. Any such change should be submitted to the Procuring Entity not later than fourteen (14) days after the date of the Request for Tenders.

Section II - Prequalification Data Sheet (PDS)

A. General	
ITA 1.1	<p>The identification of the Invitation for Prequalification is: The Procuring Entity is: Lesotho National Development Corporation</p> <p>The list of contracts is: Single contract for construction works RFT name and No. are: Ha-Clifford Vendors Market – LNDC-PQ-PDM-2026-01</p>
ITA 2.1	The Procuring Entity is: Lesotho National Development Corporation
ITA 2.1	The name of the Project is: Ha Clifford Vendors Market
ITA 4.2	Maximum number of members in the JV shall be: Three (3)
ITA 4.7	A list of debarred firms and individuals is not available: Due diligence will ascertain evidence
B. Contents of the Prequalification Document	
ITA 7.1	<p>For clarification purposes, the Procuring Entity's address is: Attention: Chief Executive Officer Address: LNDC Development House, Block A, Kingsway Road, Lesotho City: Maseru ZIP Code: 100 Country: Lesotho Telephone: (+266) 22312012 Electronic mail address: procurement@lndc.org.ls</p>
ITA 7.1 & 8.2	Social Media Platforms: <i>Facebook, LinkedIn, Instagram and X</i>

ITA 7.2	Pre-Application Meeting will be held: Yes Address: Ha Clifford, Kingsway Road Opposite Fairways and NRH Mall Date: 7th May 2026 Time: 11:00am
C. Preparation of Applications	
ITA 10.1	This Prequalification document has been issued in English language. All correspondence exchange shall be in English language . The Application as well as all correspondence shall be submitted in English Language . Language for translation of supporting documents and printed literature is: N/A
ITA 11.1 (d)	The Applicant shall submit with its Application, the following additional documents: 1. Completed Application Submission Letter 2. Forms 3. Audited financial statements (last 3 years) 4. Valid tax clearance certificate 5. Declaration of no conflict of interest per Section 107(2) of the Public Procurement Act 2023
ITA 14.2	The source for determining exchange rates is: Central Bank of Lesotho
ITA 15.2	In addition to the original, the number of copies to be submitted with the Application is: Five (5)
D. Submission of Applications	
ITA 17.1	The deadline for Application submission is: Date: 11th June 2026 Time: 10H00 For Application submission purposes only , the Procuring Entity's address is:

	<p>Attention: Chief Executive Officer Address: LNDC Development House Block A, Kingsway Road City: Maseru ZIP Code: 100 Country: Lesotho Telephone: (+266) 22312012 Electronic mail address for clarifications: procurement@lndc.org.ls</p>
ITA 18.1	Late Applications will be returned unopened to the Applicants.
ITA 19.1	The opening of the Applications shall be at: 11 June 2026, 10:15 at: LNDC Development House Block A, Kingsway Road Maseru, Level 8 Boardroom.
ITA 19.2	The electronic Application opening procedures shall be: N/A
E. Procedures for Evaluation of Applications	
ITA 23.1	A margin of domestic preference shall apply
ITA 24.1	At this time the Procuring Entity <i>does not intend</i> to execute certain specific parts of the Works by sub-contractors selected in advance.
ITA 25.2	<p><i>[Indicate N/A if there are no parts of the Works requiring Specialized Subcontractors]</i></p> <p>The parts of the Works for which the Procuring Entity permits Applicants to propose Specialized Subcontractors are designated as follows:</p> <p>a. _____N/A_____</p> <p>b. _____N/A_____</p> <p>c. _____N/A_____</p> <p>For the above-designated parts of the Works that may require Specialized Subcontractors, the relevant qualifications of the proposed Specialized Subcontractors will be added to the qualifications of the Applicant for the purpose of evaluation.</p>

Section III - Qualification Criteria and Requirements

This section contains all the methods, criteria, and requirements that the Procuring Entity shall use to evaluate Applications. The information to be provided in relation to each requirement and the definitions of the corresponding terms are included in the respective Application Forms.

Contents

1. Eligibility	30
2. Historical Contract Non-Performance	31
3. Financial Situation and Performan	32
4. Experience	33

Eligibility and Qualification Criteria			Compliance Requirements			Document/ Form	
No	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Submission Requirement
				All Members Combined	Each Member	One Member	
1. Eligibility							
1.1	Nationality	Nationality in accordance with ITA 4.5	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments
1.2	Conflict of Interest	No conflicts of interest in accordance with ITA 4.6	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
1.3	Government Eligibility	Not having been declared ineligible by the Government, as described in ITA 4.7 and 5.1	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
1.4	State-owned Entity	Applicant required to meet conditions of ITA 4.8	Must meet requirement	Must meet requirement	Must meet requirement	N / A	Forms ELI -1.1 and 1.2, with attachments
1.5	United Nations resolution or Government's law	Not having been excluded as a result of prohibition in the Government laws or official regulations against commercial relations with the Applicant's country, or by an act of compliance with UN Security Council resolution, both in accordance with ITA 5.1 and 5.2 and Section V.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Forms ELI – 1.1 and 1.2, with attachments

Eligibility and Qualification Criteria				Compliance Requirements			Document/ Form
No.	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			
				All Members Combined	Each Member	One Member	
2. Historical Contract Non-Performance							
2.1	History of Non-Performing Contracts	Non-performance of a contract ¹ did not occur as a result of contractor's default since 1 st January 2020.	Must meet requirement ¹	Must meet requirements	Must meet requirement ²	N/A	Form CON-2
2.2	Suspension Based on Execution of Tender/Proposal Securing Declaration by the Procuring Entity	Not under suspension based on execution of a Tender/Proposal Securing Declaration pursuant to ITA 4.9.	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Application Submission Letter
2.3	Pending Litigation	Applicant's financial position and prospective long term profitability still sound according to criteria established in 3.1 below and assuming that all pending litigation will be resolved	Must meet requirement	N/A	Must meet requirement	N/A	Form CON-2

¹ Nonperformance, as decided by the Procuring Entity, shall include all contracts where (a) nonperformance was not challenged by the contractor, including through referral to the dispute resolution mechanism under the respective contract, and (b) contracts that were so challenged but fully settled against the contractor. Nonperformance shall not include contracts where Procuring Entity's decision was overruled by the dispute resolution mechanism. Nonperformance must be based on all information on fully settled disputes or litigation, i.e. dispute or litigation that has been resolved in accordance with the dispute resolution mechanism under the respective contract and where all appeal instances available to the applicant have been exhausted.

² This requirement also applies to contracts executed by the Applicant as JV member.

Eligibility and Qualification Criteria			Compliance Requirements				Doc ume nt/ For m
No .	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			
				All Members Combined	Each Member	One Member	
		against the Applicant					
2.4	Litigation History	No consistent history of court/arbitral award decisions against the Applicant ³	Must meet requirement	Must meet requirement	Must meet requirement	N/A	Form CON - 2
3. Financial Situation and Performance							
3.1	Financial Capabilities	(i) The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent of any contractual advance payment) sufficient to meet the construction cash flow requirements estimated as LSL, 12 700 000.00 for the subject contract(s) net of the Applicants other commitments (ii) The Applicant shall also demonstrate,	Must meet requirement Must meet	Must meet requirement Must meet	N/A N/A	N/A N/A	Form FIN - 3.1, with attachments

³ The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant or any member of a joint venture may result in rejection of the Application.

Eligibility and Qualification Criteria				Compliance Requirements			Doc ume nt/ For m
No .	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			
				All Members Combined	Each Member	One Member	
		to the satisfaction of the Procuring Entity, that it has adequate sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments. (iii) The audited balance sheets or, if not required by the laws of the Applicant's country, other financial statements acceptable to the Procuring Entity, for the last 3 years shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability.	requirement Must meet requirement	requirement N/A	Must meet requirement	N/A	
3.2	Average Annual Construction Turnover	Minimum average annual construction turnover of LSL 51 000 000.00 , calculated as total certified payments received for contracts in progress and/or completed within the last 3 years	Must meet requirement	Must meet requirement	Depends on JV agreement	N/A	Form FIN – 3.2
4. Experience							
4.1 (a)	General Construction Experience	Experience under construction contracts in the role of prime contractor, JV member, subcontractor, or	Must meet requirement	N/A	Must meet requirement	N/A	Form EXP – 4.1

Eligibility and Qualification Criteria			Compliance Requirements			Doc ume nt/ For m	
No	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Sub miss ion Req uire men t
				All Members Combined	Each Member	One Member	
		management contractor for at least the last 10 years, starting 1 st January 2016					
4.2 (a)	Specific Construction & Contract Management Experience	<p>(i) A minimum number of similar⁴ contracts specified below that have been satisfactorily and substantially⁸ completed as a prime contractor, joint venture member⁵, management contractor or subcontractor between 1st January 2016 and Application submission deadline:</p> <p>(i) $N = (3)$ contracts, each of minimum value $V = (M27,2\text{million})$; Or (ii) Less than or equal to $N = (3)$ contracts, each of minimum value $V = (M27,2m)$, but with total value of all contracts equal or more than $N \times V$; [insert values</p>	Must meet requirement	Must meet requirement ⁶	N/A	N/A	Form EXP 4.2(a)

⁴ The similarity shall be based on the physical size, complexity, methods/technology and/or other characteristics described in Section VI, Scope of Works. Summation of number of small value contracts (less than the value specified under requirement) to meet the overall requirement will not be accepted.

⁵ For contracts under which the Applicant participated as a joint venture member or sub-contractor, only the Applicant's share, by value, and role and responsibilities shall be considered to meet this requirement.

⁶ In the case of JV, the value of contracts completed by its members shall not be aggregated to determine whether the requirement of the minimum value of a single contract has been met. Instead, each contract performed by each member shall satisfy the minimum value of a single contract as required for single entity. In determining whether the JV meets the requirement of total number of contracts, only the number of contracts completed by all members each of value equal or more than the minimum value required shall be aggregated.

Eligibility and Qualification Criteria			Compliance Requirements			Doc ume nt/ For m	
No .	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			Sub miss ion Req uire men t
				All Members Combined	Each Member	One Member	
		<p><i>of N & V, delete (ii) above if not applicable].</i></p> <p><i>[In case the Works are to be tender as individual contracts under a slice and package (multiple contract) procedure, the minimum number of contracts required for purposes of evaluating qualification shall be selected from the options mentioned in ITA 25.3b]</i></p> <p>The similarity of the contracts shall be based on the following: <i>[Based on Section VII, Scope of Works, specify the minimum key requirements in terms of physical size, complexity, construction method, technology and/or other characteristics including part of the requirements that may be met by Specialized Subcontractors, if permitted in accordance with ITA 25.2]</i></p>					
4.2 (b)		For the above and any other contracts [substantially completed and under implementation] as prime contractor, joint venture member, or sub-contractor ⁵ between 1st January 2023	Must meet requirements <i>[Specify activities</i>	Must meet requirements <i>[Specify activities</i>	N/A	Must meet the following requirements for key activities listed below <i>[if</i>	Form EXP – 4.2 (b)

Eligibility and Qualification Criteria				Compliance Requirements			Doc ume nt/ For m
No .	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			
				All Members Combined	Each Member	One Member	
		<p>and Application submission deadline, a minimum construction experience in the following key activities successfully completed⁷: [list key activities indicating volume, number or rate of production as applicable.</p> <p><i>Key Activities</i></p> <ol style="list-style-type: none"> 1. Mobilisation & site Preparation 2. Earthworks & Substructure Works 3. Structural & Superstructure Works 4. Infrastructure & Services Installation 5. Building & Market Facilities Installation 6. Procurement & Construction Management 7. Quality Assurance & Compliance 8. Testing, Commissioning & Close-Out 9. Project Completion & Post-Construction 	<p><i>that may be met through a specialized subcontractor, if permitted in accordance with ITA 25.2]</i></p>	<p><i>that may be met through a Specialized Subcontractor, if permitted in accordance with ITA 25.2]</i></p>		<p>applicable, out of the key activities in the first column of this 4.2 b), list key activities (volume, number or rate of production as applicable) and the corresponding minimum requirements that have to be met by one member, otherwise this cell should state: "N/A".]</p>	

⁷ Volume, number or rate of production of any key activity can be demonstrated in one or more contracts combined if executed during same time period.

Eligibility and Qualification Criteria			Compliance Requirements			Doc ume nt/ For m	
No .	Subject	Requirement	Single Entity	Joint Venture (existing or intended)			
				All Members Combined	Each Member	One Member	Sub mission Req uire ment
		<i>Under 4.2(a), specified requirements define similarity of contracts, whereas the key activities or production rates to be specified under 4.2 (b) define the required capability of the Applicant to execute the Works. There shall not be any inconsistency or repetition of requirement between 4.2(a) and 4.2(b).For the rate of production, specify that the rate of production shall be on the basis of either the average during the entire specified period OR the rate of annual production in any 12 month period in the specified period,]⁸</i>					

⁸ The minimum experience requirement for multiple contracts will be the sum of the minimum requirements for respective individual contracts.

Section IV - Application Forms

Table of Forms

Application Submission Letter	40
Applicant Information Form	43
Applicant's JV Information Form	46
Historical Contract Non-Performance, and Pending Litigation and Litigation History	48
Financial Situation and Performance.....	52
Average Annual Construction Turnover	54
General Construction Experience.....	55
Construction Experience in Key Activities	60

Application Submission Letter

Date: *[insert day, month, and year]*

RFT No. and title:

To: *Lesotho National Development Corporation*

We, the undersigned, apply to be prequalified for the referenced RFT and declare that:

- (a) **No reservations:** We have examined and have no reservations to the Prequalification Document, including Addendum(s) No(s), issued in accordance with ITA 8:
- (b) **No conflict of interest:** We have no conflict of interest in accordance with ITA 4;
- (c) **Eligibility:** We (and our subcontractors) meet the eligibility requirements as stated ITA 4, we have not been suspended by the Procuring Entity based on execution of a Tender/Proposal-Securing Declaration in accordance with ITA 4.9;
- (d) **Suspension and Debarment:** We, along with any of our subcontractors, suppliers, consultants, manufacturers, or service providers for any part of the contract, are not subject to, and not controlled by any entity or individual that is subject to, a temporary suspension or a debarment imposed by the Government or a debarment imposed by the Government. Further, we are not ineligible under other Government's laws or official regulations or pursuant to a decision of the United Nations Security Council;
- (e) **State-owned enterprise or institution:** *[select the appropriate option and delete the other] [We are not a state-owned enterprise or institution] / [We are a state-owned enterprise or institution but meet the requirements of ITA 4.8];*
- (f) **Subcontractors and Specialized Subcontractors:** We, in accordance with ITA 24.2 and 25.2, plan to subcontract the following key activities and/or parts of the works:

[Insert any of the key activities identified in Section III - 4.2(a) or (b) which the Procuring Entity has permitted under the Prequalification Document and which the Applicant intends to subcontract along with complete details of the Specialized Subcontractors, their qualification and experience]

(g) **Commissions, gratuities, fees:** We declare that the following commissions, gratuities, or fees have been paid or are to be paid with respect to the prequalification process, the corresponding Tendering process or execution of the Contract:

<u>Name of Recipient</u>	<u>Address</u>	<u>Reason</u>	<u>Amount</u>
<i>[insert full name for each occurrence]</i>	<i>[insert street/number/city/country]</i>	<i>[indicate reason]</i>	<i>[specify amount, currency, value, exchange rate and LSL equivalent]</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

[If no payments are made or promised, add the following statement: “No commissions or gratuities have been or are to be paid by us to agents or any third party relating to this Application”]

(h) **Not bound to accept:** We understand that you may cancel the prequalification process at any time and that you are neither bound to accept any Application that you may receive nor to invite the prequalified Applicants to Tender for the contract subject of this Prequalification process, without incurring any liability to the Applicants, in accordance with ITA 26.1.

(i) **True and correct:** All information, statements and description contained in the Application are in all respect true, correct and complete to the best of our knowledge and belief.

Signed *[insert signature(s) of an authorized representative(s) of the Applicant]*

Name *[insert full name of person signing the Application]*

In the capacity of *[insert capacity of person signing the Application]*

Duly authorized to sign the Application for and on behalf of:

Applicant's Name *[insert full name of Applicant or the name of the JV]*

Address *[insert street number/town or city/country address]*

Dated on *[insert day number]* day of *[insert month]*, *[insert year]*

[For an a joint venture, either all members shall sign or only the authorized representative, in which case the power of attorney to sign on behalf of all members shall be attached]

Form ELI -1.1

Applicant Information Form

Date: *[insert day, month, year]*

RFT No. and title: *[insert RFT number and title]*

Page *[insert page number]* of *[insert total number]* pages

You are requested to give the particular indicated in Part 1 and either Part 2(a), 2(b), or 2(c) which ever applies to your type of business

You are advised that it is a serious offence to give false information on this Form.

Part 1 General: Applicants Details

Applicants Name:	
In case of Joint Venture (JV), name of each member:	
Location of business premises:	
Plot No. Street/Road:	
Postal Address:	
Tel. No.	
Fax:	
Email:	
Website:	
Nature of business:	
Registration Certificate No:	
Current Licenses and Permits:	<i>[Insert License Types, Dates, Numbers, and Expiration Dates]</i>
Name of your bankers:	
Branch:	
Contacts:	
Applicant's authorized representative information	
Name: <i>[insert full name]</i>	
Address: <i>[insert street/ number/ town or city/ country]</i>	
Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i>	
E-mail address: <i>[indicate e-mail address]</i>	

Part 2(a) – Sole Proprietor:

Your name in full	
Age	
Nationality	
Country of origin	
Citizenship details	

Party 2(b) – Partnership

Give details of partners as follows:

No.	Name	Nationality	Citizenship Details	Shares
1.				
2.				
3.				
4.				
5.				

Part 2 (c) – Registered Company:

State whether Private or Public:	
State the Nominal capital of the company (LSL equivalent):	
State the Nominal capital of the company (LSL equivalent):	

Give details of all directors as follows

No.	Name	Nationality	Citizenship Details	Shares
1.				
2.				
3.				
4.				
5.				

1. Attached are copies of original documents of

- Articles of Incorporation (or equivalent documents of constitution or association), and/or documents of registration of the legal entity named above, in accordance with ITA 4.5.
- In case of JV, letter of intent to form JV or JV agreement, in accordance with ITA 4.2.
- In case of state-owned enterprise or institution, in accordance with ITA 4.8 documents establishing:
 - Legal and financial autonomy
 - Operation under commercial law

- Establishing that the Applicant is not under supervision of the Procuring Entity
2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form ELI -1.2

Applicant's JV Information Form

[The following form is additional to Form ELI – 1.1., and shall be completed to provide information relating to each JV member (in case the Applicant is a JV) as well as any Specialized Subcontractor proposed to be used by the Applicant for any part of the Contract resulting from this prequalification]

Date: *[insert day, month, year]*

RFT No. and title: *[insert RFT number and title]*

Page *[insert page number]* of *[insert total number]* pages

Applicant name: <i>[insert full name]</i>
Applicant's JV Member's name: <i>[insert full name of Applicant's JV Member]</i>
Applicant's JV Member's country of registration: <i>[indicate country of registration]</i>
Applicant JV Member's year of constitution: <i>[indicate year of constitution]</i>
Applicant JV Member's legal address in country of constitution: <i>[insert street/ number/ town or city/ country]</i>
Applicant JV Member's authorized representative information Name: <i>[insert full name]</i> Address: <i>[insert street/ number/ town or city/ country]</i> Telephone/Fax numbers: <i>[insert telephone/fax numbers, including country and city codes]</i> E-mail address: <i>[indicate e-mail address]</i>
1. Attached are copies of original documents of <ul style="list-style-type: none"> <input type="checkbox"/> Articles of Incorporation (or equivalent documents of constitution or association), and/or registration documents of the legal entity named above, in accordance with ITA 4.5. <input type="checkbox"/> In case of a state-owned enterprise or institution, documents establishing legal and financial autonomy, operation in accordance with commercial law, and they are not under the supervision of the Procuring Entity, in accordance with ITA 4.8. 2. Included are the organizational chart, a list of Board of Directors, and the beneficial ownership.

Form CON – 2

Historical Contract Non-Performance, and Pending Litigation and Litigation History

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member's Name: *[insert full name]*
 RFT No. and title: *[insert RFT number and title]*
 Page *[insert page number]* of *[insert total number]* pages

Non-Performed Contracts in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> Contract non-performance did not occur since 1 st January <i>[insert year]</i> specified in Section III, Qualification Criteria and Requirements, Sub-Factor 2.1.			
<input type="checkbox"/> Contract(s) not performed since 1 st January <i>[insert year]</i> specified in Section III, Qualification Criteria and Requirements, requirement 2.1			
Year	Non-performed portion of contract	Contract Identification	Total Contract Amount (current value, currency, exchange rate and)
<i>[insert year]</i>	<i>[insert amount and percentage]</i>	Contract Identification: <i>[indicate complete contract name/ number, and any other identification]</i> Name of Procuring Entity: <i>[insert full name]</i> Address of Procuring Entity: <i>[insert street/city/country]</i> Reason(s) for nonperformance: <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>
Pending Litigation, in accordance with Section III, Qualification Criteria and Requirements			

- No pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3.
- Pending litigation in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.3 as indicated below.

Year of dispute	Amount in dispute (currency)	Contract Identification	Total Contract Amount (currency), LSL Equivalent (exchange rate)
<i>[insert year]</i>	<i>[insert amount]</i>	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Procuring Entity: <i>[insert full name]</i> Address of Procuring Entity: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate "Procuring Entity" or "Contractor"]</i> Status of dispute: <i>[Indicate if it is being treated by the Adjudicator, under Arbitration or being dealt with by the Judiciary]</i>	<i>[insert amount]</i>
Litigation History in accordance with Section III, Qualification Criteria and Requirements			
<input type="checkbox"/> No Litigation History in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.4. <input type="checkbox"/> Litigation History in accordance with Section III, Qualification Criteria and Requirements, Sub-Factor 2.4 as indicated below.			
Year of award	Outcome as percentage of Net Worth	Contract Identification	Total Contract Amount (currency), LSL Equivalent Applicants (exchange rate)

<i>[insert year]</i>	<i>[insert percentage]</i>	Contract Identification: [indicate complete contract name, number, and any other identification] Name of Procuring Entity: <i>[insert full name]</i> Address of Procuring Entity: <i>[insert street/city/country]</i> Matter in dispute: <i>[indicate main issues in dispute]</i> Party who initiated the dispute: <i>[indicate "Procuring Entity" or "Contractor"]</i> Reason(s) for Litigation and award decision <i>[indicate main reason(s)]</i>	<i>[insert amount]</i>
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Form FIN – 3.1

Financial Situation and Performance

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

RFT No. and title: *[insert RFT number and title]*

Page *[insert page number]* of *[insert total number]* pages

1. Financial data

Type of Financial information in (currency)	Historic information for previous <i>_[insert number]</i> years, <i>[insert in words]</i> (amount in currency, currency, exchange rate*,				
	Year 1	Year 2	Year 3	Year 4	Year 5
Statement of Financial Position (Information from Balance Sheet)					
Total Assets (TA)					
Total Liabilities (TL)					
Total Equity/Net Worth (NW)					
Current Assets (CA)					
Current Liabilities (CL)					
Working Capital (WC)					
Information from Income Statement					
Total Revenue (TR)					
Profits Before Taxes (PBT)					
Cash Flow Information					
Cash Flow from Operating Activities					

* Refer ITA 14 for the exchange rate

2. Sources of Finance

[The following table shall be filled in for the Applicant and all parties combined in case of a Joint Venture]

Specify sources of finance to meet the cash flow requirements on works currently in progress and for future contract commitments.

No.	Source of finance	Amount (LSL equivalent)
1		
2		
3		

3. Financial documents

The Applicant and its parties shall provide copies of financial statements for 3 years pursuant Section III, Qualifications Criteria and Requirements, Sub-factor 3.1. The financial statements shall:

- (a) reflect the financial situation of the Applicant or in case of JV member, and not an affiliated entity (such as parent company or group member).
 - (b) be independently audited or certified in accordance with local legislation.
 - (c) be complete, including all notes to the financial statements.
 - (d) correspond to accounting periods already completed and audited.
- Attached are copies of financial statements¹ for the 3] years required above; and complying with the requirements

¹ If the most recent set of financial statements is for a period earlier than 12 months from the date of Application, the reason for this should be justified.

Form FIN - 3.2

Average Annual Construction Turnover

[The following table shall be filled in for the Applicant and for each member of a Joint Venture]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

RFT No. and title: *[insert RFT number and title]*

Page *[insert page number]* of *[insert total number]* pages

Annual turnover data (construction only)			
Year	Amount Currency	Exchange rate*	LSL Equivalent (exchange rate)
<i>[indicate calendar year]</i>	<i>[insert amount and indicate currency]</i>		
		Average Annual Construction Turnover **	

* Refer ITA 14 for date and source of exchange rate.

** Total LSL equivalent, for all years divided by the total number of years. See Section III, Qualification Criteria and Requirements, 3.2.

Form EXP - 4.1

General Construction Experience

[The following table shall be filled in for the Applicant and in the case of a JV Applicant, each Member]

Applicant's Name: *[insert full name]*
 Date: *[insert day, month, year]*
 Joint Venture Member Name: *[insert full name]*
 RFT No. and title: *[insert RFT number and title]*
 Page *[insert page number]* of *[insert total number]* pages

[Identify contracts that demonstrate continuous construction work over the past [number] years pursuant to Section III, Qualification Criteria and Requirements, Sub-Factor 4.1. List contracts chronologically, according to their commencement (starting) dates.]

Starting Year	Ending Year	Contract Identification	Role of Applicant
<i>[indicate year]</i>	<i>[indicate year]</i>	Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and LSL equivalent *]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>
		Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and LSL equivalent *]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>

		<i>city/country]</i>	
		Contract name: <i>[insert full name]</i> Brief Description of the Works performed by the Applicant: <i>[describe works performed briefly]</i> Amount of contract: <i>[insert amount in currency, mention currency used, exchange rate and LSL equivalent *]</i> Name of Procuring Entity: <i>[indicate full name]</i> Address: <i>[indicate street/number/town or city/country]</i>	<i>[insert "Prime Contractor" or "JV Member" or "Sub-contractor" or "Management Contractor"]</i>

* Refer ITA 14 for date and source of exchange rate.

Form EXP - 4.2(a)

Specific Construction and Contract Management Experience

[The following table shall be filled in for contracts performed by the Applicant, each member of a Joint Venture, and Specialized Sub-contractors]

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Joint Venture Member Name: *[insert full name]*

RFT No. and title: *[insert RFT number and title]*

Page *[insert page number]* of *[insert total number]* pages

Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information			
Contract Identification	<i>[insert contract name and number, if</i>			
Award date	<i>[insert day, month, year, e.g., 15 June,</i>			
Completion date	<i>[insert day, month, year, e.g., 03 October,</i>			
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub- contractor <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in local currency]</i>		LSL <i>[insert Exchange rate and total contract amount in LSL equivalent]*</i>	
If member in a JV or sub-contractor, specify share in value in total Contract amount and roles and responsibilities	<i>[insert a percentage amount]</i>	<i>[insert total contract amount in local currency]</i>	<i>[insert exchange rate and total contract amount in LSL equivalent]*</i>	
	<i>[insert roles and responsibilities]</i>			
Procuring Entity's Name:	<i>[insert full name]</i>			
Address:	<i>[indicate street / number / town or city / country]</i>			
Telephone/fax number				

E-mail:	<i>[insert telephone/fax numbers, including country and city area codes]</i> <i>[insert e-mail address, if available]</i>
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* Refer ITA 14 for date and source of exchange rate.

Form EXP - 4.2(a) (cont.)
Specific Construction and Contract Management
Experience (cont.)

Similar Contract No. <i>[insert number] of [insert number of similar contracts required]</i>	Information
Description of the similarity in accordance with Sub-Factor 4.2(a) of Section III:	
1. Amount	<i>[insert amount in local currency, exchange rate, LSL in words and in Figures]</i>
2. Physical size of required works items	<i>[insert physical size of items]</i>
3. Complexity	<i>[insert description of complexity]</i>
4. Methods/Technology	<i>[insert specific aspects of the methods/technology involved in the contract]</i>
5. Construction rate for key activities	<i>[insert rates and items]</i>
6. Other Characteristics	<i>[insert other characteristics as described in Section VII, Scope of Works]</i>

Form EXP - 4.2(b)

Construction Experience in Key Activities

Applicant's Name: *[insert full name]*

Date: *[insert day, month, year]*

Applicant's JV Member's Name: *[insert full name]*

Sub-contractor's Name² (as per ITA 24.2 and 24.3): *[insert full name]*

RFT No. and title: *[insert RFT number and title]*

Page *[insert page number]* of *[insert total number]*
pages

All Sub-contractors for key activities must complete the information in this form as per ITA 24.2 and 24.3 and Section III, Qualification Criteria and Requirements, 4.2.

1. Key Activity No. One: *[insert brief description of the Activity, emphasizing its specificity]*

Total Quantity of Activity under the contract: _____

	Information			
Contract Identification	<i>[insert contract name and number, if</i>			
Award date	<i>[insert day, month, year, e.g., 15 June, 2015]</i>			
Completion date	<i>[insert day, month, year, e.g., 03 October,</i>			
Role in Contract <i>[check the appropriate box]</i>	Prime Contractor <input type="checkbox"/>	Member in JV <input type="checkbox"/>	Management Contractor <input type="checkbox"/>	Sub- contractor <input type="checkbox"/>
Total Contract Amount	<i>[insert total contract amount in contract currency(ies)]</i>		LSL <i>[insert exchange rate and total contract amount in LSL equivalent]</i>	
Quantity (Volume, number or rate of production, as applicable) performed under the contract per year or part of the year <i>[Insert extent of participation indicating actual quantity of key activity successfully completed in the role performed]</i>	Total quantity in the contract (i)	Percentage participation (ii)		Actual Quantity Performed (i) x (ii)
Year 1				
Year 2				

² If applicable

Year 3			
Year 4			
Procuring Entity's Name:	<i>[insert full name]</i>		
Address:	<i>[indicate street / number / town or city / country]</i>		
Telephone/fax number	<i>[insert telephone/fax numbers, including country and city area codes]</i>		
E-mail:	<i>[insert e-mail address, if available]</i>		

2. Activity No. Two

3.

	Information
Description of the key activities in accordance with Sub-Factor 4.2(b) of Section III:	
	<i>[insert response to inquiry indicated in left column]</i>

Section V - Eligible Countries

Eligibility for the Provision of Goods, Works and Services

In reference to ITA 5.1 and 5.2, for the information of the Applicants, at the present time firms and individuals, supply of goods, or contracting of works or services, from the following countries are excluded from this prequalification process:

Under ITA 5.1 (a): *"none"*

Under ITA 5.1 (b): *"none"*

Section VI - Fraud and Corruption

(This Section VI shall not be modified)

1. Purpose

1.1 The Government's Anti-Corruption Law and this annex apply with respect to all public procurements.

2. Requirements

2.1 The Government requires that purchasers; tenderers, consultants, contractors and suppliers; any sub-contractors, sub-consultants, service providers or suppliers; any agents (whether declared or not); and any of their personnel, observe the highest standard of ethics during the procurement process, selection and contract execution of Government contracts, and refrain from Fraud and Corruption.

2.2 To this end, the Government:

- a. Defines, for the purposes of this provision, the terms set forth below as follows:
 - i. "corrupt practice" is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party;
 - ii. "fraudulent practice" is any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain financial or other benefit or to avoid an obligation;
 - iii. "collusive practice" is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;
 - iv. "coercive practice" is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party;
 - v. "obstructive practice" is:
 - (a) deliberately destroying, falsifying, altering, or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede a Government investigation into allegations of a corrupt, fraudulent, coercive, or collusive practice; and/or threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters

- relevant to the investigation or from pursuing the investigation; or
- (b) acts intended to materially impede the exercise of the Government's inspection and audit rights provided for under paragraph 2.2 e. below.
- b. Rejects a proposal for award if the it determines that the firm or individual recommended for award, any of its personnel, or its agents, or its sub-consultants, sub-contractors, service providers, suppliers and/ or their employees, has, directly or indirectly, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question;
- c. In addition to the legal remedies set out in the relevant Laws, may take other appropriate actions, if it determines at any time that representatives of the Purchaser engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices during the procurement process, selection and/or execution of the contract in question, without the Purchaser having taken timely and appropriate action satisfactory to the Government to address such practices when they occur, including by failing to inform the Government in a timely manner at the time they knew of the practices;
- d. May sanction a firm or individual, either indefinitely or for a stated period of time, including by publicly declaring such firm or individual ineligible (i) to be awarded or otherwise benefit from a Government-financed contract, financially or in any other manner;¹ (ii) to be a nominated² sub-contractor, consultant, manufacturer or supplier, or service provider of an otherwise eligible firm being awarded a Government-financed contract.
- e. Requires that (i) tenderers, consultants, contractors, and suppliers, and their sub-contractors, sub-consultants, service providers, suppliers, agents personnel, permit the Government to inspect³ all accounts,

¹ For the avoidance of doubt, a sanctioned party's ineligibility to be awarded a contract shall include, without limitation, (i) applying for pre-qualification, expressing interest in a consultancy, and tendering, either directly or as a nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider, in respect of such contract, and (ii) entering into an addendum or amendment introducing a material modification to any existing contract.

² A nominated sub-contractor, nominated consultant, nominated manufacturer or supplier, or nominated service provider (different names are used depending on the particular Tender Document) is one which has been: (i) included by the tenderer in its pre-qualification application or tender because it brings specific and critical experience and know-how that allow the tenderer to meet the qualification requirements for the particular tender; or (ii) appointed by the Government.

³ Inspections in this context usually are investigative (i.e., forensic) in nature. They involve fact-finding activities undertaken by the Government or persons appointed by the Government to address specific matters related to investigations/audits, such as evaluating the veracity of an allegation of possible Fraud and Corruption, through the appropriate mechanisms. Such activity includes but is not limited to: accessing and examining a firm's or individual's financial records and information, and making copies thereof as relevant; accessing and examining any other documents, data and information (whether in hard copy or electronic format) deemed relevant for the investigation/audit, and making copies thereof as relevant; interviewing staff and other relevant individuals; performing physical inspections and site visits; and obtaining third party

records and other documents relating to the submission of tenders and contract performance, and to have them audited by auditors appointed by the Government.

PART 2 – Works’ Requirements

Section VII - Scope of Works

Contents

1. Description of the Works	70
2. Construction Period	73
3. Site and Other Data	76

1. Description of the Works

Ha-Clifford Vendors Market, design, construct, and transfer a formalized, multi-purpose small vendors market at Ha-Clifford, Maseru. The current informal vendor sprawl across the city creates an unattractive, unhygienic, and disorderly environment, deterring large-scale investment. This project will consolidate eligible historic vendors into a structured facility with trading bays, storage, sanitation, waste management, and ancillary retail spaces.

Activity (Works Contractor)	Description	Design Provided By
Site establishment & mobilization	Establish site camp, hoarding, temporary services, access control, and logistics setup	Lead Consultant (Architect, PM & Supervision) / Health & Safety Specialist
Site surveying & setting out	Establish control points, set out works as per approved drawings, verify benchmarks	Land Surveyor
Excavation & earthworks	Execute cut and fill, bulk excavation, compaction, and formation to design levels	Civil / Structural Engineer
Foundation construction	Construct strip/pad foundations to specified depth (incl. 600mm frost depth), reinforcement and concrete works	Civil / Structural Engineer
Structural frame erection	Construct columns, beams, slabs, and roof structural systems as per structural drawings	Civil / Structural Engineer
Retaining wall construction	Build reinforced concrete or gabion retaining structures including drainage provisions	Civil / Structural Engineer
Stormwater drainage installation	Install drainage channels, culverts, catch pits, manholes, and discharge systems	Civil / Structural Engineer
Superstructure & roofing works	Construct building envelope including roofing, cladding, and structural finishes	Civil / Structural Engineer / Lead Consultant

Activity (Works Contractor)	Description	Design Provided By
Vendor stalls installation	Install partitions, roller shutters, counters, and internal stall fittings	Lead Consultant (Architect)
Electrical installation works	Install cabling, distribution boards, lighting systems, metering, and power connections	Electrical Engineer
Plumbing & sanitation works	Install water supply systems, ablution facilities, sewer connections, and fixtures	Civil / Structural Engineer / Lead Consultant
Waste management infrastructure	Construct refuse areas, waste handling points, and associated facilities	Env. & Social Safeguards Specialist
Internal & external finishes	Execute flooring, painting, tiling, signage, and architectural finishes	Lead Consultant (Architect) / Quantity Surveyor
Compliance with H&S requirements	Implement site-specific H&S plan, PPE enforcement, safe work procedures	Health & Safety Specialist
Environmental & social compliance implementation	Implement ESMP, manage waste, dust, noise, and stakeholder interface obligations	Env. & Social Safeguards Specialist
Material procurement & management	Procure approved materials, ensure compliance with specifications and quality standards	Lead Consultant / Quantity Surveyor
Quality control & testing	Conduct material testing, concrete tests, inspections, and quality assurance processes	Lead Consultant / Civil Engineer
Progress reporting & coordination	Submit work programs, progress reports, and attend site meetings	Lead Consultant (PM & Supervision)
Electrical systems commissioning	Test and commission electrical installations and certify functionality	Electrical Engineer

Activity (Works Contractor)	Description	Design Provided By
Structural integrity compliance	Ensure all structural works meet design specifications and safety standards	Civil / Structural Engineer
Environmental & social compliance reporting	Report on ESMP implementation and corrective actions during construction	Env. & Social Safeguards Specialist
Health & safety compliance reporting	Maintain safety records, incident logs, and compliance reports	Health & Safety Specialist
Snagging & defect rectification works	Address defects identified during inspections and DLP period	Lead Consultant / All Specialists
Preparation of as-built records	Compile red-line drawings and provide data for as-built documentation	Lead Consultant / Land Surveyor
O&M documentation support	Provide manuals, warranties, and operational guidance for installed systems	Lead Consultant / Engineers
Demobilization & site clearance	Remove temporary works, clean site, and reinstate affected areas	Lead Consultant
Final completion & handover support	Support inspections, testing, and documentation for handover to Lesotho National Development Corporation	Lead Consultant
Defects liability period obligations	Maintain and rectify defects during 12-month DLP	Lead Consultant / All Specialists

Activity (Works Contractor)	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8
H&S compliance implementation	•	•	•	•	•	•	•	•
Environmental & social compliance	•	•	•	•	•	•	•	•
Progress reporting & coordination	•	•	•	•	•	•	•	•
Electrical systems commissioning							•	•
Structural integrity inspections			•	•	•	•		
Snagging & defect rectification							•	•
Preparation of as-built records							•	•
O&M documentation support							•	•
Demobilization & site clearance								•
Final completion & handover support								•

Programme Logic (Critical Path Explanation)

- Months 1-2 (Mobilization + Substructure Phase):**
 Site setup, surveys, earthworks, and foundation works dominate. These are **critical path activities**—any delay here cascades through the entire project.

- **Months 3–5 (Structural Phase):**
Structural frame erection, retaining walls, and drainage systems proceed in parallel to compress schedule.

- **Months 4–6 (Envelope + Services Phase):**
Roofing, electrical, and plumbing installations begin once structural zones are released (zone-by-zone construction strategy).

- **Months 5–7 (Fit-Out Phase):**
Vendor stalls, waste systems, and internal finishes progress concurrently.

- **Months 7–8 (Completion Phase):**
Commissioning, snagging, documentation, and handover activities.

2. Site and Other Data

Get a map from LNDC planning department

