



# **Liberia Electricity Regulatory Commission**

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## **Expression of Interest (EOI) Invitation to submit Proposals for the Lease of Premises to house Corporate Offices of the Liberia Electricity Regulatory Commission (LERC)**

**Reference Number: *LERC/REOI/001/20/21***

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## **INTRODUCTION**

The LERC is an independent statutory body created under Chapter 13 of the 2015 Electricity Law of Liberia, with the mandate to regulate the electricity sector. The main functions of LERC are licensing operators; approval of tariffs; establishment and monitoring of technical standards and codes; and resolution of service or license related disputes.

The LERC is expected to receive supplementary funding from the Government of Liberia through Fiscal Year 2020/2021 Budget and intends to apply portion of the proceeds towards the lease of premises to house Corporate Offices of the LERC in Monrovia.

The LERC now invites eligible and qualified owners of real property to submit sealed Expression of Interest (EOI) for lease as office space for the LERC.

## **Definition of Terms**

Unless otherwise specified, the following terms used in this REOI have the following meanings: **Day** is equal to 24 hours and means week day, including Saturdays and Sundays and holidays **Week** is equal to seven days.

## **DESCRIPTION OF THE PROCUREMENT**

Brief description of property:

- Land area: not less than 21,000 ft<sup>2</sup> (fenced)
- Office space: not less than 15,000 ft<sup>2</sup>

Facilities/amenities: Electricity, running water, air conditioning, maintenance & janitorial services, security services, and parking space for at least ten (10) vehicles.

Layouts shall include offices, conference room(s), reception areas, kitchenettes, bathrooms/ toilets/sanitary facilities and must satisfy the requirements specified in Table 1, and abide by any relevant national or municipal regulations governing the real estate industry.

The rental period shall be fixed and be at least for ten (10) years.

The building(s) shall be either designed for general office use or shall be capable of being modified with ease to meet such use. Preference shall be given to properties that are finished and ready for occupancy upon signing of lease agreement. Finished state includes all mechanical, electrical, plumbing, fixtures, and fire safety systems.

Location: Preferably the offer space should be situated within Congo Town, Sinkor, Central Monrovia, or Mamba Point areas.

Bidding will be conducted in accordance with competitive procurement processes and procedures specified under the Public Procurement and Concessions Act, 2010 and its accompanying regulations. The process is opened to all eligible and qualified bidders' real property owners and firms.

Everything being equal, preference will be given to:

1. Premises offered by Public Sector/Government Entities and other Government bodies;
2. Suitability of location of the premises;
3. Premises offering better amenities;
4. Premises offering additional parking space;
5. Premises ready for possession and occupation with all necessary permissions and approvals in place;
6. Premises fully accessible to persons with special needs;
7. Whilst preference will be given for property with the least number of floors, lifts are preferred for any property spread over more than one floor;
8. Building completed in the last ten years; and
9. Property that is free and unencumbered.

## OBJECTIVE

The objective of this procurement is to achieve value for money; secure suitable facilities through long term lease to house the Corporate Offices of the LERC at a total best possible cost of ownership over the lease period.

## SPECIFICATIONS

Table 1: Detailed Specifications

Item No.	Description	Specifications	Service Providers to indicate how their facilities meet the required specifications
1	Area (land and office space)	Land area: not less than 21,000 ft <sup>2</sup> Office space: not less than 15,000 ft <sup>2</sup>	
	The premises shall be used as offices and layouts shall include offices for top management, Middle management, support staff, conference room(s), reception areas, kitchenettes, bathrooms / toilets and sanitary facilities.	Minimum four top management offices, of at least 192 ft <sup>2</sup> and each bathroom	
		Minimum of eight additional offices for junior staffs, of at least 144 ft <sup>2</sup> with self-contained bathroom or at least two shared bathrooms	
		Additional office space of minimum 2,000 ft <sup>2</sup> that can be customized for use as offices/cubical for staffs	
		Availability of reception/waiting area	
		Availability of conference room/hall of at least 3,000 ft <sup>2</sup> with bathroom(s) that can be used to accommodate for public consultation/hearing/conference	
		Availability of two rooms/office spaces of minimum 144 ft <sup>2</sup> each, preferably at front entrance or external to be used for general reception, drivers waiting, etc.	
		Availability of external bathroom(s)/toilets for use by visitors	
2	Facilities/amenities	Any additional rooms/office spaces, please provide number and description	
		Air conditioning (please indicate, if any, areas without air conditioning)	
		Electricity (Please specify, main power source-grid connection or not)	
		Availability of back-up power source	
		Running water (please specify source)	
		Availability of 24/7 security services	
3	Location of Office Space	Availability of janitorial services	
		Car park spaces of minimum ten (10) vehicles	
3	Location of Office Space	Congo Town, Sinkor, Central Monrovia or Mamba Point areas	
4	Delivery or turnover of facility to LERC	Office Space must be turned over to the Liberia Electricity Regulatory Commission (LERC) within a maximum of two (2) weeks after signing of lease agreement between the parties	

Item No.	Description	Specifications	Service Providers to indicate how their facilities meet the required specifications
5	Rental	The rental period of minimum ten (10) years with possibilities of additional five years extension with markup to be discussed based on prevailing economic conditions	
		Fix annual rental fees for the proposed rental period	

*Note: The Service Provider should quote for Office Space leasing. The quotation must clearly indicate all cost components. All specifications proposed must be clearly written in the right-hand column of the Table, above, showing how those proposed specifications satisfy each requirement of the technical specifications. Responses such as: “Comply”, “Confirm” and “Same as” will not be considered.*

## THE BIDDING PROCESS

### The Source of Funding and Governing Procurement Rules

The source of funding for this procurement is the Government of Liberia National Budget and the procurement process is conducted under the Government of Liberia’s Public Procurement Regulatory Framework. Processes and procedures are those specified under the PPC Act as amended in 2010 and its accompanying regulations.

### Qualification of bidders

This REOI is open to eligible service providers consistent with the PPCC Act as amended in 2010. Eligible bidders must satisfy the following requirements:

Current tax clearance or receipt from the Liberia Revenue Authority (LRA) indicating payment of real estate/property taxes on the offered building/facilities to date PPCC Vendor Register Receipt (LERC reserves the right to accept submission without this receipt/certificate but will not sign contract with the bidder without it.)

### Request for Clarification and amendments of the REOI

Interested parties may request clarification in writing from the LERC during office hours, 9:00 am to 4:00 pm, Monday through Friday. The LERC shall reply to all queries and, where necessary, amend the EOI document as **Table 2 in this document**. At any time prior to the deadline for the submission of the EOI document, LERC may amend the EOI clauses, for any reason, whether on its own initiative or in response to a clarification requested by an Applicant. Questions and answers and amendments to the EOI document shall be uploaded on the **LERC website at: [www.lerc.gov.lr](http://www.lerc.gov.lr)** and where possible notify bidders in writing and bidders are required to abide by such clarification or amendments. LERC may, at its discretion, extend the deadline for submissions. Send email on [info@lerc.gov.lr](mailto:info@lerc.gov.lr), [asanso@lerc.gov.lr](mailto:asanso@lerc.gov.lr) and [njohnson@lerc.gov.lr](mailto:njohnson@lerc.gov.lr) for any clarification request.

### Preparation of EOI

Interested Party(ies) shall prepare and submit their EOI using the forms and formats provided under this REOI documents.

### Cost of preparation of EOI and Liability

Interested parties shall bear all costs associated with the preparation and submission of the EOI document. The LERC will, in no case, be responsible or liable for these costs, or have any other liability to any party, regardless of the conduct or outcome of the EOI process. The LERC shall have no obligation to any party to reimburse any costs incurred in preparing a response to this REOI.

### Language

The language for the bid is English. All documents submitted shall be in English. Any quotation which is not submitted in English or is not accompanied by a certified English translation will be rejected.

### Currency of the Bid Price

The currency for the bid is United States Dollars

Table 1: Modification, Submission and Opening of EOI

Deadline for modification of EOI	12:00 P.M of 23 <sup>rd</sup> October 2020
Deadline for submission	12:00 P.M of 27 <sup>th</sup> October 2020
Address for submission	Liberia Electricity Regulatory Commission F&F Building, 4 <sup>th</sup> Floor 63 UN Drive, Mamba Point Coconut Plantation Monrovia, Liberia
Number of copies	Two (2)
Envelop mark as	IFB No – LERC/REOI/001/20/21 Lease of Premises to house Corporate Offices of the Liberia Electricity Regulatory Commission (LERC) <b>Address to:</b> The Management Liberia Electricity Regulatory Commission F&F Building, 4 <sup>th</sup> Floor, 63 UN Drive Mamba Point, Monrovia, Liberia
Mode of delivery	<b>Hardcopy:</b> Hand delivery to: Liberia Electricity Regulatory Commission F&F Building, 4 <sup>th</sup> Floor 63 UN Drive, Mamba Point Coconut Plantation Monrovia, Liberia
<b>Opening</b>	
Venue	Room 413 at LERC Office
Date and Time	27 <sup>th</sup> October 2020 at 12:15 P.M.

### The proposal should include the information listed hereunder:

- a. A document indicating the personal and contact details of the site owner, also referring to current and previous uses of the site being proposed. In the case of a company, a copy of the Memorandum and Articles (M&A) is required;
- b. A site plan (scale 1:2500) clearly indicating the location of the site;
- c. A block plan (scale 1:100) clearly indicating the detail of the site;
- d. Front and side elevations of the site and building (scale 1:100);
- e. As-built layout plans in scale 1:100;
- f. As-built drawings;
- g. Copies of all statutory permits of the site and building;
- h. Photos of the site indicating access to the site, the building (including the interior), and other facilities on site;
- i. Details of security features, and accessibility features;
- j. Confirmation of when the site and building will be ready; and
- k. The price of the bid in United States Dollars, exclusive of VAT and inclusive of all applicable taxes and charges.

## **Very important for bidders**

- a) Evaluation will be done on offer structure, bidders may propose more than one building/structure in the same location or not, provided all relevant documentations relating such are inclusive in the submission package.
- b) Submissions are to be made strictly in accordance with this document.
- c) Additional material, brochures or promotional material may be submitted together with the information requested therein.
- d) All information requested in this document must be provided. If any section is not deemed to be applicable the bidder shall indicate it accordingly, without prejudice to the right of the LERC to disqualify bidders that do not provide the required information.
- e) The submitted proposal is to be signed by the candidate's authorized signatory with evidence of such authorization.
- f) In the case where the bidder is a "consortium" the information requested herein must be provided for each company forming part of the "consortium."
- g) The proposal must be drawn up in English.
- h) Any correspondence, including the actual proposal must always include the reference number indicated on the front page of this document.
- i) The LERC may invite interested parties to supplement or clarify the documents they submit.
- j) The LERC shall have the right to visit the site during the evaluation period.
- k) LERC reserves the right to sign contract only for the lease of the office space exclusive of the facilities/amenities as indicated (electricity, air conditioning, janitorial services, security services) and terminate same.

## **Evaluation**

Following the closing and opening of the EOIs, offers determined to be substantially responsive to the description of the technical specifications the Evaluation Committee shall evaluate the received proposals against the criteria, specifications and conditions set out in this EOI.

If, in the opinion of the Evaluation Committee, a proposal is unclear in any respect, the LERC may, in its discretion, seek clarification from the proponent. Failure to supply clarification to the satisfaction of the Evaluation Committee shall render the proposal liable to disqualification. After evaluation of proposals, the Committee shall draw up a short-list of proposals for the consideration of the LERC.

Being short-listed does not give rise to a contract or any obligation between the LERC and the proponent. No legal relationship shall exist between the LERC and a proponent until such time as a binding contract is entered by them.

The LERC shall, without limiting other options available to it, invite short-listed proponents to enter into pre-contractual negotiations, which may or may not lead to a final, binding contract. The LERC reserves the right not to proceed further with the whole EOI process.

## **Contract**

The successful bidder, hereinafter referred to as "the Lessor", will be required to enter into a contract of lease with the LERC for a period of ten (10) years, however, the LERC may terminate the lease at any time prior to the ten (10) years as long as it gives the Lessor six months' prior notice. The Contract shall include all the conditions enlisted in this document.

## **The following conditions shall apply:**

- a. The contract shall include the right to extend the lease for a further five (5) year period beyond the expiration date, upon a prior six (6) months' notice with the markup to be discussed based on the prevailing economic conditions.

- b. The Lessor warrants that s/he is the owner of the site and/or has the right to lease the site and building which are the subject of this Request for Proposals.
- c. The Lessor warrants that, to the best of his/her knowledge, the site and building proposed or any part thereof do not infringe or violate any third party property rights including without limitation, trademarks, patents, copyrights or trade secrets.
- d. The Lessor shall have the right to access the site and the building by providing at least one week's notice to the LERC. Access shall be exercised during the time periods stipulated by the LERC.
- e. The Lessor expressly waives its right to any abatement of any penalty he may incur in terms of this Agreement to which he may be entitled in terms of relevant **sections in real property laws of Liberia**.
- f. Payment of six months in advance provided that three months' delays shall be without penalty. Penalty of 3% of total amount due for the period may be applied per month for delay beyond three months. Interest shall be calculated using simple interest formula.

### CONSEQUENCES OF DELAY

Without prejudice to the LERC's right to dissolve the contract ipso jure, failure to deliver the site and/or building as agreed by interested parties, in addition to any liabilities incurred by the Lessor under these Conditions and / or the Contract, render the Lessor liable to pay by way of penalty **US\$ 150 per** day for the first 30 days and **US\$ 500** per day thereafter, unless the LERC, after having been notified by the Lessor, is of the opinion that such delay has arisen from causes which were unavoidable and could not be foreseen or overcome by the Lessor. In such case the LERC shall decide the extent, if any, of the deduction of the penalty. This is without prejudice to the right of the LERC to terminate the contract and obtain compensation for damages from the Lessor.

In the event of any of the following, the LERC shall have the right to carry out the works itself or request a third party to carry out the works, with expenses to be paid by the Lessor, without prejudice to the rights of the LERC to recover from the Lessor, any damages incurred:

- a. Late delivery of the site and/or building in whole, or in part, or not in accordance with the requirements and specifications of this document, or outright failure to effect delivery of the site and/or building;
- b. Abandonment of the Contract, provided that the Contract shall be deemed abandoned in any of the following circumstances:
  - i. If the Lessor fails to commence Work within **seven (7) working days** from the date of the Letter of Acceptance or from the order to start work whichever is the latest;
  - ii. If the Lessor stops Work for seven (7) consecutive working days without previously obtaining the written permission of the LERC.

If the Lessor for any cause whatsoever, becomes unable or fails to carry out the Contract as agreed; or if s/he does not progress with the work in the manner intended by the Contract; or if the preparations for commencement or subsequent rate of progress is slow, such that in the opinion of LERC the Lessor is unable to complete and deliver the work or goods by the expiration date of the Contract Terms; or if the Lessor refuses or neglects to comply with the directions given to him by the LERC.



## **Additional Information**

### **Disclaimer**

Nothing in this REOI is to be construed as creating a binding contract between the LERC and the proponent until the two parties enter into a final, binding contract.

### **Bid Challenge**

Bidders may challenge the results of procurement only according to the rules established under the Public Procurement and Concessions Act, 2010 and its accompanying regulations.

### **Others**

#### **Please provide:**

- Details of encumbrances if any, including any pending or ongoing litigations concerning the building/facilities;
- Details of Court rulings on previously disputed matters; and
- Information on bidder having previous or ongoing office lease agreement with any Government or Semi-Government agencies in the past five years. If so names and addresses of such clients to be given.

**FORMS**

**Financial Bid Form (To be completed by the Service Provider)**

Reference: *[indicate EOI reference code]*

Expression of Interest (EOI): Invitation to submit proposals for the lease of premises to house LERC Corporate Offices in Monrovia

Service Provider's Quotation Price								
Item #	Property	Locality	Description of the Requirement (in accordance with the Technical Specifications in Annex 1)	Quantity (Months)	Unit Price USD	Total Price Excluding GST/VAT but inclusive of other taxes	GST/VAT USD	Total Amount including GST/VAT USD
			Office space fix lease amount per Annum					
			Electricity					
			Air Conditioning					
			Maintenance and janitorial Services					
			Security Services					
<b>TOTAL COST</b>								

*Note: Please state total amount both in figures and in words for all the requirements.*

Name/Company Name .....

Email .....

Telephone Number(s) .....: Signature: .....

**DOCUMENTS TO BE SUBMITTED WITH PROPOSAL(S):**

**Checklist**

The proposal should include all the following declarations (as applicable) and information:

**ANNEX 1: DECLARATION & BIDDER'S DETAILS FORM.**

**ANNEX 2: DECLARATION OF OWNERSHIP BY INDIVIDUAL PERSON [Including authenticated document. (as applicable)]**

**ANNEX 3: DECLARATION OF OWNERSHIP BY COMPANY REPRESENTATIVE [including authenticated document. (as applicable)]**

**ANNEX 4: DECLARATION BY AN INDIVIDUAL PERSON THAT SUBMITTED INFORMATION IS CORRECT. (as applicable)**

**ANNEX 5: DECLARATION BY COMPANY REPRESENTATIVE THAT SUBMITTED INFORMATION IS CORRECT. (as applicable)**

**ANNEX 1 - DECLARATION & BIDDER'S DETAILS FORM**

Reference: [indicate EOI reference code]

**Expression of Interest (EOI): Invitation to submit proposals for the lease of premises to house LERC Corporate Offices in Monrovia**

With reference to [indicate EOI reference code] expression of interest published in [indicate source of information] on the [indicate date of publication] and in terms of the conditions therein mentioned and those thereto attached,

I/We.....  
(Name of individual or firm submitting quotation to be entered in **BLOCK** letters) hereby acknowledge that I am/we are fully conversant with of all the conditions of this Expression of Interest.

Name / Company Name:	
Address	
Registered Company Number (if applicable)	
VAT Number (if applicable)	
Telephone No.	
Mobile No.	
E-mail address	

Signature: \_\_\_\_\_  
(the person or persons authorized to sign on behalf of the bidder)

**ANNEX 2 - DECLARATION OF OWNERSHIP BY INDIVIDUAL PERSON**

Reference: [indicate EOI reference code]

**Expression of Interest (EOI): Invitation to submit proposals for the lease of premises to house LERC Corporate Offices in Monrovia**

I (*Full Name*) .....

With I.D. Card No. -----.

residing at (*personal address*) .....

.....

.....

hereby declare that the property (*address of proposed property*)

.....

.....

proposed in [*indicate EOI reference code*] is my sole and exclusive ownership.

I accept that in case this information results to be false I shall forfeit the right to participate in the above-mentioned EOI without being given due notice.

In sustain of this declaration I am attaching an authenticated document as proof of ownership.

Signature: \_\_\_\_\_

**Full Name (In Block Capitals)** .....

Tel / Mob No: .....

Email: .....

**ANNEX 3 - DECLARATION OF OWNERSHIP BY COMPANY REPRESENTATIVE**

Reference: [indicate EOI reference code]

**Expression of Interest (EOI): Invitation to submit proposals for the lease of premises to house LERC Corporate Offices in Monrovia**

I (Full Name) .....

with I.D. Card No. ....

residing at (personal address) .....

.....

.....

in the capacity of [whether Director, Manager etc.] .....

of company [*Name of Company*] .....

with Registration No. .... hereby declare that the property (address of proposed property) .....

proposed in [indicate EOI reference code] forms part of the property of the mentioned company. In sustain of this declaration I am attaching an authenticated document as proof of ownership.

I accept that in case this information results to be false I shall forfeit the right to participate in the above-mentioned EOI without due notice.

Signature: \_\_\_\_\_

**Full Name (In Block Capitals)** .....

Tel / Mob No: .....

Email: .....

**ANNEX 4 - DECLARATION BY AN INDIVIDUAL PERSON THAT SUBMITTED INFORMATION IS CORRECT**

Reference: [indicate EOI reference code]

**Expression of Interest (EOI): Invitation to submit proposals for the lease of premises to house LERC Corporate Offices in Monrovia**

I (Full Name) .....

with I.D. Card No. ....

residing at (*personal address*) .....

.....

.....

hereby declare that the information submitted in the [*indicate EOI reference code*] is correct and true.

I accept that in case this information results to be false I shall forfeit the right to participate in the above-mentioned EOI without due notice.

Signature: \_\_\_\_\_

**Full Name (In Block Capitals)** .....

Tel / Mob No: .....

Email: .....

**ANNEX 5: DECLARATION BY COMPANY REPRESENTATIVE THAT SUBMITTED INFORMATION IS CORRECT**

Reference: [indicate EOI reference code]

**Expression of Interest (EOI): Invitation to submit proposals for the lease of premises to house LERC Corporate Offices in Monrovia**

I (Full Name) .....

with I.D. Card No. ....

residing at (*personal address*) .....

.....

.....

in the capacity of (*whether Director, Manager etc.*) .....

of company (*Name of Company*) .....

with Registration No. .... hereby declare that the information submitted in [*indicate*

*EOI reference code*] is correct and true.

I accept that in case this information results to be false I shall forfeit the right to participate in the above-mentioned EOI without being given due notice.

Signature: \_\_\_\_\_

**Full Name (In Block Capitals)** .....

Tel / Mob No: .....

Email: .....



## Financial Bid Form

- A document referring to current and previous uses of the site being proposed. In the case of a company, a copy of the Memorandum and Articles (M&A) is required.
- A site plan (scale 1:2500) clearly indicating the location of the site.
- A block plan (scale 1:100) clearly indicating the details of the site.
- Front and side elevations of the site and building (scale 1:100).
- As-built layout plans in scale 1:100.
- As-built drawings.
- Copies of all MPW permits of the site and building.
- Photos of the site indicating access to the site, the building (including the interior), and other facilities on site.
- Details of security features, and accessibility features.
- Confirmation of when the site and building will be ready.
- The cost of the rent payable per annum for the duration of the contract in US\$, exclusive of VAT and all applicable taxes and charges.
- PCC Vendor Register Receipt (*LERC reserves the right to accept submission without this receipt but will not sign contract with any bidder without this receipt*).
- Current Tax Clearance for the payment of real property taxes on offered facilities.

**Note: All fees incurred to obtain the above documents are to be paid by the bidder/contractor. The LERC is not liable for any of these fees.**