



FEDERAL REPUBLIC OF NIGERIA



MINISTRY OF
**Mines and Steel
Development**

Ministry of Mines and Steel Development

in compliance with the

Infrastructure Concession Regulatory Commission Establishment Act 2005 & National Policy on Public-Private Partnership (N4P)

**REQUEST FOR QUALIFICATION FOR THE CONCESSION OF THE NATIONAL IRON ORE MINING COMPANY
SOLICITED PPP PROCESS**

1. Federal Government of Nigeria (“FGN”), through the Ministry of Mines and Steel Development (“MMSD”), is actively working for the revival of mining and steel industry in Nigeria. As an integral part of its efforts, the FGN intends to involve the private sector in the redevelopment, operation and maintenance of the National Iron Ore Mining Company (“NIOMCO”) (The “Project”).

2. The Project has been certified by the FGN through the Infrastructure Concession Regulatory Commission (“ICRC”) as eligible for a Public Private Partnership (“PPP”). MMSD will act as the counterpart for the Project.

3. MMSD has retained the services of CPCS Transcom Nigeria Limited as Transaction Adviser to assist in the procurement of a private sector partner with the requisite technical competence, managerial capability and financial resources.

4. A Project Steering Committee and Project Delivery Team have been constituted comprising representatives from key Ministries, Departments, and Agencies of the FGN, including MMSD, the ICRC and the Federal Ministry of Finance.

5. MMSD, in compliance with the Infrastructure Concession Regulatory Commission Establishment Act 2005, is inviting potential private sector partners to redevelop, operate and maintain NIOMCO under a PPP arrangement, as per the terms and conditions of a Concession Agreement.

6. In line with the approval of ICRC, and consistent with the approval of the President of the Federal Republic of Nigeria, the Request for Qualification (“RFQ”) and Request for Proposal (“RFP”) will be issued concurrently to all interested parties. Only the RFP submissions of parties who are shortlisted after the review of the RFQ submissions will proceed in the procurement process.

Pre-Eligibility Criteria and Method of Application

Qualification of interested parties will be based on the following:

1.1 Pre-Eligibility

- i. Evidence of Company Registration with Corporate Affairs Commission (CAC) or its equivalent for foreign firms.
- ii. In the case of a consortium, evidence in the form of letter of association or agreement (joint venture agreement and/or Memorandum of Understanding/Memorandum of Agreement).
- iii. Power of Attorney/Board Resolution, in case of a consortium, identifying the lead member of the consortium authorized to submit the RFQ and binding on all the members of the consortium.
- iv. Audited Financial Statements prepared in accordance with the International Financial Reporting Standards (IFRS) of the bidding company or members of consortium for the last four (3) years (2020, 2021 & 2022).
- v. Tax Clearance Certificates for the last three (3) years (2020, 2021 & 2022).

Minimum Technical and Financial Capacity of the Applicant:

8. The Applicant could be a single entity (“Sole Bidder”) or a group of entities (“Consortium”) coming together to implement the Project.
9. The Applicant should have the following **Technical Capacity**:
 - a) It is desirable that a Member of the Consortium or the Sole Bidder have experience in operating at least one open-pit mine with a minimum run-of-mine production of two million (2,000,000) tons per annum for at least two years.
 - b) Experience of a Member of the Consortium or the Sole Bidder in the successful development (and financing) of mines which have achieved operational status in the last ten years, is preferred.
 - c) Experience in executing similar industrial and mining projects Internationally or in emerging economies is preferred for a Member of the Consortium or the Sole Bidder.
 - d) Verifiable documentary evidence of participation in similar scheme with verifiable reference of similar related experience successfully executed/handled. ((Such as evidence of a mining license or relevant certificates etc).
 - e) The Member of the Consortium or the sole bidder operating a domestic steel plant will be preferable to promote domestic value addition.
9. The Applicant should have the following **Financial Capacity**:
 - a) Average turnover of two hundred million United States Dollars (USD 200,000,000) in the last three (3) consecutive years.
 - b) Minimum Net Worth of fifty million United States Dollars (USD 50,000,000) based on the most recent financial year for which audited financial records are available.
 - c) Bidders should provide evidence of access to fund the project with a minimum amount of One hundred million dollars (USD 100, 000,000).

Method of Application:

10. Interested parties should log unto the website www.cpcs.ca/mmsdprojects to download a copy of a Confidentiality Agreement. Upon execution of the agreement, bidders will be sent soft copies of the tender documents.
11. Interested applicants may obtain further information at the address above (No 2 Luanda Crescent, Off Ademola Adetokunbo Crescent Wuse 2, Abuja from 8.00am – 4.00pm, Monday through Friday (except Public Holidays) from: Name: Ministry of Mines & steel Development, Procurement Department.
Tel:+23495239064 Email: info@minesandsteel.gov.ng
12. A virtual pre-application conference for interested parties shall be convened on May 4, 2023.
13. The Preferred Bidder will be required to register a Special Purpose Vehicle under the laws of Nigeria at the stage of issuance of letter of award for the Project.

Submission of Documents:

14. Details for the submission of the Bid Documents will be provided in the tender documents.

15. An original and six (6) copies of Request for Qualification submission and one digital copy in PDF format stored on a readable digital media preferably flash drive (no CDs or DVDs) shall be delivered in a sealed envelope clearly marked "Request for Qualification for the Concession of the National Iron Ore Mining Company Limited (NIOMCO)" and delivered to the address above not later than 15.00 p.m. on 12th May 2023.
16. The documents (both hard and soft copies) must be delivered not later than 15:00 hrs. on May 12, 2023.
17. Applicants can submit to Office of the Permanent Secretary, Ministry of Mines & steel Development No 2 Luanda Crescent, Off Ademola Adetokunbo Crescent Wuse 2, Abuja ,Tel:+23495239064 Email: info@minesandsteel.gov.ng

NOTE:

- i. Interested international parties are encouraged to partner with local firms in compliance with the requirements of the Federal Government of Nigeria local content development policy.
- ii. Late submissions will be rejected.
- iii. Submissions via courier will be accepted only if delivered within the submission time shown above.
- iv. Submission through email will not be accepted.
- v. All Submissions shall be in English language only.
- vi. The Ministry will not be held liable for misplaced or wrongly submitted bids
- vii. The FGN/Ministry reserves the right to verify the authenticity of any claims made in the documents submitted by the companies.

DISCLAIMER:

- i. This Invitation for Request for Qualification does not in any manner constitute an agreement and is neither an offer of the concession to prospective applicants/bidders or any other person nor does it constitute a commitment or obligation on the part of the FGN/Ministry to an award of contract.
- ii. This advertisement shall not be construed as a commitment on the part of the FGN/MMSD to appoint any applicant/bidder nor shall it entitle any applicant/operator submitting documents to claim any indemnity from the Ministry or FGN.
- iii. The Ministry will not be responsible for any costs or expenses incurred by any interested party(ies) in connection with any response to this invitation and /or the preparation or submission in response to an enquiry.
- iv. The Ministry is not bound to shortlist any bidder and reserves the right to annul the selection process at any time without incurring any liability and assigning any reason thereof.

Signed:

PERMANENT SECRETARY

Ministry of Mines and Steel Development