



TAZAMA PIPELINES LIMITED

OPEN ACCESS GUIDELINES

**FOR THE TRANSPORTATION OF LOW SULPHUR GAS
OIL**

VERSION 3.0

**JUNE, 2025.
TAZAMA PIPELINES LTD
NDOLA, ZAMBIA.**

Version 3.0

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FOREWORD

This third version of the *TAZAMA Pipeline Open Access Guidelines for the Transportation of Low Sulphur Gasoil (LSG)* represents a continued commitment by **TAZAMA Pipelines Limited**, under the guidance of the **Ministry of Energy**, to foster an inclusive, transparent, and efficiently regulated petroleum transport system in Zambia.

The Guidelines are issued in accordance with the **Energy Regulation Act No. 12 of 2019** and the **Energy Regulation (General) Regulations**, Statutory Instrument No. 41 of 2023. In particular, **Regulation 31** that empowers TAZAMA Pipelines Limited to establish procedures and criteria for equitable access to the petroleum products pipeline.


Following the initial implementation of the Open Access framework in 2024, valuable lessons have been learned through practical experience and stakeholder feedback. This **Version 3.0** reflects those learnings—introducing targeted amendments aimed at enhancing **collaboration among Oil Marketing Companies (OMCs)**, strengthening operational discipline, and ensuring that the pipeline is used to its fullest potential for the benefit of the Zambian energy market.

Key provisions have been refined to improve scheduling, berthing efficiency, volume nomination accountability, and overall coordination across the value chain. Stakeholder engagement has remained central to this process, and we thank all OMCs and regulatory partners for their continued cooperation in shaping these Guidelines.

As TAZAMA transitions into a more competitive and market-responsive player in the petroleum sector, the principles of **fairness, transparency, operational efficiency**, and **national energy security** will continue to guide our work.

We remain confident that these revised Guidelines will further bolster confidence in the Open Access mechanism and contribute to a more resilient and inclusive fuel supply chain.

MANAGING DIRECTOR
TAZAMA PIPELINES LIMITED

 *Dated: Theday of2025*

DOCUMENT INFORMATION

Document History:

No.	Version date	Authors	Version	Description
1.	5/12/2024	a) TAZAMA Pipelines Limited b) Ministry of Energy (MOE) c) Energy Regulation Board (ERB)	1.0	Initial guidelines establishing open, competitive access to the TAZAMA pipeline for LSG transportation.
2.	06/05/2025	a) TAZAMA Pipelines Limited b) Ministry of Energy (MOE) c) Energy Regulation Board (ERB)	2.0	Guidelines for OMCs to access the TAZAMA pipeline for LSG transport from Dar es Salaam to Ndola, in line with energy regulations.
3.	26/06/2025	a) TAZAMA Pipelines Limited b) Ministry of Energy (MOE) c) Energy Regulation Board (ERB)	3.0	Regulatory framework that incorporates feedback and recommendations to enhance transparency, accountability, and operational efficiency in the transportation and distribution of Low Sulphur Gasoil through the TAZAMA pipeline.

Document Approval:

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WORKING DEFINITIONS

Term	Definition
Appeals Committee	A committee designated to handle complaints and challenges raised by unsuccessful applicants or bidders.
Berthing	The process of docking a ship to offload petroleum cargo at the designated port terminal.
Bid Security	A 2% financial guarantee submitted with the bid to demonstrate seriousness and ensure participation.
Capacity Sharing	Distribution of available pipeline capacity among multiple qualifying OMCs.
CIF (Cost, Insurance and Freight)	An international commercial term where the seller bears the cost, insurance, and freight to the delivery port.
Compliance Certificate	An official document proving a company's adherence to tax, pension, and labor regulations.
Dispatching Schedule	A schedule for pipeline use and product flow, aligning tankers, berthing, and distribution of LSG.
Emergency Tender	A bidding process conducted outside the regular monthly cycle due to unforeseen events or supply failure.
Energy Fund	A fund managed by ERB where financial differentials and penalties from OMCs are deposited.
Energy Regulation Board (ERB)	The statutory body regulating Zambia's energy sector, including licensing and pricing of petroleum.
Evaluation Criteria	Standards used to assess the qualifications, financial health, and technical capacity of bidders.
Failure to Perform	This refers to the inability or omission by a successful Oil Marketing Company (OMC) to fulfill its contractual, operational, or regulatory obligations as

Term	Definition
	<p>prescribed in the Open Access Guidelines, the Throughput and Storage Agreement, or any directives issued by TAZAMA Pipelines Limited and / or the Energy Regulation Board (ERB).</p> <p>This may include, but is not limited to:</p> <ul style="list-style-type: none"> • Failure to deliver the contracted volume of Low Sulphur Gasoil (LSG) within the stipulated timeframe; • Failure to submit a performance bond within the prescribed period; • Non-compliance with financial remittance obligations, including the ERB transport rate and price differential to the Energy Fund; • Sale of product at prices above the ERB-regulated rate; • Abandonment or withdrawal from an awarded lot without formal notice; • Deliberate misrepresentation during the bidding process; • Any action that impedes the transparent and efficient functioning of the Open Access mechanism.
Financial Proposal	A commercial offer submitted by an OMC detailing price, terms, and delivery for LSG transportation.
Floataction Period	The period during which applications or tenders are made available for submission.
Force Majeure	Contractual clause allowing exceptions due to uncontrollable events such as natural disasters or war.
Joint Venture (JV)	A collaborative business arrangement between two or more entities formed to participate in the bidding process.
Legal and Factual Grounds	The specific basis on which an applicant may submit an appeal during the qualification process.
Lien	Product Lien is a claim or legal right to an OMC's Low Sulphur Gasoil (LSG), which will be held by

Term	Definition
	TAZAMA as collateral enforcement to secure payment of the Transport Differential and TAZAMA fees.
Lot	A fixed portion or batch of fuel offered for bidding under open access.
Low Sulphur Gasoil (LSG)	Diesel fuel with a reduced sulfur content, suitable for cleaner combustion and compliant with environmental standards.
Oil Marketing Company (OMC)	A licensed entity engaged in the importation, exportation, distribution, and marketing of petroleum products.
Operational and Financial KPI Framework	Key performance metrics used to assess the pipeline operator's efficiency and compliance.
PACRA	The agency responsible for business and company registrations in Zambia, issuing certificates of incorporation.
Performance Bond	A 10% financial guarantee submitted by a winning bidder to secure compliance with contract terms.
Petroleum Products License	A permit authorizing companies to engage in trading and transporting petroleum within Zambia.
Pipeline User	An entity authorized to use the TAZAMA pipeline system for transportation of petroleum products.
Power of Attorney	A legal document designating a person to act on behalf of a company during bid submission or contract execution.
Pre-Qualification Committee	A committee of experts responsible for evaluating the eligibility of OMCs before financial bidding.
Pre-Qualification Solicitation Document	An official document outlining the requirements and process for OMCs to participate in the open access system.

Term	Definition
Product Nomination	The advance notification by an OMC of the quantity of fuel they wish to uplift in a given cycle.
Regulated ERB Price	The nationally approved price at which petroleum products must be sold, as determined by the ERB.
Selection Committee	A panel that evaluates financial bids and selects successful OMCs for the transportation of LSG.
Solicitation Process	The structured and formal call for participation, including all bid requirements and conditions.
Strategic Reserves	Fuel stored by the government to ensure continuous supply in emergencies or strategic needs.
Swap	A product swap refers to the replacement or exchange of one OMC's allocated LOT or part of it of Low Sulphur Gasoil (LSG) with another OMC's equivalent quantity 90stored within TAZAMA facilities.
TAZAMA Pipelines Limited	A statutory company jointly owned by Zambia and Tanzania responsible for managing the petroleum pipeline from Dar es Salaam to Ndola.
Technical Specifications	Standardized product requirements set by authorities (e.g., ZABS or ERB) for acceptable LSG quality.
Tender Floatation	The act of advertising a bid opportunity for public competition.
Throughput	The volume of LSG transported through the pipeline within a specific timeframe.
Throughput and Storage Agreement	A legally binding contract between TAZAMA and a selected OMC covering logistics and storage terms.
Ullage	The unfilled space in a storage tank, container, or pipeline above the surface of a liquid petroleum product. It is intentionally left to accommodate product expansion and prevent overflows. In the

Term	Definition
	context of the TAZAMA pipeline, ullage is managed to ensure operational efficiency and is subject to the "use-it or lose-it" principle to optimize pipeline usage.
Use-it or Lose-it Principle	A policy requiring allocated pipeline capacity to be used within set limits or forfeited.
Wholesale License	A license allowing an entity to sell petroleum products in bulk to other businesses or retailers.
Zambia Tanzania Pipelines Act	The legislation that established TAZAMA and regulates the pipeline infrastructure.

LIST OF ACRONYMS

Acronym	Full Meaning
ACC	Anti-Corruption Commission
CCPC	Competition and Consumer Protection Commission
CIF	Cost, Insurance and Freight
EIZ	Engineering Institute of Zambia
ERB	Energy Regulation Board
JV	Joint Venture
LAZ	Law Association of Zambia
LSG	Low Sulphur Gasoil
MFD	Mpika Fuel Depot
NFT	Ndola Fuel Terminal
NPSA	National Pension Scheme Authority
OMC	Oil Marketing Company
PACRA	Patents and Companies Registration Agency
S.I.	Statutory Instrument
TAZAMA	Tanzania Zambia Mafuta
TPPL	TAZAMA Petroleum Products Limited
WCFCB	Workers Compensation Fund Control Board
ZABS	Zambia Bureau of Standards
ZACCI	Zambia Chamber of Commerce and Industry
ZICA	Zambia Institute of Chartered Accountants
ZIPAR	Zambia Institute for Policy Analysis and Research
ZIPS	Zambia Institute of Purchasing and Supply
ZRA	Zambia Revenue Authority

1. INTRODUCTION

- 1.1 Tanzania Zambia Mafuta (TAZAMA) Pipelines Limited is a statutory body established pursuant to the Zambia Tanzania Pipelines Act, Chapter 455 of the Laws of Zambia.
- 1.2 TAZAMA Pipelines Limited owns and operates the TAZAMA petroleum products pipeline from the port of Dar-Es-Salaam in Tanzania to Ndola in Zambia. TAZAMA Pipelines Limited is the holder of a pipeline transportation license issued by the Energy Regulation Board (ERB), in addition to a license to import, distribute and export petroleum products. The licenses are issued in accordance with the provisions of the Energy Regulation Act No. 12 of 2019.
- 1.3 TAZAMA Pipelines Limited has a subsidiary, TAZAMA Petroleum Products Limited (TPPL), whose functions include the importation of LSG; management of bulk storage terminals and depots; and distribution of petroleum products.
- 1.4 The TAZAMA petroleum products pipeline, which was commissioned in 1968 is jointly owned by the Governments of the United Republic of Tanzania (33.3%) and the Republic of Zambia (66.7%). The petroleum products pipeline was constructed for the purpose of transporting crude oil or petroleum products from the port of Dar es Salaam into Zambia, at an affordable, sustainable and economic cost. Prior to February 2023, the TAZAMA petroleum products pipeline was used to transport crude oil from Tanzania to Zambia. In March 2023, however, the TAZAMA petroleum products pipeline was converted to transport Low Sulphur Gasoil (LSG) from Dar-Es-Salaam to the Ndola Fuel Terminal (NFT) in Zambia.
- 1.5 TAZAMA Pipelines Limited intends to offer pipeline transportation services to Oil Marketing Companies (OMCs) seeking to utilize the TAZAMA petroleum products pipeline to transport Low Sulphur Gasoil (LSG) from the port of Dar es Salaam to the Ndola Fuel Terminal (NFT). The right of access (capacity sharing) to the Pipeline shall be given to the OMCs in a competitive, transparent, fair and equitable manner.
- 1.6 The Low Sulphur Gasoil (LSG) transported through the Pipeline shall be made available to all OMCs that seek to distribute the product to the Zambian market. Distribution of LSG to the OMCs shall be done through the TAZAMA Petroleum Products Limited (TPPL), Ndola Fuel Terminal (NFT) and Mpika Fuel Depot (MFD).
- 1.7 Where necessary, the product shall be trans-shipped to other Government Fuel Depots as Strategic Reserves and/or for ease of access by OMCs.
- 1.8 The TAZAMA Pipeline Open Access Guidelines therefore provide procedures and criteria to be used by TAZAMA Pipelines Limited in providing equitable access to the petroleum pipeline by OMCs that seek to transport LSG from Dar es Salaam to the Ndola Fuel Terminal (NFT).

2. OBJECTIVES

2.1 The objectives of the TAZAMA Pipeline Open Access Guidelines are as follows:

- i. To provide Oil Marketing Companies (OMCs) with equitable access to pipeline capacity for the transportation of Low Sulphur Gasoil (LSG) from Dar es Salaam to Zambia, through a competitive, transparent, and fair process.
- ii. To establish a transparent and merit-based framework for the inclusion of OMCs' vessels on the official Dispatching Schedule.
- iii. To support effective planning and documentation for the movement of petroleum products through the pipeline.
- iv. To promote consistent and reliable availability of LSG to the Zambian market through sustainable pipeline operations.

3. EFFECTIVE DATE

- 3.1 These Guidelines shall become effective upon approval by the Energy Regulation Board (ERB).

4. APPLICATION OF THE GUIDELINES

- 4.1 These Guidelines shall apply to all Oil Marketing Companies regulated and supervised in accordance with the Energy Regulation Act No. 12 of 2019, and who meet the requirements set out herein.

5. APPOINTMENT OF THE PRE-QUALIFICATION AND SELECTION COMMITTEES

- 5.1 There is constituted an eleven (11) member Pre-qualification Committee and Selection Committee to evaluate the applications received under these guidelines. The Committees shall comprise individuals with adequate capacity to facilitate the review and selection of OMCs to be invited for submission of financial proposals and evaluation of the financial bids.
- 5.2 The Committees shall constitute the following:
- (a) A Chairperson – from the private sector
 - (b) A representative of Zambia Institute of Policy Analysis and Research
 - (c) A representative of Zambia Revenue Authority
 - (d) A representative of Zambia Institute of Purchasing and Supply
 - (e) A representative of Law Association of Zambia
 - (f) A representative of Engineering Institute of Zambia

- (g) A representative of Economics Association of Zambia
- (h) A representative of Competition and Consumer Protection Commission
- (i) A representative of Zambia Chamber of Commerce and Industry
- (j) A representative of Zambia Institute of Chartered Accountants
- (k) One person with relevant knowledge and experience in matters relating to the Petroleum sector

5.3 The institutions or organizations referred to in clause 5.2 shall nominate representatives using transparent internal nomination processes. for appointment by the Minister of Energy.

Each institution shall disclose its internal nomination procedures through a transparent and documented process, including eligibility, criteria, timelines and selection outcome.

The institutions shall submit the nominees to the Ministry of Energy for issuance of formal appointment letters.

5.4 The Minister shall appoint the Chairperson of the Committee and the Petroleum expert.

5.5 The Vice Chairperson shall be elected by majority vote from among the Committee members.

5.6 The Secretariat of the Pre-qualification Evaluation Committee and Selection Committee shall comprise a minimum of three (3) representatives (two – secretariat and one technical) from TAZAMA Pipelines Limited. The Committee may include a representative from the Attorney General’s Chambers.

5.7 A member serving on the Pre-Qualification Evaluation Committee shall hold office for the duration of the pre-qualification evaluation.

5.8 A member of the Selection Committee shall hold office for a period of three (3) months with a possibility for renewal for a further three (3) months.

5.9 Members of the Pre-qualification Evaluation Committee shall not be the same members as the Selection Committee.

5.10 The administrative arrangements and procedures for the Pre-qualification Evaluation Committee and Selection Committee are as outlined in the First Schedule.

6. PRE-QUALIFICATION OF OIL MARKETING COMPANIES

6.1 Pre-Qualification Procedure and Application Requirements

6.1.1 OMCs shall be required to be pre-qualified in order to take part in the competitive process for transportation of LSG through the petroleum products pipeline.

- 6.1.2 TAZAMA Pipelines Limited shall conduct the pre-qualification procedure by inviting OMCs that are licensed by the ERB in accordance with the Energy Regulation Act No. 12 of 2019 and the Energy Regulation (General) Regulations S.I. No. 41 of 2023, to apply for pre-qualification. TAZAMA Pipelines Limited shall make the invitation for pre-qualification through a public advertisement in the national print media and other electronic media.
- 6.1.3 TAZAMA Pipelines Limited shall prepare relevant pre-qualification solicitation documents which shall be available to interested applicants after payment of a nonrefundable fee that will be determined by TAZAMA.
- 6.1.4 The pre-qualification solicitation document shall require applicants to provide information with respect to matters such as financial capability and relevant experience. The pre-qualification solicitation document shall also specify the acceptable quality of the petroleum product to be supplied as per approved specifications contained in the National Standards for LSG. In addition, the prequalification solicitation document shall require the applicant to submit the following:
- a) Certificate of incorporation showing that the applicant is validly registered by the Patents and Companies Registration Agency (PACRA). The Certificate of Incorporation should be accompanied by the PACRA print out showing the shareholding structure.
 - b) License from the Energy Regulation Board (ERB) to import, export and distribute petroleum products.
 - c) Valid Zambia Revenue Authority Tax Clearance Certificate.
 - d) Valid National Pension Scheme Compliance Certificate.
 - e) Valid Workers Compensation Compliance Certificate.
 - f) Proof of Financial Capacity demonstrated by submission of credit lines to the tune of \$10,000,000 (Ten Million US Dollars) from a reputable Bank, evidence of bank's confirmation to issue letters of credit of the equivalent amount (\$10,000,000). Proof may be from local firms or supported by the Joint Venture Partner. In addition, applicants shall also provide six (6) months Bank Statements.
 - g) Company Profile, containing among other information, educational, professional and other competences for Senior Management Staff.
 - h) Litigation status from an independent/third party legal practitioner confirming that there is no existing, actual or threatened litigation that

will affect the applicant's ability to comply with the performance of the contract to supply.

- i) Confirmation that the applicant is not insolvent or the subject of any insolvency, receivership or winding up process as per declaration issued by a registered Insolvency practitioner.
- j) Proof / Evidence of experience in international trading of petroleum products and/or in local marketing business of petroleum products.
- k) Power of Attorney clearly showing both the appointing authority (ies) and appointed representative's specimen signatures, full names, and designation in the company. The Power of Attorney shall be from the Board of Directors, Chief Executive Officer or Company Secretary.
- l) Applicants submitting under a Joint Venture should submit a Joint Venture Agreement. Where an application is submitted as a Joint Venture, all the parties to the Joint Venture shall sign the Joint Venture agreement. Further, either party participating in a Joint Venture will be required to submit the requirements as set out in (a) to (k), as applicable, for the application to be considered compliant.
- m) TAZAMA, at its determination and written justification, reserves the right to conduct due diligence on any applicant for any factors or information that may require further determination. The outcome of such a due diligence exercise shall be used by TAZAMA in determining final shortlisting decisions.

Where due diligence results in a disqualification decision, TAZAMA shall issue a formal written justification to the applicant, stating the specific findings that led to the disqualification.

The affected applicant shall have the right to appeal the decision within five (5) working days in accordance with the appeal procedures outlined under Clause 6.2.7 and 6.2.8.

6.1.5 No entity shall be allowed to enter into multiple Joint Ventures.

6.1.6 If an entity submits a pre-qualification application in its individual capacity, it shall not be permitted to apply under the same process as part of a Joint Venture.

- 6.1.7 The pre-qualification document shall be floated for a period of two weeks. The floatation period may however, be extended for an additional two weeks period to cover any requests for clarification.
- 6.1.8 The proposals from the applicants shall be addressed to the Chairperson of the Pre-qualification Evaluation Committee and shall be submitted electronically to the email address specified in the pre-qualification solicitation document.
- 6.1.9 The pre-qualification floatation period shall close on the date and time designated in the pre-qualification solicitation document, unless in the event of an extension, in which case the time and date shall be advised.

6.2 Pre-Qualification Selection Procedure

- 6.2.1 The Pre-qualification Evaluation Committee shall open the pre-qualification applications in the TAZAMA Pipelines Limited Board room, or any other place as shall be stated in the pre-qualification solicitation document.
- 6.2.2 The applications shall be opened in the presence of applicants or their representatives who choose to attend the opening. Applicants and their representatives may attend physically or online through a meeting link that will be provided by the Secretariat at least 2 calendar days prior to the opening.
- 6.2.3 The Pre-qualification Evaluation Committee shall announce the names of applicants who have submitted applications and the type of documents submitted. The Pre-qualification Evaluation Committee shall thereafter adjourn the proceedings to evaluate the applications received.
- 6.2.4 The Pre-qualification Evaluation Committee will evaluate the applications within 5 calendar days after closure of application submissions.
- 6.2.5 The Pre-qualification Evaluation Committee may invite a representative of the Anti-Corruption Commission and/or any other appropriate law enforcement agency to be present to observe the evaluation proceedings.
- 6.2.6 Following the conclusion of the evaluation, the Pre-qualification Evaluation Committee shall announce and publish the approved list of pre-qualified OMCs in the print and electronic media. The Committee shall ensure that all applicants are individually notified in writing on the outcome of the evaluation.
- 6.2.7 A period of five (5) working days shall be allowed for applicants that wish to appeal against the decision of the Pre-qualification Evaluation Committee. The said five (5) working day period shall also allow for unsuccessful applicants to

seek the necessary debriefs regarding the merits or demerits of their applications.

- 6.2.8 The appeals will be dealt with by an Appeals Committee to be sanctioned and appointed by TAZAMA Pipelines Limited. The information to be submitted by the aggrieved OMC shall be in accordance with Clause 6.3.2 of these Guidelines.
- 6.2.9 Following the conclusion of the (5) working days from the initial announcement of successful applicants, the Appeals Committee shall consider the submissions and conclude the determination of any appeals or debriefs within three (3) working days.
- 6.2.10 Following the conclusion of the appeals process, the Pre-qualification Evaluation Committee will notify the successful OMCs in writing of their shortlisting to participate in the bid process for offers to supply LSG for a period of 6 months.
- 6.2.11 In the event that an applicant is not satisfied with the outcome of the decision of the TAZAMA Appeals Committee, the matter shall then be referred to the ERB for final determination on the appeal.
- 6.2.12 The approved list of qualified OMCs shall be valid for a period of six (6) months from the date of final notification as provided in 6.2.10.
- 6.2.13 The pre-qualification process shall be conducted bi-annually.
- 6.2.14 The Pre-qualification Evaluation Committee shall, at least three (3) months prior to the expiration of the six (6) month period, commence the next prequalification process.

6.3 Appeal Mechanism

- 6.3.1 An applicant that is aggrieved by the decision of the Appeals Committee sanctioned and appointed by TAZAMA Pipelines Limited may appeal to the Energy Regulation Board against that decision within five (5) working days from the date of notification of the decision.
- 6.3.2 The Appeal documents should simultaneously be copied to the Pre-qualification Evaluation Committee and shall include the following information:
 - a) the name and contact details of the applicant;

- b) details to which the appeal relates, including the reference number of the pre-qualification;
 - c) the legal and factual grounds upon which the appeal is being lodged stating the areas that they feel aggrieved;
 - d) information establishing that the applicant is the actual or prospective participant to the process; and
 - e) the remedy being sought.
- 6.3.3 The appeal from an applicant should strictly focus on their individual bid and grievance. The Appeals Committee shall not be obliged to make any determination on an applicant that submits a matter that focuses or attempts to bring out the demerits of another applicant.
- 6.3.4 Upon receipt of an appeal on a decision, the ERB Appeals Committee shall within three (3) working days of receipt of the appeal determine the appeal with or without a hearing.
- 6.3.5 In the event that an applicant is not satisfied with the decision of the ERB Appeals Committee, the aggrieved party may appeal to the Energy Tribunal as outlined in Part IV, Section 35 and Section 40 of the Energy Regulation Act No. 12 of 2019.
- 6.3.6 All appeal outcomes shall be communicated to the aggrieved parties and subsequently published on the TAZAMA and ERB websites.

7. SELECTION OF OIL MARKETING COMPANIES

7.1 Invitation for Financial Proposals

- 7.1.1 TAZAMA Pipelines Limited shall, upon conclusion of the pre-qualification process, invite the successful OMCs to submit financial proposals for the supply of Low Sulphur Gasoil (LSG) through the petroleum products pipeline. The invitation to submit financial proposals shall be issued at least two (2) weeks before the scheduled bid submission deadline. All proposals shall be password-protected and submitted electronically via a designated official email address. Submissions shall be addressed to the Chairperson of the Selection Committee.
- 7.1.2 The submission period for financial proposals shall close at 10:00 a.m. local time on the first Tuesday of each calendar month, or on the next working day in the event that the first Tuesday falls on a public holiday. This schedule shall apply to all standard tenders unless explicitly stated otherwise for emergency procurements.

- 7.1.3 The invitation to submit financial proposals shall contain all relevant commercial and logistical details, including but not limited to the total quantity of Low Sulphur Gasoil (LSG) available for transport via the TAZAMA pipeline for the applicable month. The invitation shall also specify the delivery timelines, required documentation, and any applicable quality standards or compliance requirements as stipulated by the Energy Regulation Board (ERB).
- 7.1.4 For each monthly cycle, the available pipeline capacity shall be apportioned into **two (2)** distinct lots, each comprising **50,000 metric tons**. These defined lots shall serve as the basis for financial proposal submissions. Bidders shall be invited to submit financial proposals for **one or more** of the designated lots as outlined in the invitation to tender. However, **no bidder shall be awarded more than one lot per tender cycle**, and final awards shall be subject to the **Selection Committee's determination of the best evaluated proposals**.
- 7.1.5 Bidders may submit financial proposals for all two (2) lots in each solicitation cycle; however, awards shall be limited to a maximum of **one (1) lot per bidder** per cycle. The Selection Committee shall only proceed with the final determination of the best evaluated bidders for each lot **after all financial proposals for the two lots have been opened and evaluated collectively**.
- 7.1.6 The Selection Committee shall determine the best evaluated bid, which shall be deemed as a benchmark that all proposed bidders for award shall accept. Bidders that are determined as best evaluated for the remaining lot will be required to accept the price of the best evaluated bidder.
- 7.1.7 In the event that the best evaluated bidders for the remaining lot declines the offer to match the price of the best evaluated bidder, the second-best evaluated bidders will be offered to accept the price of the best evaluated bidder.
- 7.1.8 In the event that the second-best evaluated bidders for the remaining lot declines the offer to match the price of the best evaluated bidder, a new solicitation for financial proposals will be invited within 7 days to determine awards for the remaining lot.
- 7.1.9 The financial proposals submitted by the pre-qualified Oil Marketing Companies (OMCs) shall include, at a minimum, the following mandatory components:
- a) A **duly completed and signed Priced Bid Submission Form**, as per the template provided in the invitation to bid. The form shall clearly specify:
- The **unit price (CIF Dar es Salaam)**,
 - The **total premium value** of the proposed consignment,

- The **expected date of delivery**, and
 - Any additional commercial terms or requirements as outlined in the official bid template.
- b) A Bid Security of \$600,000 USD (Six Hundred Thousand United States Dollars)**, issued by a reputable and licensed commercial bank. The bid security shall be valid for a minimum period of **90 days** from the date of bid submission and be in a format acceptable to TAZAMA Pipelines Limited.
- c) A valid Power of Attorney**, signed by an authorized representative of the bidding entity, explicitly authorizing the signatory to bind the company in all matters pertaining to the bid. The Power of Attorney shall include the name, designation, and specimen signature of the authorized signatory and must be issued by the Board of Directors, Chief Executive Officer, or Company Secretary.

7.1.10 The tender that will be run for LSG will be in line with Quality specifications for the Zambian Market as per the Zambia Bureau of Standards and ERB Quality Control and Monitoring Guidelines.

7.2 The Financial Selection Procedure

- 7.2.1 The Selection Committee shall open the financial proposals at the designated venue that shall be stated in the invitation, at 10:00 a.m. local time on every second Tuesday of every month, or on the next working day in the event of a public holiday.
- 7.2.2 The Financial proposals shall be opened in the presence of applicants or their representatives who choose to attend the proceedings.
- 7.2.3 The Selection Committee shall publicly read out each financial proposal highlighting the following information:
- a) Name of the Applicant;
 - b) Price offer per Lot;
 - c) Presence of bid security in accordance with the value and format as prescribed in the invitation for the financial proposal;
 - d) Presence of the Power of Attorney;
 - e) Proposed date of delivery; and
 - f) A declaration that the product has not been obtained from individuals or entities listed in the United Nations Security Council Sanctions List as updated from time to time.

- 7.2.4 Following the public readout of all the financial proposals received, the Selection Committee shall determine the least priced offer per lot. Determination of the successful applicant at this stage shall be based on the least price offered, and the submission of the documents set out in 7.1.10 above and any other information in the invitation.
- 7.2.5 The Selection Committee shall immediately thereafter announce the successful applicant in the presence of all OMCs and their representatives in attendance. For the avoidance of doubt, the Selection Committee shall not adjourn privately for this purpose.

8. POST SELECTION

8.1 Letter of Award

- 8.1.1 The Selection Committee shall immediately issue the successful OMC(s) with a Letter(s) of Award.
- 8.1.2 TAZAMA Pipelines Limited and the successful OMC(s) shall conclude all contractual formalities within ten (10) working days after the issuance of the Letter of Award.

8.2 Performance Bond

- 8.2.1 The successful OMC shall avail TAZAMA Pipelines Limited with a Performance Bond within five (5) working days from the date of notice of award. The Performance Bond shall be in the form of a Bank Guarantee and shall be ten percent (10%) of the CIF Dar es Salaam value of the product to be supplied.
- 8.2.2 TAZAMA Pipelines Limited shall ensure that successful OMC furnish Performance Bond issued by local registered commercial banks within the Zambian jurisdiction. Upon receipt of Performance Bond from successful OMC, TAZAMA shall in writing request for authentication of the bonds from the issuing Banks to ensure that enforcement is guaranteed upon demand.
- 8.2.3 In the event that the successful OMC fails to submit a Performance Bond within the stipulated time, the second-least priced bidder will be awarded the contract, provided that the difference in CIF value of the product does not exceed ten (10%) of the least priced bid. If the second-best evaluated bidder does not meet the conditions or accept the award, the third best evaluated bidder will be considered for the award provided that the difference in CIF value of the product does not exceed ten percent (10%) of the least priced bid.

- 8.2.4 In the event that the third best evaluated bidder fails to meet the conditions or accept the award the bid will be re-tendered.

8.3 Supply and Transportation Agreement

- 8.3.1 Following the submission of the performance bond, TAZAMA Pipelines Limited and the successful OMC shall enter into a Throughput and Storage Agreement.
- 8.3.2 The successful OMC shall be required to make all arrangements for the supply of the LSG to be transported through the pipeline as shall be stipulated in the Supply and Transportation Contract.
- 8.3.3 The successful Oil Marketing Company (OMC) shall be required to comply with the following commercial and regulatory obligations:
- i. Sell the Low Sulphur Gasoil (LSG) into the local market **at the price regulated by the Energy Regulation Board (ERB)**, in accordance with the applicable petroleum pricing framework.
 - ii. Remit a **transportation fee** to TAZAMA Pipelines Limited, calculated at the rate prescribed by the ERB pursuant to the **Energy Regulation (Petroleum Products Price Setting) Regulations**. TAZAMA Pipelines Limited shall, in turn, transfer the differential between the ERB-approved transport rate and its internal pumping fee into a **dedicated account at the Bank of Zambia (BOZ)**, as administered by the ERB.
 - iii. Remit the **price differential between the successful bid price and the ERB-regulated price** into the **Energy Fund**, following modalities to be specified by the ERB.
For the avoidance of doubt, no OMC shall be entitled to **make a claim or seek reimbursement** from the Energy Fund or any other party in the event that the successful bid price **exceeds** the prevailing ERB-regulated price.
 - iv. Any Oil Marketing Company (OMC) that is **indebted to the Government of the Republic of Zambia** on account of **outstanding payment of the price and / or transport differential** shall **not be permitted to access or utilize the TAZAMA pipeline** until such obligations are fully settled.
- 8.3.4 Failure to follow the provisions in clause 8.3.3, shall result in sanctions, such as disqualification from future tenders and penalties as prescribed in the Energy Regulation Act, the Energy Regulation (General) Regulations and respective ERB license conditions.

- 8.3.5 If the successful OMCs fail to deliver the product within the contract period, the Performance Bond shall be forfeited to the Energy Fund managed by the ERB. In addition, the OMC may be banned from participating in any tender under these Guidelines for a period of two (2) years or any other sanction imposed by the Selection Committee. In such a case, an emergency tender may be floated to ensure continuity of supply.
- 8.3.6 An emergency tender will be a tender called outside the pre-determined monthly schedule of tenders arising from circumstances described in clause 8.2.3, clause 8.3.5 and any force majeure events outlined in the contract of supply with TAZAMA Pipelines Limited.
- 8.3.7 In the event of an emergency tender, pre-qualified OMCs shall be invited for an emergency bidding process which shall be conducted in line with the provisions of Section 7 within seven (7) calendar days.
- 8.3.8 In the event that an emergency tender fails, the Selection Committee shall, in consultation with the Ministry of Energy and the Energy Regulation Board, convene to propose the best option to avert the risk of security of supply.

9. MANAGEMENT OF OPERATIONS FOR SUPPLY OF LSG THROUGH THE PIPELINE

- 9.1 Following the signing of the Throughput and Storage Agreement with TAZAMA Pipelines Limited, the execution of the Agreement shall proceed in accordance with TAZAMA Pipelines Limited's Standard Operating Procedures, relevant guidelines, and the terms outlined in the contract. Where necessary, the parties may consult to ensure alignment on operational timelines, roles, and responsibilities to facilitate efficient implementation.
- 9.2 **Berthing Arrangements and Discharge Accountability:**
- (a) The arrangement for laycans and berthing of vessels shall be coordinated by the **Government through the relevant port authorities**, in line with applicable port regulations. The successful Oil Marketing Company (OMC) shall be responsible for notifying all stakeholders of the granted laycan and berthing slots, and for ensuring that all documentary and regulatory requirements are duly met.
- (b) **The Government of Zambia and TAZAMA Pipelines Limited shall not be held liable for any costs, charges, or penalties associated with berthing delays or port handling operations.** Any delays occasioned by berthing, clearance, or other port-related processes shall **not entitle the OMC to make any financial or contractual claims** against TAZAMA.

- (c) TAZAMA shall, however, provide operational support to facilitate timely discharge of product in accordance with the provisions of the Throughput and Storage Agreement.
- (d) In instances where delays in vessel discharge are directly attributable to TAZAMA Pipelines Limited, such as inadequate ullage, equipment malfunction, or scheduled maintenance, Clause 9.9 will apply.
- (e) In the event that a laycan is not secured within the planned delivery window, resulting in berthing or discharge delays, the affected OMC shall formally notify TAZAMA Pipelines Limited and the Ministry of Energy.
- (f) Upon verification, TAZAMA in consultation with the Energy Regulation Board (ERB) and the Ministry of Energy, shall convene a resolution meeting to assess the cause, and propose the most appropriate course of action to avert any risk to national fuel supply security.

- 9.3 To facilitate effective and efficient supply chain management and demand forecasting, Oil Marketing Companies (OMCs) intending to uplift product shall submit binding volume nominations to TAZAMA Pipelines Limited, with the Energy Regulation Board (ERB) in copy, at least two (2) months prior to the start of the intended month of upliftment. The nominations shall be submitted using the standard template appended to these Guidelines. The volumes nominated shall be considered final and binding, and OMCs shall be required to uplift the exact quantities as submitted, subject to any force majeure conditions or operational constraints as may be determined by TAZAMA Pipelines Limited.
- 9.4 Sales to OMCs shall be made in accordance with the order of nominations submitted and published by TAZAMA.
- 9.5 In accordance with clause 9.4 above, only holders of wholesale licenses shall be permitted to sell product.
- 9.6 Notwithstanding clause 9.4 above, the nominated product shall be sold based on the following priority order:
 - i. Retail outlet sites
 - ii. Commercial (Business to Business) sites
 - iii. Transit or re-export
- 9.7 TAZAMA Pipelines Limited shall operate as per the approved ERB Operational and Financial KPI framework.
- 9.8 TAZAMA Pipelines Limited shall use reasonable efforts to ensure that Ullage is available for pipeline users by enforcing the principle of “use-it or lose-it”.

- 9.9 In instances where an OMC is aggrieved by a decision or delays directly attributable to TAZAMA pipelines Ltd:
- (i) The affected OMC shall lay the complaint before TAZAMA and request for a mutual resolution of the matter.
 - (ii) If TAZAMA is not responsive and the matter is not settled with the OMC within 5 working days, the affected OMC shall raise a complaint of the matter with the Energy Regulation Board.
 - (iii) The Energy Regulation Board (ERB) will investigate and determine the matter within 10 working days.
- 9.10 Notwithstanding Clause 9.9, where TAZAMA makes a decision that threatens the security of supply, the ERB shall, in line with the existing regulatory framework, intervene.

10. COMMERCIAL AND OPERATIONAL PROVISIONS

10.1 DISTRIBUTION OF PRODUCT AND ACCESS TO THE MARKET

To ensure equitable and efficient access to Low Sulphur Gasoil (LSG) transported through the TAZAMA pipeline, the following distribution framework shall apply:

(a) Priority of Distribution

Distribution of product shall prioritize supply to the domestic market in the following order, in line with Energy Regulation Board (ERB) regulations:

- (i) Retail outlet sites;
- (ii) Commercial (Business-to-Business) sites;
- (iii) Export/Transit markets.

(b) Ullage Constraints and Export Permission

In the event of excess supply that leads to ullage constraints, defined as 80% or more tank capacity utilization at the Ndola Fuel Terminal (NFT) and Mpika Fuel Depot (MFD), and such condition threatens pipeline shutdown, TAZAMA Pipelines Limited shall notify ERB. Upon **recommendation by ERB to the Minister**, permission may be granted for sales to the export market to relieve storage congestion.

(c) Monthly Product Market Access

Monthly access to product shall be based on the awarded LOTS for the respective tender cycle:

- (i) Priority shall be given to LOT 1 and shall progress accordingly in sequential order as awarded;
- (ii) Any LOTS rolled over from previous months shall only be accessed **after** the LOTS awarded for the current month are concluded.

(d) ERB Intervention Authority

The Energy Regulation Board (ERB) reserves the right to revise or override the above arrangements based on prevailing **national demand parameters**, fuel security concerns, or other regulatory priorities affecting supply continuity.

10.2 Product Swaps

To enhance operational coordination and flexibility among Oil Marketing Companies (OMCs), TAZAMA Pipelines Limited permits product swaps under the Open Access Framework subject to the following conditions:

(a) Definition

A **product swap** refers to the replacement or exchange of one OMC's allocated LOT or part of it of Low Sulphur Gasoil (LSG) with another OMC's equivalent quantity stored within TAZAMA facilities.

(b) Eligible Inventory

Swaps shall be limited strictly to **product held under Open Access arrangements**, already received and stored in the designated TAZAMA facilities in Dar-es-Salaam Tank Farm, Ndola Fuel Terminal (NFT), Mpika Fuel Depot (MFD), or any other officially designated TAZAMA storage site.

(c) Notification and Approval

All swaps shall require a **joint written notification** to TAZAMA Pipelines Limited from the parties intending to enter the arrangement, with a **copy submitted to the Energy Regulation Board (ERB)**. TAZAMA shall acknowledge the swap but shall not be a party to its terms.

(d) No Liability Clause

TAZAMA Pipelines Limited shall **not be held liable** for any commercial, contractual, or operational disputes arising from swap agreements between OMCs, nor shall it mediate or enforce such agreements.

(e) Default and Sanctions

Should either party to a swap fail to honor the agreed terms, TAZAMA shall impose appropriate sanctions as permitted under law, including—but not limited to—restriction or suspension of pipeline access. The ERB may also invoke regulatory penalties as it deems necessary.

(f) Restriction on Pre-arrival Swaps

Swaps involving product that is not yet in-country or not yet delivered to TAZAMA storage facilities shall be deemed invalid and shall not be recognized under the Open Access regime.

10.3 **Storage of Product**

Product shall be stored in-tank in accordance with the terms and conditions set out in the Throughput and Storage Agreement. However, any product that remains in storage for more than thirty (30) days shall attract a higher storage rate as may be determined by TAZAMA Pipelines Limited.

10.4 **Product Offtake Reporting and Transparency**

- (a) TAZAMA Pipelines Limited shall prepare and submit to the Energy Regulation Board (ERB) a monthly **Product Offtake Report** detailing:
 - Volumes dispatched to each Oil Marketing Company (OMC) from the Ndola Fuel Terminal (NFT) and Mpika Fuel Depot (MFD);
 - Dates of dispatch;
 - Corresponding LOT reference; and
 - Product uplift location.
- (b) ERB shall publish a **Monthly Summary of Offtake Volumes** on its website, disaggregated by OMC. The summary shall include volumes accessed and uplifted under Open Access but may anonymize sensitive pricing data to protect commercial confidentiality.
- (c) The data shall be used to monitor pipeline access equity, detect hoarding behavior, and inform future LOT awards and regulatory decisions.

10.5 **Product Lien**

Product Lien is a claim or legal right to an OMC's Low Sulphur Gasoil (LSG), which will be held by TAZAMA as collateral enforcement to secure payment of the Transport Differential and TAZAMA fees. TAZAMA shall hold this product and shall sell it if the obligations are not met within seven (7) days of exhausting the sale of the lot.

- (a) LIENS shall be placed on the product LOT for a period of one week, and the quantity under lien shall factor in applicable risks, including price reduction and exchange losses. Any amounts realized beyond the stipulated obligations shall be remitted back to the supplier.
- (b) All products that roll over (i.e., remain in storage for over thirty (30) days) shall be subject to the conditions of the TPPL hospitality agreement, except for handling fees, which shall remain excluded.

10.6 **Contractual Requirement for Cargo Delivery at the TAZAMA Dar es Salaam Tank Farm**

- (1) Upon determination and award of contract to the successful Oil Marketing Companies (OMCs), **TAZAMA Pipelines Limited shall determine the proposed delivery period** for each Lot for purposes of tracking and contract monitoring. Upon submission of Performance Bonds by each successful OMC, TAZAMA shall, at a specified period as stated in the solicitation document, request for all requisite documentation incidental to delivery, including **confirmation of the nominated vessel**.

The process shall be as outlined below:

- (a) The successful OMCs shall nominate a delivery vessel at least **thirty (30) days** prior to the first day of the delivery date range.
- (b) The **Tanzania Ports Authority (TPA)**, in consultation with **TAZAMA Pipelines Limited (TPL)**, shall vet and either approve or reject the nominated vessel based on **INTERTANKO's standard Tanker Chartering Questionnaire 88 (Q88)** and other relevant requirements, within **twenty-four (24) hours** of receipt of the nomination.
- (c) After vessel approval, the successful OMCs shall submit shipping documents from the load port to TAZAMA Pipelines ten (10) days before the first day of the delivery date range. Required documents include:
 - Invoice
 - Certificate of Origin
 - Certificate of Quantity & Quality issued by an Independent Inspector at the load port
 - Bill of Lading
 - Cargo Manifest
- (d) TPL shall issue **Discharge** Instructions to the successful OMCs indicating the receiving tanks at the TAZAMA Dar es Salaam Tank Farm, **five (5) days** before the first day of the delivery date range.
- (e) The successful OMCs or their shipping agent shall lodge the vessel's manifest online with the Tanzania Revenue Authority (TRA) and Tanzania Ports Authority (TPA) seventy-two (72) hours before the vessel tenders Notice of Readiness.
- (f) **Sampling of the cargo** on board shall be conducted by TPL, the Independent Inspector, and the Surveyor appointed by the successful OMC prior to discharge.
- (g) Product with **non-conforming quality** shall be rejected and shall not be discharged. The respective vessel shall carry the product back to its original

loading port. This shall constitute **failure to deliver** by the OMC, and **Clause 8.3.5** shall apply.

- (h) The TPL-contracted Independent Inspector shall certify the **quantity and quality** of the product received and issue the respective survey reports (**Outturn Reports, Certificate of Quantity, and Certificate of Quality**) for each vessel.

- (2) In the event that a successful OMC does not satisfy the above requirements, TAZAMA shall write to the OMC **requesting written confirmation** on the status of cargo delivery arrangements. Such written confirmation shall be retained and reviewed against the **stipulated delivery period** proposed by the OMC.

If the OMC fails to meet the delivery obligation **within the specified period**, TAZAMA shall consider invoking **punitive provisions** contained in the Guidelines, including **termination and sanctions** leading to the suspension of the OMC from access to the pipeline.

10.7 **Export Permit, Oversight, and Transparency**

- (a) Oil Marketing Companies (OMCs) seeking to export product shall apply to the Ministry of Energy, and shall include the proposed export volume, destination, and proof of domestic nomination fulfillment.
- (b) The Ministry shall only approve the export of Low Sulphur Gasoil (LSG) under the Open Access Framework where TAZAMA Pipelines Limited, in consultation with the Energy Regulation Board (ERB), confirms that domestic demand has been satisfied and that ullage thresholds have been exceeded in accordance with Clause 10.1(b).
- (c) All approved export permits shall be published on the Ministry of Energy website and the ERB website and shall include the following details:
- Name of the OMC;
 - Volume approved for export;
 - Destination country;
 - Beneficial Ownership (BO) disclosure of the OMC.

11 REVIEW OF GUIDELINES

- 11.1 These Guidelines shall be subject to a comprehensive review **every two (2) years** to ensure continued relevance, operational efficiency, and alignment with prevailing legal and policy frameworks.
- 11.2 An ad hoc review may be initiated at any time in response to significant developments, including but not limited to a shift in government policy, amendments to applicable legislation, or a demonstrated need to improve clarity and implementation of the Guidelines. Any stakeholder may submit a written request for such a review to TAZAMA Pipelines Limited.
- 11.3 Upon receipt of a formal request for review, TAZAMA Pipelines Limited shall, within thirty (30) calendar days, present the proposed amendments to a Review Committee. The composition of the Committee shall ensure adequate representation of key stakeholders.
- 11.4 Any revisions adopted by the Review Committee shall be submitted to the **Energy Regulation Board (ERB)** for approval, in accordance with **Regulation 31** of the **Energy Regulation (General) Regulations**, Statutory Instrument No. 41 of 2023.

FIRST SCHEDULE

ADMINISTRATIVE ARRANGEMENTS AND PROCEDURES FOR THE PRE-QUALIFICATION EVALUATION COMMITTEE AND SELECTION COMMITTEE

1. The office of a member shall be vacated —
 - a) on the member's death;
 - b) if the member is adjudged bankrupt;
 - c) if the member resigns by way of written notice to the Minister of Energy stating clearly the date of resignation;
 - d) if the member becomes legally disqualified from performing duties as a member; and
 - e) if the member is convicted of an offence under the Energy Regulation Act or any other law.
2. Where there is a vacancy in the membership of the Pre-qualification Evaluation Committee or Selection Committee before the expiry of the term of office, the Minister of Energy shall appoint another person to replace the member who vacates office subject to the provisions in Section 5. The person appointed shall only hold office for the remainder of the term.
3. Seven members of the Pre-qualification Evaluation Committee or Selection Committee shall constitute a quorum.
4. There shall preside at a meeting of the Pre-qualification Evaluation Committee or Selection Committee
 - a) the Chairperson;
 - b) in the absence of the Chairperson, the Vice-Chairperson; or
 - c) in the absence of the Chairperson and the Vice-Chairperson, such member of the Committee as the members present may elect from among themselves for the purpose of that meeting.
5. A decision of the Committee shall be by a majority of the members present and voting at the meeting and, in the event of equal votes, the person presiding at the meeting shall have, in addition to a deliberative vote, a casting vote.
6. The Committee may invite any person whose presence, in its opinion, is desirable to attend and participate in the deliberations of a meeting of the Committee, but that person shall have no vote.
7. The validity of any proceedings, act or decision of the Committee shall not be affected by any vacancy in the membership of the Committee or any defect in the appointment of any member or by reason that any person not entitled to do so, took part in the proceedings.

8. The Secretariat of the Committee shall cause minutes to be kept of the proceedings of every meeting of the Committee.
9. A member of the Committee may be paid allowances that will be determined by TAZAMA Pipelines Limited as per the standard Terms of References.
10. A person who is present at a meeting of the Committee at which any matter, is subject of consideration and in which that person or any member of the person's family, relative or associate is directly or indirectly interested in a financial capacity shall, as soon as practicable after the commencement of the meeting, disclose that interest and shall not, unless the Committee otherwise directs, take part in any consideration discussion of, or vote on any question relating to that matter.

ANNEX I:

STANDARDIZED CHECKLISTS FOR IMPLEMENTATION AND COMPLIANCE

This annex outlines the key operational checklists to be used in the administration, evaluation, and compliance processes related to the Open Access Guidelines (Version 2) for the transportation of Low Sulphur Gasoil.

1. Pre-Qualification Compliance Checklist (For OMCs)

Item	Requirement	Submitted (Yes/No)	Remarks
1	Certificate of Incorporation (PACRA) + Shareholding Printout		
2	Valid ERB License to Import, Export & Distribute Petroleum		
3	ZRA Tax Clearance Certificate		
4	NAPSA Compliance Certificate		
5	Workers Compensation Certificate		
6	Financial Reference Letter + 6 Months' Bank Statements		
7	Company Profile (incl. key management CVs)		
8	Litigation Status Letter (Independent Legal Opinion)		
9	Declaration of Solvency (by Registered Insolvency Practitioner)		
10	Proof of International or Local Petroleum Trading Experience		
11	Power of Attorney (Board/CEO/Company Secretary)		
12	JV Agreement (if applicable) + Supporting Documents from All Parties		

2. Evaluation Committee Review Checklist

Item	Criteria	Compliant (Yes/No)	Remarks
1	Submission received before deadline		
2	All required documentation attached		
3	Financial capacity confirmed		
4	Legal and tax status compliant		
5	Bidding entity not in multiple JVs or conflicts		
6	Power of Attorney validated		
7	Technical scoring completed		
8	Conflict of interest declaration signed		

3. Post-Selection Contracting Checklist

Item	Requirement	Status (Received/Pending)	Remarks
1	Letter of Award issued		
2	Performance Bond (10% CIF value) submitted		
3	Throughput & Storage Agreement signed		
4	Delivery schedule confirmed		
5	Confirmation of ERB-compliant sale price		
6	Financial settlement mechanism agreed (differential to Energy Fund)		

4. Monthly Tender Cycle Checklist

Item	Milestone	Target Date	Status	Remarks
1	Issue Invitation for Financial Proposals			
2	Submission Deadline (First Tuesday)			
3	Public Bid Opening Conducted			
4	Best Evaluated Bidder Determined			
5	Letters of Award Issued			
6	Contract Execution			

5. Emergency Tender Checklist

Item	Action	Completed (Yes/No)	Remarks
1	Emergency Tender Trigger Justified (e.g., failure to perform, force majeure)		
2	ERB Notification Issued		
3	Pre-qualified OMCs Invited		
4	Bid Flootation Period (Max 7 Days)		
5	Bid Opening and Evaluation		
6	Award & Contract Finalized		

ANNEX II:

EXPORT LICENCE APPLICATION TEMPLATE

This form shall be completed and submitted by all Oil Marketing Companies (OMCs) seeking approval to export Low Sulphur Gasoil (LSG) under the Open Access Guidelines. It must be accompanied by all supporting documentation as stipulated under Clause 10.7 of the Guidelines.

1. Applicant OMC Name _____

2. ERB Licence Number: _____

3. Company Registration Number: _____

4. Physical Address: _____

5. Contact Person (Name, Email, Phone):

Name: _____

Email: _____

Phone: _____

6. Quantity of LSG Proposed for Export (in Litres): _____

7. Origin of the Product (Tank Farm, Location):

Tank Farm: _____

Location: _____

8. Intended Country of Export: _____

9. Proposed Exit Border Point: _____

10. Date of Proposed Export: _____

11. Justification for Export (Attach Supporting Documents):

12. Confirmation of Local Market Supply Fulfilment (Attach ERB-compliant proof):

13. Confirmation that Product has been Marked per SI Requirements (Attach Certificate):

14. Additional Comments or Special Requests (if any):

15. Declaration: I hereby declare that the above information is accurate and complete to the best of my knowledge. I acknowledge that any false or misleading information may lead to rejection of the application or revocation of licence.

Authorized Signatory: _____

Designation: _____

Date: _____

ANNEX III:

OMC PIPELINE – OPEN ACCESS LSG NOMINATION TEMPLATE

{Print on Company's Letterhead}

Ref: TOA/OMC Name/TPL/MM/YYYY.

Date:

The General Manager
TAZAMA Petroleum Products Limited
P.O. Box 71651
NDOLA

Dear Sir,

**RE: DEMAND REQUIREMENTS FOR LOW SULPHUR GAS OIL IMPORTED VIA
TAZAMA OPEN ACCESS**

Please find below our Product demand requirements of Low Sulphur Gas Oil for the Month
of

MONTH OF SUPPLY	LOT	DELIVERY DATE PREFERENCE	NORMINATED QUANTITY (Litres @20°C)			
			Retail	Commercial	Mine	Total
	LOT1					
	LOT2					
	TOTAL					

Regards

Name: _____

Signature: _____



Cc: The Director General - Energy Regulation Board

Successful OMCs:

- i. X
- ii. X