

Government of Zimbabwe

STANDARD BIDDING DOCUMENT

for the Procurement of Goods

July 2022



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF OPERATIONAL VEHICLES

PROCUREMENT REFERENCE NO: ICT/PWT/05/2022

Standard Bidding Document for the Procurement of: Supply and Delivery of Operational vehicles

Procurement Reference No: ICT/PWT/05/2022

Procuring Entity: Powertel Communications

Date of Issue: 22 July 2022



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF OPERATIONAL VEHICLES

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PART 1 BIDDING PROCEDURES

PART 1: BIDDING PROCEDURES

References:

References to the Act are to the Public Procurement and Disposal of Public Assets Act [Chapter 22:23] and references to the Regulations are to the Public Procurement and Disposal of Public Assets (General) Regulations (Statutory Instrument No. 5 of 2018). The terms and requirements in the Act and Regulations govern the submission of Bids and should be read by all Bidders.

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Preparation of Bids

You are requested to bid for the supply of the goods specified in the Statement of Requirements below, by completing and returning the following documentation:

1. the Bid Submission Sheet in this Part;
2. the Statement of Requirements in Part 2;
3. a copy of every document necessary to demonstrate eligibility in terms of section 28 (1) of the Regulations;
4. Supplier Registration number showing that you are registered with the Procurement Regulatory Authority of Zimbabwe;
5. A bid security in the format specified in this Part;
6. A copy of the following administrative documents
 - a) Manufacturer/Distributor/Agent Authorisation form/letter where applicable. **Include details of local support centers for repairs and maintenance.**
 - b) At least three written, signed and dated letters of references on company letterheads from organisations for which similar products have been provided.

You are also required to pay the administration fee of ZW\$30,000.00 for Domestic Bidders or USD400.00 for International Bidders payable by bidders for bids subject to prior review by the Special Procurement Oversight Committee in terms of section 54 of the Act and as set out in Part IV of the Fifth Schedule to the Regulations.

You are advised to carefully read the complete Bidding Document, as well as the General Conditions of Contract which are available on the Authority's website, before preparing your Bid. Part 3: Contract is provided not for completion at this stage but to enable Bidders to note the Contract terms they will enter into if their Bid is successful. The standard forms in this document may be retyped for completion but the Bidder is responsible for their accurate reproduction. All pages of the Bid must be clearly marked with the Procurement Reference Number above and the Bidder's name and any reference number.



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Lots and Packages

The requirement may be divided into lots and packages, if indicated in Part 2, Statement of Requirements. Bidders may bid for more than one lot. **The lots will be awarded independent of each other.**

Number of bids allowed

No Bidder may submit more than one bid, either individually or as a joint venture partner in another Bid, except as a subcontractor. Where the procurement is divided into lots and packages, only one Bid can be submitted. A conflict of interest will be deemed to arise if bids are received from more than one Bidder owned, directly or indirectly, by the same person.

Clarification

Clarification of the bidding document may be requested in writing by any Bidder before 25 August 2022 and should be sent to:

The Procurement Manager,
Powertel Communications (Private) Limited,
Number 16 Birmingham Road,
Southerton,
Harare

E-mail: mbhunu@powertel.co.zw

All responses to clarifications will be available on the Powertel website:

<http://www.powertel.co.zw/tenders/>

Bidders must regularly check the website until the tender closes for updates and responses to queries.

Validity of Bids

The minimum period for which the Bidder's bid must remain valid is ninety (90) days from the deadline for the submission of bids.

Submission of Bids

Bids must be submitted in writing in a sealed envelope to the address below, no later than the date and time of the deadline below. It is the Bidder's responsibility to ensure that they



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receive a receipt confirming submission of their bid that has correct details of the Bidder and the number of the Bid.

The Bidder must mark the envelope with the Bidder's name and address and the Procurement Reference Number.

The Bidder must prepare three (3) complete sets of its Tender, identifying and clearly marking the "ORIGINAL TENDER", "COPY 1 & 2 OF TENDER", as appropriate. Each set must be properly bound. Each copy will be a replica of the Original and must contain the same information as the Original. In the event of any discrepancy between the original and the copies, the original will prevail.

Late bids will be rejected. The Procuring Entity reserves the right to extend the bid submission deadline but will notify all potential bidders who have collected the bidding documents of the amended bid submission deadline.

Date of deadline: 16 September 2022

Deadline Time: 1000hrs
(local Time)

Submission address: Powertel Communications
Number 16 Birmingham Road
Southerton
Harare
Zimbabwe

Means of acceptance: of Tenders must be properly addressed to the Procurement Manager and enclosed in sealed envelopes clearly endorsed on the outside with the advertised Tender/Request for Proposal (RFP) Number, tender description and tender closing date. Tenders should be deposited into the tender Box at Powertel Communications, Number 16 Birmingham Road, Southerton, Harare, Zimbabwe, on or before 1000hrs on the closing date.

Bid opening

Bidders and their representatives may witness the opening of bids, which will take place at the submission address immediately following the deadline.

Withdrawal, amendment or modification of Bids

A Bidder may withdraw, substitute, or modify its Bid after it has been submitted by sending a written notice, duly signed by an authorized representative. However, no Bid may be withdrawn, substituted, or modified in the interval between the deadline for submission of



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Bids and the expiration of the period of Bid validity specified by the Bidder or any extension of that period.

Delivery Requirements

The delivery period required (from the date of contract signing) and the final destination for delivery are as indicated in the Delivery Schedule in Part 2.

Bid Prices and Discounts

The prices and discounts quoted by the Bidder in the Bid Submission Form and in the Price Schedules must conform to the requirements specified below.

Prices must be quoted as specified in the Price Schedule included in Part 2 Statement of Requirements. In quoting prices, the Bidder is free to use transportation through carriers registered in any eligible country and similarly may obtain insurance services from any eligible country. Prices quoted must include the following costs and components:

- (a) For Goods
 - (i) the price of the Goods and the cost of delivery to the final destination, including the relevant INCOTERM, as stated in the Delivery Schedule;
 - (ii) the custom duties to be paid on the Goods on entry in Zimbabwe, if not already included;
 - (iii) Any other applicable import taxes;
 - (iv) any sales and other taxes due within Zimbabwe which will be payable on the Goods, if not already included;
 - (v) any rebate or mark-up of the local agent or representative.
- (b) for Related Services, (other than inland transportation and other services required to convey the Goods to their final destination), whenever such Related Services are specified in the Schedule of Requirements:

the price of each item comprising the Related Services (inclusive of any applicable taxes).

Bid Security

The Bidder must include a refundable bid security of Two Hundred Thousand Zimbabwe Dollars (ZWS\$200,000) for local bidders or US\$540.00 for foreign bidders. The bid security shall be payable using any one of the below options:

Option 1.....A certified Bank Cheque

Option 2.....A Bank Guarantee

Option 3.....A cash deposit to the Procurement Regulatory Authority of Zimbabwe



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If Option 3 is chosen bidders must also submit proof of payment from PRAZ of non-refundable cash bid bond establishment fee of ZW\$40,000.00 for Domestic Bidders or US\$200.00 for Foreign Bidders in line with Part V of the Public Procurement and Disposal of Public Assets (General)(Amendment) Regulations, 2021 (No.3).

Any bid not accompanied by a Bid Security, where this is a requirement of bidding, will be rejected by the Procuring Entity as non-responsive.

The Bid Security or Bid- Securing Declaration of a Joint Venture (JV) must be in the name of the JV that submits the Bid. If the JV has not been legally constituted at the time of bidding, the Bid Security or Bid-Securing Declaration must be in the names of all intended partners.

Evaluation of Bids

Bids will be evaluated using the following methodology:

1. Preliminary examination to confirm that all documents required have been provided, to confirm the eligibility of Bidders in terms of section 28 (1) of the Regulations and to confirm that the Bid is administratively compliant in terms of section 28 (2) of the Regulations.
2. Technical evaluation to determine substantial responsiveness to the specifications in the Statement of Requirements;
3. Financial evaluation and comparison to determine the evaluated price of bids and to determine the lowest evaluated bid.

Bids failing any stage will be eliminated and not considered in subsequent stages.

1.12 REVIEW BY THE SPECIAL PROCUREMENT OVERSIGHT COMMITTEE



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Section 54 of the Act provides for review by the Special Procurement Oversight Committee for certain especially sensitive or especially valuable contracts. This requirement will be subject to this.

Evaluation criteria

The Procuring Entity's evaluation of a Bid will take into account, in addition to the Bid Price, the following criteria and methodologies.

- (a) **Delivery schedule:** The specified Goods are required to be delivered by the date indicated in the Delivery Schedule in Part 2. Bids offering delivery after the date shall be treated as non-responsive.
- (b) **Deviation in payment schedule:** The payment schedule is stated in the Special Conditions of Contract (SCC) in Part 3. A Bidder may propose a deviation from the schedule and if the deviation is considered acceptable to the Procuring Entity, the Bid will be evaluated by calculating interest earned for any earlier payments involved in the terms outlined in the Bid as compared with those stipulated in the SCC, at the rate of interest indicated by the Reserve Bank of Zimbabwe on the closing date for submission of bids.

The Procuring Entity's evaluation of a Bid will take into account, in addition to the Bid Price, the following criteria and methodologies.

- (a) Delivery schedule: The specified Goods are required to be delivered by the date indicated in the Delivery Schedule in Part 2. Bids offering delivery after the date shall be treated as non-responsive.
- (b) Deviation in payment schedule: The payment schedule is stated in the Special Conditions of Contract (SCC) in Part 3. A Bidder may propose a deviation from the schedule and if the deviation is considered acceptable to the Procuring Entity, the Bid will be evaluated by calculating interest earned for any earlier payments involved in the terms outlined in the Bid as compared with those stipulated in the SCC, at the rate of interest indicated by the Reserve Bank of Zimbabwe on the closing date for submission of bids. **Note that Powertel does not accept a request for payment in advance, a bid with a proposal for advance payment terms will be rejected.**



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1.14 DOMESTIC PREFERENCE

A margin of preference, in accordance with the procedures outlined in section 8 of the Regulations, will not apply.

Eligibility and Qualification Criteria

Bidders are required to meet the criteria in section 28 of the Act to be eligible to participate in public procurement and to be qualified for the proposed contract. They must therefore provide any available documentation and certify their eligibility in the Bid Submission Sheet.

To be eligible, Bidders must provide the following documentation:

1. Copy of certificate of incorporation and CR14 form.
2. A valid copy of tax clearance certificate IT263 or equivalent document in country of origin for foreign bidders.
3. A clearance letter from NSSA to confirm that the company is up to date with its obligations with NSSA or equivalent document in country of origin for foreign bidders.
4. Proof of valid registration with the Procurement Regulatory Authority of Zimbabwe (PRAZ).
5. **Completed and signed Bidder's Declaration Form (refer to Appendix A). Failure to provide a completed and signed Bidder's declaration form will lead to automatic**

The above documents are required to demonstrate the criteria listed below, that the bidder

1. have the legal capacity to enter into a contract;
2. is not insolvent, in receivership, bankrupt or being wound up, not have had business activities suspended and not be the subject of legal proceedings for any of these circumstances;
3. have fulfilled their obligations to pay taxes and social security contributions in Zimbabwe;
4. does not have a conflict of interest in relation to this procurement requirement;



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5. is not debarred from participation in public procurement under section 72 (6) of the Act and section 74(1) (c), (d) or (e) of the Regulations or declared ineligible under section 99 of the Act;
6. have the nationality of an eligible country as specified in the Special Conditions of Contract; and
7. have been registered with the Authority as a Supplier and have paid the applicable Supplier Registration Fee set out in Part III of the Fifth Schedule to the Regulations.

Origin of Goods

All goods and related services must have as their country of origin an eligible country, as specified in the Special Conditions of Contract.

Technical Criteria

The Technical Specifications Sheet details the minimum specification of the goods required. The goods offered must meet this specification, but no credit will be given for exceeding the specification.

1.18 CURRENCY

Bids should be priced in United States Dollars (USD). The currency of evaluation will be the United States Dollar but payment to local companies will be made in Zimbabwe Local Currency (ZW\$) at the prevailing mid exchange rate as guided by the Reserve Bank of Zimbabwe (RBZ). Foreign bidders will be paid in United States Dollars (US\$).

1.19 AWARD OF CONTRACT

The lowest evaluated bid, after application of any additional evaluation criteria, including any margin of preference, which is substantially responsive to the requirements of this bidding document will be recommended for award of contract. The proposed award of contract will be by issue of a Notification of Contract Award in terms of section 55 of the Act which will be effective until signature of the contract documents in accordance with Part 3: Contract.



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Unsuccessful Bidders will receive the Notification of Contract Award and, if they consider they have suffered prejudice from the process, they may within 14 days of receiving this Notification, submit to the Procuring Entity a Challenge in terms of section 73 of the Act, subject to payment of the applicable fee set out in section 44 of and the Third Schedule to the Regulations.

1.20 RIGHT TO REJECT

The Procuring Entity reserves the right to accept or reject any Bids or to cancel the procurement process and reject all Bids at any time prior to contract award.

1.21 CORRUPT PRACTICES

The Government of Zimbabwe requires that Procuring Entities, as well as Bidders and Contractors, observe the highest standard of ethics during the procurement and execution of contracts. In pursuit of this policy:

1. the Procuring Entity will reject a recommendation for award if it determines that the Bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive or coercive practices in competing for the Contract or been declared ineligible to be awarded a procurement contract under section 99 of the Act;
2. the Authority may under section 72 (6) of the Act impose the sanctions under section 74 (1) of the Regulations; and
3. any conflict of interest on the part of the Bidder must be declared.

Foreign Currency Disclaimer

Powertel Communications will not have a provision or any assistance in availing foreign currency to the Bidder.



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Bid Submission Sheet

{Note to Bidders: Complete this form with all the requested details and submit it as the first page of your Bid. Attach the completed Statement of Requirements and any other documents requested in Part 1. Ensure that your Bid is authorised in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this Bid prevail over any attachments. If your Bid is not authorised, it may be rejected. If the Bidder is a Joint Venture (JV), the Bid must be signed by an authorized representative of the JV on behalf of the JV, and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized representatives.}

Bidders must mark as "CONFIDENTIAL" information in their Bids which is confidential to their business. This may include proprietary information, trade secrets or commercial or financially sensitive information}.

Procurement Reference Number:

Subject of Procurement:

Name of Bidder:

Bidder's Reference Number:

Date of Bid:

We offer to supply the items listed in the attached Statement of Requirements, at the prices indicated on the attached Price Schedule and in accordance with the terms and conditions stated in your Bidding Document referenced above.

We confirm that we meet the eligibility criteria specified in Part 1: Procedures of Bidding.

We declare that we are not debarred from bidding and that the documents we submit are true and correct.

The validity period of our bid is: {days} from the date of submission.

We confirm that the prices quoted in the attached Price Schedule are fixed and firm for the duration of the validity period and will not be subject to revision, variation or adjustment.

Bid Authorised by:

Signature	Name:
Position:	Date:(DD/MM/YY)
Authorised for and on behalf of:	
Company	
Address:	
.....	



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PART 2 STATEMENT OF REQUIREMENTS

PART 2: STATEMENT OF REQUIREMENTS

Name of Bidder:

Bidder's Reference Number:

List of Goods and Price Schedule

Currency of Bid:.....

LOT	Description of Goods	Quantity ²	Unit Price ³	Total Price ⁴
			[to be provided by the Bidder]	[to be provided by the Bidder]
1	Single cab trucks	12 each		
2	Double cab 4 x 4	1 each		
3	8 Tonne truck with crane	1 each		
4	8 Tonne truck without crane	2 each		
5	Fork lift	1 each		
Total Price before Vat				
VAT				
Total Price including Vat				

Note 1: Lots and packages should be shown as separate items.

Note 2: The description or quantity must indicate the unit of measure where relevant.

Note 3: Unit and total prices must be for delivery through to the final destination stated in Part 1.

The price to be quoted in the Price Schedule must be the total price of the bid, excluding any discounts offered.



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PART 2 STATEMENT OF REQUIREMENTS

Delivery Schedule

Name of Bidder:

Bidder's Reference Number:

{Note to Bidders: If the delivery period offered, or any other details, differ from the requirements below, this should be stated in your tender}.

LOT	Description of Goods	QTY	Physical Unit	Delivery Date Required by Procuring Entity and applicable INCOTERM	Bidder's offered Delivery period
				<i>[Completed by Procuring Entity]</i>	<i>{to be provided by the Bidder}</i>
1	Single cab trucks	12	each	Within Eight(8) weeks from signing contract, DDP Harare, Zimbabwe	
2	Double cab 4 x 4	1	each	Within Eight(8) weeks from signing contract, DDP Harare, Zimbabwe	
3	8 Tonne truck with crane	1	each	Within Eight(8) weeks from signing contract, DDP Harare, Zimbabwe	
4	8 Tonne truck without crane	2	each	Within Eight(8) weeks from signing contract, DDP Harare, Zimbabwe	
5	Fork lift	1	each	Within Eight(8) weeks from signing contract, DDP Harare, Zimbabwe	

The delivery period required is measured from the date of the signing of the Contract between the Procuring Entity and the Bidder.

The Project Site for delivery of the goods is the final destination:

Powertel Communication
16 Birmingham Road
Southerton
Harare
Zimbabwe



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PART 2 STATEMENT OF REQUIREMENTS

Technical Specification and Compliance Sheet

Name of Bidder:

Bidder's Reference Number: ICT/PWT/05/2022

The Goods and Related Services must comply with following Technical Specifications and Standards:

Bidders must correctly complete the Technical specification and compliance sheet for each Lot tendered for, by indicating whether they comply or do not comply with the corresponding requirement.

LOT 1: Single cab Pick Up trucks

Brand new Single cab pick up trucks Specifications			Bidder must state Compliant/Not Compliant
Description	Units	Minimum Specification	
Single cab pick up truck	each	1 Tonne truck 4 x 2	
Fuel		Diesel	
Displacement	Cc x 1000	2-3	
Power	Kw@rpm	95-120/3000-3600	
Aspiration		Turbo Intercooled	
Torque	Nm@rpm	300-350@1800-2900	
Seating Capacity		3	
Type of seat		Bench	
Loading capacity	kg	1000	
Rim size	inch	16-18	
Loading tray	mm	Rubberized-optional	
Loading tray depth	mm	428-435	
Loading Tray length	mm	2220-2225	
Loading tray width	mm	1466-1500	
Wheel base	mm	2950-3000	
Transmission		Manual	
Steering		Power assisted	
Accessories		As per SI 154 OF 2010	
Ladder rack	each	OEM	
Mileage	km	≤200	
Livery		As prescribed	
Minimum tyre tread depth	mm	New	
Maximum age of vehicle	years	< one year from date of manufacture	
Aesthetics		Free from dents and leaks	
Instrumentation		All gauges and controls working	
Warranty	Yrs/kms	3/60000	



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LOT 2: Double Cab 4 x 4 truck

Brand new Double Cab trucks Specifications			Bidder must state Compliant/Not Compliant
Description	Units	Minimum Specification	
Double Cab truck	each	4 x 4	
Fuel		Diesel	
Displacement	Cc	2-3	
Power	Kw@rpm	90-120/3000-3600	
Torque	Nm@rpm	290-350@1800-2900	
Seating Capacity		5	
Type of seat		Front- Buckets: Rear-Bench	
Rim size	inch	16-18	
Loading tray	mm	Rubberized-optional	
Transmission		Manual	
Steering		Power assisted	
Accessories		As per SI 154 OF 2010	
Mileage	km	≤150000	
Livery		As prescribed	
Minimum tyre tread depth	mm	New	
Maximum age of vehicle	years	< one year from date of manufacture	
Aesthetics		Free from dents and leaks	
Instrumentation		All gauges and controls working	
Warranty	Yrs/kms	3/60000	

POWERTEL COMMUNICATIONS
SIGNED: *[Signature]*
DATE: 22/07/2022
PROCUREMENT DEPT

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PART 2 STATEMENT OF REQUIREMENTS

LOT 3: 8 Tonne Drop Side truck

Brand new 8 Tonne Drop Side Trucks Specifications			Bidder must state Compliant/ Not Compliant
Description	Units	Minimum Specification	
8 Tonne truck	each	With crane	
Fuel		Diesel	
Displacement	Cc	4-5.5	
Power	Kw@rpm	150-165	
Torque	Nm@rpm	290-320@1800-2200	
Seating Capacity		3	
Type of seat		Bench	
Loading capacity	kg	7000-10000	
Rim size	inch	22.5	
Loading tray	mm	Metal drop sides	
Loading tray depth	mm	500-750	
Transmission		Manual	
Steering		Power assisted	
Accessories		As per SI 154 OF 2010	
Ladder rack	each	1 with side stoppers	
Hub-Odometer	1	Rear mounted	
Livery		As prescribed	
Minimum tyre tread depth	mm	New	
Maximum age of vehicle	years	< one year from date of manufacture	
Vehicle tracking		With speed monitoring and accelerometer	
Aesthetics		Free from dents and leaks	
Instrumentation		All gauges and controls working	
Warranty	Yrs/kms	3/60000	



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PART 2 STATEMENT OF REQUIREMENTS

LOT 4: 8 Tonne Drop Side truck

Brand new 8 Tonne Drop Side Trucks Specifications			Bidder must state Compliant/ Not Compliant
Description	Units	Minimum Specification	
8 Tonne truck	each	Without crane	
Fuel		Diesel	
Displacement	Cc	4-5.5	
Power	Kw@rpm	150-165	
Torque	Nm@rpm	290-320@1800-2200	
Seating Capacity		3	
Type of seat		Bench	
Loading capacity	kg	7000-10000	
Rim size	inch	22.5	
Loading tray	mm	Metal drop sides	
Loading tray depth	mm	500-750	
Transmission		Manual	
Steering		Power assisted	
Accessories		As per SI 154 OF 2010	
Ladder rack	each	1 with side stoppers	
Hub-Odometer	1	Rear mounted	
Livery		As prescribed	
Minimum tyre tread depth	mm	New	
Maximum age of vehicle	years	< one year from date of manufacture	
Vehicle tracking		With speed monitoring and accelerometer	
Aesthetics		Free from dents and leaks	
Instrumentation		All gauges and controls working	
Warranty	Yrs/kms	3/60000	



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PART 2 STATEMENT OF REQUIREMENTS

LOT 5: 5 Tonne Forklift

Brand new 5 Tonne Forklift Specifications			Bidder must state Compliant/ Not Compliant
Description	Units	Minimum Specification	
5 Tonne forklift	each		
Fuel		Diesel	
Displacement	Cc	4-5.5	
Power	Kw@rpm	120-180@2500-4600	
Torque	Nm@rpm	370-464@1400-3600	
Seating Capacity		1	
Type of seat		Bucket	
Loading capacity	kg	5000	
Width	mm	1460-1995	
Turning Radius	mm	2940-3350	
Transmission		Automatic	
Steering		Power assisted	
Accessories		As per SI 154 OF 2010	
Hand Rails		Yes	
Hour meter	1	Yes	
Livery		As prescribed	
Minimum tyre tread depth	mm	New	
Maximum age of vehicle	years	< one year from date of manufacture	
Aesthetics		Free from dents and leaks	
Instrumentation		All gauges and controls working	
Warranty	Yrs/kms	2 years	

The detailed technical evaluation will examine the technical specification of the items offered in the compliance column and determine whether this meets the minimum specifications required. Bidders must complete the compliance column or their tender will be rejected. **Bidders are required to include technical literature to positively support the details provided in the compliance column.**



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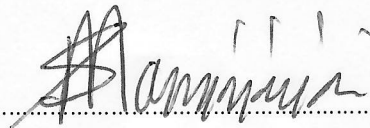
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PART 2 STATEMENT OF REQUIREMENTS

Declaration by the Accounting Officer

I declare that the procurement is based on neutral and fair technical requirements.

Accounting Officer Signature.....



Accounting Officer Name.....

SAMUEL MAMININI

Accounting Officer Designation.....

MANAGING DIRECTOR



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PART 2 STATEMENT OF REQUIREMENTS

APPENDIX A BIDDER'S DECLARATION FORM (MANDATORY)

To
The Accounting Officer
Powertel Communications
16 Birmingham Road
Southerton
Harare

We (name of company and address)

..... declare the following:

- a) That as bidders we are not debarred from bidding and that the document submitted is true and correct.
- b) That the company is not insolvent, is not in liquidation or under Judicial management and its affairs are not being administered by a court or judicial officer and that its business has not been suspended or stopped
- c) That neither the company and its officers have in the past five (5) years immediately preceding initiation of procurement proceedings:
 - i. Been convicted in any country of an offence related to their professional conduct or the making of false statements or misrepresentation of their qualifications, or
 - ii. Been censured or subjected to any penalty in any country following disciplinary proceedings arising out of any conduct involving the making of false statements or misrepresentations.
 - iii. Have a conflict of interest in relation to this procurement requirement.

.....
Name of Bidder

.....
Signature

.....
Date

(To be signed by authorised representative)



PART 3 CONTRACT

Contract Agreement

Procurement Reference:

THIS CONTRACT AGREEMENT is made the [insert: date] day of [insert: month], [insert: year].

BETWEEN

- (1) [insert complete name of Procuring Entity], a [insert description of type of legal entity, for example, an agency of the Ministry of of the Government of Zimbabwe, or corporation incorporated under the laws of Zimbabwe] and having its principal place of business at [insert full postal address of Procuring Entity] (hereinafter called "the Procuring Entity"), and
- (2) [insert name of Contractor], a corporation incorporated under the laws of [insert: country of Contractor] and having its principal place of business at [insert full postal address of Contractor] (hereinafter called "the Contractor").

WHEREAS the Procuring Entity invited Bids for certain Goods and ancillary services, viz., [insert brief description of Goods and Services] and has accepted a Bid by the Contractor for the supply of those Goods and Services in the sum of [insert Contract Price in words and figures, expressed in the Contract currency] (hereinafter called "the Contract Price").

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are assigned to them in the General and Special Conditions of Contract referred to below.
2. The following documents shall constitute the Contract between the Procuring Entity and the Contractor, and each shall be read and construed as an integral part of the Contract:
 - (a) This Contract Agreement;
 - (b) Special Conditions of Contract;
 - (c) General Conditions of Contract;
 - (d) Technical Requirements (including Schedule of Requirements and Technical Specifications);
 - (e) The Contractor's Bid, original Price Schedules and Delivery Schedule;

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- (f) The Procuring Entity's Notification of Contract Award;
- (g) [Add here any other document(s)].
3. This Contract Agreement shall prevail over all other Contract Documents. In the event of any discrepancy or inconsistency within the Contract Documents, then the documents shall prevail in the order listed above.
4. In consideration of the payments to be made by the Procuring Entity to the Contractor as mentioned below, the Contractor hereby agrees with the Procuring Entity to provide the Goods and Services and to remedy any defects in them in conformity with the Contract.
5. The Procuring Entity hereby agrees to pay the Contractor in consideration of the provision of the Goods and Services and the remedying of any defects in them, the Contract Price or such other sum as may become payable under the Contract at the times and in the manner prescribed by the Contract.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Zimbabwe on the day, month and year indicated above.

For and on behalf of the Procuring Entity

Signed:

Name:

In the capacity of: [Title or other appropriate designation]

For and on behalf of the Contractor

Signed:

Name:

In the capacity of: [Title or other appropriate designation]



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General Conditions of Contract

Any resulting contract is subject to the Zimbabwe General Conditions of Contract (GCC) for the Procurement of Goods (copy available on request) except where modified by the Special Conditions below.

Special Conditions of Contract

Procurement Reference Number:

The clause numbers given in the first column correspond with the relevant clause number of the General Conditions of Contract.

GCC reference	Special Conditions
GCC 7.5	Eligible Countries: All countries are eligible, except for [N/A].
GCC 8.1	Notices: Any notice shall be sent to the following addresses: For the Procuring Entity, the address shall be as given in the Contract document and the contact shall be [state name of contact and the location where he/she can be found]. For the Contractor, the address shall be as given in the Bid and the contact shall be {state name of contact}
GCC 19.1	Liquidated Damages: Liquidated Damages in terms of section 88 of the Act shall/ apply at a rate of one percent (1%) of the total cost of the contract per week up to a maximum of three (3) weeks after which the contract may be cancelled.
GCC 22.1	Insurance: The goods shall be insured as specified in the incoterms Delivered Duty Paid, Harare, Zimbabwe
GCC 23.1 & 23.2	Inspections and tests: the tests and/or inspections of the Goods and Related Services that the Contractor is required to carry at its own expense are: Local acceptance test at Powertel Communication number 16 Birmingham Road, Southerton, Harare, Zimbabwe and any location in the field.
GCC 25.1	Warranty: The period of the warranty shall be 12 months.
GCC 25.6	Failure to remedy a defect: The period allowed to the Contractor to remedy a defect during the period of the Warranty shall be one month.



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GCC reference	Special Conditions
GCC 29.1	<p>Price adjustment: The following price adjustments are applicable based on the formula below:</p> <p>Price variation formulae for local bidders.</p> $\begin{aligned} \text{ZW\$P}_0 &= \text{US\$P}_0 \times R_0 \\ \text{ZW\$P}_t &= \text{US\$P}_0 \times R_t \end{aligned}$ <p>Where ZW\\$P₀ = Contract price in Zimbabwe Dollars US\\$P₀ = Contract price in US\$ as per bid document R₀ = US\$/ZW\$ mid exchange rate on 16 September 2022 as published by Reserve Bank of Zimbabwe. R_t = US\$/ZW\$ mid exchange rate as published by Reserve Bank of Zimbabwe at time T. ZW\\$P_t = Contract price at the point of payment at time T</p>
GCC 30.1	<p>Terms of Payment: The structure of payments shall be:</p> <p>On Delivery: Ninety (90) per cent of the Contract Price shall be paid within a maximum of thirty (30) days of receipt of the Goods and upon submission of the documents specified in GCC Clause 13.</p> <p>On Acceptance: The remaining ten (10) per cent of the Contract Price shall be paid to the Contractor within thirty (30) days after the date of the acceptance certificate for the respective delivery issued by the Procuring Entity.</p>
GCC 31.1	<p>Contract Administration Fee: The Contract Administration Fee set out in Part V of the Fifth Schedule of the Regulations is due upon the signing of the Contract and the applicable Fee is \$ [State applicable Fee or delete].</p>

POWERTEL COMMUNICATIONS
SIGNED: *[Signature]*
DATE: 22/07/2022
PROCUREMENT DEPT