

Government of Zimbabwe

STANDARD

BIDDING

DOCUMENT

for the
Procurement of Goods

November 2022



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

Standard Bidding Document for the Procurement of:	Inveters
Procurement Reference No:	NCT/PWT/10/2022
Procuring Entity:	Powertel Communications (Pvt) Ltd
Date of Issue:	4 November 2022



Table of Contents

Part 1: Bidding Procedures

Part 2: Statement of Requirements

Part 3: Contract



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

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.

Procurement Reference Number:

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 must be submitted
 - a) Duly signed and stamped Manufacturer/Distributor/Agent Authorisation form/letter where applicable.
 - b) At least three (3) letters of references with contact details from organisations from which similar products have been provided. Powertel reserves the right to verify the letters of trade reference.

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.



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 1 BIDDING PROCEDURES

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 21 November 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



Validity of Bids

The minimum period for which the Bidder's bid must remain valid is *sixty (60) 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 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.*

BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 1 BIDDING PROCEDURES

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:	6 December 2022	Deadline Time: 1000hrs (local Time)	
Submission address:	PowerTel Communications (Pvt) Ltd Number 16 Birmingham Road Southerton Harare Zimbabwe		
Means of acceptance:	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 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

BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 1 BIDDING PROCEDURES

- (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 one hundred Thousand Zimbabwe Dollars (ZW\$100,000.00). 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

If Option 3 is chosen bidders must also submit proof of payment to PRAZ on non-refundable cash bid bond establishment fee of ZW\$20,000.00 for Domestic Bidders or US\$250 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 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 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.



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 1 BIDDING PROCEDURES

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.

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. **Note that Powertel does not accept advance payment and a request for payment in advance by a bidder will be rejected.**

POWERTEL COMMUNICATIONS
SIGNED: [Signature]
DATE: 4/11/2022
PROCUREMENT

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 disqualification.**

BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 1 BIDDING PROCEDURES

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;
5. is not be 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.

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 (ZWS) at the prevailing exchange rate as guided by the Reserve Bank of Zimbabwe (RBZ).

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. 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



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 1 BIDDING PROCEDURES

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.

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.

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.



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 1 BIDDING PROCEDURES

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: 60 {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:	
.....	



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

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:.....

Item No ¹	Description of Goods	Quantity ²	Unit Price ³	Total Price ⁴
			[to be provided by the Bidder]	[to be provided by the Bidder]
1	3Kva Inveters	40		
2	5Kva Inveters	10		
Grand Total before VAT				
Total VAT				
Grand Total 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.

Note 4: Include any additional costs, such as installation or commissioning.

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

POWERTEL COMMUNICATIONS
SIGNED: 
DATE: 4/11/2022
PROCUREMENT DEPT

BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 2 STATEMENT OF REQUIREMENTS

On evaluation of a Bid, Powertel shall take into account, in addition to the Bid Price, the following criteria and methodologies, as well as all other factors in Part 1 and 2 of this RFP document;

	Subject	Criteria	Documentation Required
No.	Eligibility		
1.	Legal Status	Vendor must be a legally registered entity and should have the legal capacity to enter into contract	Company Registration Documents 1. Certificate of Incorporation 2. CR14 3. Company Profile
2.	Bankruptcy	Bidder must not be 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	1. Declaration by completing and signing the bidders declaration form.
3.	Taxes Requirements	Bidders should have fulfilled their obligations to pay taxes and social security contributions in Zimbabwe	1. Valid and Current tax clearance certificate issued by the Zimbabwe Revenue Authority (ZIMRA)
4.	Social Security Requirements	Contractor to be registered and compliant to social security requirements (NSSA Statutes)	1. Attach valid and current NSSA (Social Security) clearance certificate
5.	Conflict of Interest	Bidders must not be debarred from participation in public procurement under section 72 (6) of the Act and section 74 (1)(c) (d) (e) of the Regulations or declared ineligible under section 99 of the Act	Bidder must declare non-debarment and non-conflict of interest by completing and signing the bidders declaration form.
6.	PRAZ registration	Bidder must be registered with the Procurement Regulatory Authority of Zimbabwe and should have paid the applicable Supplier registration fees set out in Part III of the fifth schedule of the Regulation	1. Bidder to attach Proof of PRAZ registration, Details for registration and applicable fees are available on www.praz.gov.zw
7.	Eligibility	All bidders from countries eligible to trade with Zimbabwe are eligible to apply	All Praz registered suppliers are eligible to participate
8.	Bid Validity	Bids are required to remain valid for 60 days from the closing date of the tender	1. To state bid validity period on the bid submission sheet. The minimum bid validity period required is 60 days.



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 2 STATEMENT OF REQUIREMENTS

10.	References	A minimum of three (3) reference letters/testimonial letters must be provided	Bidders must submit 3 verifiable Reference Letters on Client's Letterhead where similar services were provided within the last two (2) years. The reference letters should be signed and dated.
-----	------------	---	--



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

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}.

Item No	Description of Goods	Quantity	Physical Unit	Delivery Date Required by Procuring Entity and applicable INCOTERM	Bidder's offered Delivery period
				[Completed by Procuring Entity]	{to be provided by the Bidder}
1	3Kva Inverters	40	each	Within Four (4) weeks from signing contract, DDP Harare	
2	5Kva Inverters	10	each	Within Four (4) weeks from signing contract, DDP Harare	

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 Communications 16 Birmingham Road Southerton Harare Zimbabwe
--	---



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 2 STATEMENT OF REQUIREMENTS

Technical Specification and Compliance Sheet

Name of Bidder:	
Bidder's Reference Number:	

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.

Table 1: Technical Compliance Table for 3Kva Inverter

Parameter Column (a)	Specifications Required Column (b)	Bidder to state whether Compliant/ Not compliant Column (c)
Rating	3KVA	
Nominal battery system voltage	24VDC	
Output	Rated Power 3000VA	
	Surge Power 6KVA	
Waveform	Pure sine wave	
AC Voltage Regulation (Batt.Mode)	230VAC \pm 5%(Setting)	
AC Input	Voltage: 230VAC \pm 5%	
	Frequency: 50Hz/60 Hz with auto sense	
Battery	Normal voltage: 24VDC	
	Floating Charge Voltage: 27.4VDC	
	Overcharge Protection: 30VDC	
Solar charger & ac charger	PV Array MPPT Voltage Range: 30~115 VDC	
	Maximum Solar Charge Current: 80Amp	
	Maximum AC Charge Current: 60Amp	
	Maximum Charge Current: 80Amp	



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 2 STATEMENT OF REQUIREMENTS

Table 2: Technical Compliance Table for 5Kva Inverter

Parameter Column (a)	Specifications Required Column (b)	Bidder to state whether Compliant/ Not compliant Column (c)
Rating	5KVA	
Nominal battery system voltage	24VDC	
Output	Rated Power 5000VA	
	Surge Power 10KVA	
Waveform	Pure sine wave	
AC Voltage Regulation (Batt.Mode)	230VAC \pm 5%(Setting)	
AC Input	Voltage: 230VAC \pm 5%	
	Frequency: 50Hz/60 Hz with auto sense	
Battery	Normal voltage: 48VDC	
	Floating Charge Voltage: 54 to 58VDC	
	Overcharge Protection: 60VDC	
Solar charger & ac charger	Maximum PV Array Power: At least 4500w	
	MPPT Range @ Operating Voltage: 120VDC~430VDC/	
	Maximum PV Array Open Circuit Voltage: 450 VDC	
	Max Solar Charging Current: 100A	
	Maximum AC Charge Current: 100A	
	Max Charge Current: 80A	
	Efficiency: 98%	
	Maximum Standby Power Consumption: 2 W	

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



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

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.....

Accounting Officer Designation.....



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVETERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 2 STATEMENT OF REQUIREMENTS

Appendix A BIDDER'S DECLARATION FORM

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)



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVERTERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

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;
 - (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.

BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVERTERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 3 CONTRACT

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]



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVERTERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 3 CONTRACT

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 <i>[list countries]</i> .
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 <i>[state name of contact and the location where he/she can be found]</i> . For the Contractor, the address shall be as given in the Bid and the contact shall be <i>{state name of contact}</i>
GCC 19.1	Liquidated Damages: Liquidated Damages in terms of section 88 of the Act shall/shall not <i>[delete as appropriate]</i> apply. <i>[Where applicable, state the percentage of the delivered price of the delayed Goods or unperformed Services for each week or part thereof of delay until actual delivery or performance, up to a maximum deduction after which the Contract may be terminated. State the terms of liquidated damages by specifying the details as required in section 88 of the Act.]</i>



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVERTERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 3 CONTRACT

GCC reference	Special Conditions
GCC 21.2	<p>Packing, Marking and Documentation: The goods shall meet the following special packing requirements in addition to the general requirements stated in GCC clause 21.1 <i>[State any special packing requirements]</i></p> <p>The documents to be furnished by the Contractor are:</p> <p><i>[insert the required documents, such as a negotiable bill of lading, a non-negotiable sea way bill, an airway bill, a railway consignment note, a road consignment note, insurance certificate, Manufacturer's or Contractor's warranty certificate, inspection certificate issued by nominated inspection agency, Contractor's factory shipping details etc]</i></p> <p>Sample provision - For Goods supplied from abroad:</p> <p>Upon shipment, the Contractor shall notify the Procuring Entity and the insurance company in writing of the full details of the shipment. In the event of Goods sent by airfreight, the Contractor shall notify the Procuring Entity a minimum of forty-eight (48) hours ahead of dispatch, the name of the carrier, the flight number, the expected time of arrival, and the waybill number. The Contractor shall email and then send by courier the following documents to the Procuring Entity, with a copy to the insurance company:</p> <ul style="list-style-type: none"> (i) one original and two copies of the Contractor's invoice, showing the Procuring Entity as the consignee; the Contract number, Goods description, quantity, unit price, and total amount. Invoices must be signed in original; (ii) one original and two copies of the negotiable, clean, on-board through bill of lading marked "freight prepaid" and showing Procuring Entity as the consignee and Notify Party as stated in the Contract, with delivery through to final destination as per the Schedule of Requirements and two copies of non-negotiable bill of lading, road consignment note, truck or air waybill, or multimodal transport document, marked "freight prepaid" and showing delivery through to final destination as per the Schedule of Requirements; (iii) two copies of the packing list identifying contents of each package; (iv) copy of the Insurance Certificate, showing the Procuring Entity as the beneficiary; (v) one original of the manufacturer's or Contractor's Warranty Certificate covering all items supplied; (vi) original copy of the Certificate of Inspection furnished to the Contractor by the nominated inspection agency and six copies <i>[state whether inspection is required]</i>; (vii) <i>[any other procurement-specific documents required for delivery/payment purposes]</i>. <p>Sample provision - For Goods from within Zimbabwe</p> <p>Upon or before delivery of the Goods, the Contractor shall notify the Procuring Entity in writing and deliver the following documents to the Procuring Entity:</p> <ul style="list-style-type: none"> (i) one original and two ^{three} copies of the Contractor's invoice, showing the Procuring Entity, the Contract number, Goods' description, quantity, unit



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVERTERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 3 CONTRACT

GCC reference	Special Conditions
GCC 22.1	Insurance: The Goods shall be insured <i>[state whether as specified in the Incoterms or any alternative arrangement.]</i> .
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: <i>[provide details including the place where the tests will be carried out or delete]</i> .
GCC 24.1	Performance security: The Contractor shall provide a performance security of <i>[state a fixed amount or percentage, which shall be no more than ten (10) per cent]</i> of the Contract Price. The performance security shall be denominated in the currency of the Contract and issued by a Bank located in Zimbabwe or a foreign Bank through correspondence with a Bank located in Zimbabwe or from another financial institution acceptable to the Procuring Entity. The format shall be based on the template following the Special Conditions of Contract in this Part <i>[Delete if performance security is not required.]</i>
GCC 24.4	Reduction of performance security <i>[State whether the Performance Security will be progressively reduced in line with the Contractor's progress in delivering or completing the procurement requirement to which the security relates]</i>
GCC 25.1	Warranty: The period of the warranty shall be <i>[state number of]</i> 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 <i>[state number of months or days]</i> .
GCC 29.1	Price adjustments: The following price adjustments are applicable <i>[State any arrangements for adjustment of the contract price.]</i>
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> $\frac{ZW\$P_t}{ZW\$P_o} = \frac{US\$P_o \times R_o}{US\$P_o \times R_t}$ <p>Where ZW\$P_o = Contract price in Zimbabwe Dollars US\$P_o = Contract price in US\$ as per bid document R_o = US\$/ZW\$ mid exchange rate on 7 October 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 31.1	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 \$ <i>[State applicable Fee or delete]</i> .



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF INVERTERS

PROCUREMENT REFERENCE NO: NCT/PWT/10/2022

PART 3 CONTRACT

Bank Guarantee for Performance Security

[Delete page if no Performance Security is required in the SCC]

[This is the format for the Performance Security to be issued by a commercial bank in Zimbabwe in accordance with GCC 18.1]

Contract No:

Date:

To:

[Name and address of Procuring Entity]

PERFORMANCE GUARANTEES No:

We have been informed that *[name of supplier]* (hereinafter called "the Supplier") has undertaken, pursuant to Contract No *[reference number of Contract]* dated *[date of Contract]* (hereinafter called "the Contract") for the supply of *[description of goods and related services]* under the Contract.

Furthermore, we understand that, according to your conditions, Contracts must be supported by a performance guarantee.

At the request of the Supplier, we *[name of bank]* hereby irrevocably undertake to pay you, without cavil, delay or argument, any sum or sums not exceeding in total an amount of *[insert amount in figures and in words]* upon receipt by us of your first written demand accompanied by a written statement that the Supplier is in breach of its obligation(s) under the Contract conditions, without you needing to prove or show grounds or reasons for your demand of the sum specified therein.

This guarantee is valid until full recovery of the entire sum of money above stated, consequently, we must receive at the above-mentioned office any demand for payment under this guarantee in case of default.

Signature

Signature

--

