



Request for Sealed Quotations Non -Consultancy Services

PROVISION OF MAINTAINANCE SERVICING CONTRACT FOR 7 AIR CONDITIONERS, 12 COOLROOMS, ELECTRICAL (LIGHTS AND PLUGS) AND PLUMBING WORKS AT DR. FRANS AUPA INDONGO AND TAFEL HOUSE OPEN MARKETS FOR A PERIOD OF THREE (3) YEARS (FROM, 1ST JULY 2024 - 30TH JUNE 2027)

PROCUREMENT REFERENCE NO: W/RFQ/OSHTC-15/2023/2024

Bid Submission:

1. This is a hard copy request, and responses must be submitted in the Bid Box located at Oshakati Town Council Civic Centre, 906 Sam Nuyoma Road, Oshakati.
2. Deadline for request for clarifications from Bidders: **29 April 2024**
3. Quotation Submission must be submitted before the closing date and time:
4. Closing Date and Time of Bids: **Tuesday 14 May 2024 @ 12h00**
5. Bidders must register their bids in the bid submission register at PMU Office before submitting their bids in the bid box.

**PROCUREMENT MANAGEMENT UNIT
OSHAKATI TOWN COUNCIL**

906 Sam Nujoma Road
Private Bag 5530
OSHAKATI
Namibia

Tel: +264 65 229500
Fax: +264 65 220435

Name of Bidder: _____

Email address: _____

Contact Number: _____

COST: FREE

Oshakati Town Council (Osh-TC) gives notice of the following Request for Sealed Quotations - Work

RFQ Reference Number	NCS/RFQ/OSHTC-15/2023/2024
Description of Goods	PROVISION FOR SERVICING CONTRACT OF 7 AIR CONDITIONERS, 12 COOL ROOMS, ELECTRICAL (LIGHTS AND PLUGS) AND PLUMBING WORKS AT DR. FRANS AUPA INDONGO AND TAFEL HOUSE OPEN MARKETS FOR A PERIOD OF THREE (3) YEARS (FROM, 1ST JULY 2024 - 30TH JUNE 2027)
Closing Date & Time	14 May 2024 @ 12h00
Quotation Submission Address	Bid Box located at Oshakati Town Council Civic Centre, 906 Sam Nuyoma Road,
Validity Period of Quote	60 Days (from closing date)
Lead Time	Monthly

- a) This is a hard quotation request, and responses must be submitted to the address stated in the Quotation Submission Address before the closing date and time.
- b) Under no circumstance should the response be submitted, copied, or forwarded to any email address of any Oshakati Town Council employee prior to the deadline for submission of responses. This may result in disqualification of your quotation.
- c) This Request for Proposals (RFP) is accompanied by and comprises the following documents:
- d) The above documents comprise the (RFP) Documents and are provided as a basis for the preparation of your Submission Response. They are confidential and are provided to you on the terms and conditions set out in this Quotation Invitation Document
- e) If any clarification is required, kindly contact the Procurement officers below in writing.
- f) The Company reserves the right to amend the whole or any part of the (RFP) at any time prior to the deadline for submission.
- g) Please note that this is a Request for Quotation/Proposal only. All responses to this document will be treated as strictly confidential and will be used for the evaluation of this (RFP) only. Oshakati Town Council may at its sole discretion, accept or reject any quotation. Therefore, there is no obligation on Oshakati Town Council to accept the lowest or any bid. Oshakati Town Council may accept or reject any part of a quotation without being obliged to accept such quotation in its entirety.

Contact Person for Enquiries and Clarifications:

Name	Anna-Liisa Korea	Mr. Fidelis Kabozu/Mr. Thomas Salomon
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Designation	Head of Procurement	Buyer
Telephone	+264 65 229500/535/536	+26465 229500/68
Email	akorea@oshtc.na / procurementunit@oshtc.na	fidelisk@oshtc.na Tsalomon@oshtc.na

Letter of Invitation

17 April 2024

Company Name: _____

Postal Address: _____

Contact No: _____

Email: _____

Contact Person: _____

Dear Sirs/ Madams,

PROVISION FOR SERVICING CONTRACT FOR 7 AIR CONDITIONERS, 12 COOL ROOMS, ELECTRICAL (LIGHTS, DISTRIBUTION BOXES(DB) AND PLUGS) AND PLUMBING WORKS AT THE DR. FRANS AUPA INDONGO OPEN MARKET AND TAFEL HOUSE OPEN MARKETS FOR A PERIOD OF THREE (3) YEARS (FROM, 1ST JULY 2024 - 30TH JUNE 2027) Procurement Ref. No. W/RFQ/OSHTC-15/2023/2024.

1. Bidders are invited to submit their quotation for the **Provision for Servicing Contract for 7 Air Conditioners, 12 cool Rooms, Electrical (Lights, DB and Plugs) and Plumbing works at the Dr. Frans Aupa Indongo and Tafel Houde Open markets for a Period of Three (3) Years (From, 1st July 2024 - 30th June 2027)**, required by Oshakati Town Council. This RFQ constitutes a solicitation and contract agreement.
2. Bidders are requested to submit one quotation, Provision for Servicing Contract for 7 Air Conditioners, 12 cool Rooms, Electrical (Lights, DB and Plugs) and Plumbing works at the Dr. Frans Aupa Indongo and Tafel Houde Open markets for a Period of Three (3) Years (From, 1st July 2024 - 30th June 2027) as per the specifications in this RFQ.
3. Following an evaluation of the received quotations, Provision for Servicing Contract for 7 Air Conditioners, 12 cool Rooms , Electrical (Lights, DB and Plugs) and Plumbing works at the Dr. Frans Aupa Indongo and Tafel Houde Open markets for a Period of Three(3) Years (From, 1st July 2024 - 30th June 2027) Oshakati Town Council may select one bidder for the Only quotations for the entire nomenclature as described in the Quotation Submission Form will be accepted.

Oshakati Town Council would like to thank you for considering this invitation for Request for Quotation.

Yours faithfully,

Anna-Liisa Korea
Head PMU

SECTION I: INSTRUCTIONS TO BIDDERS

1. Rights of Public Entity

The Oshakati Town Council reserves the right:

- (a) to split the contract as per the lowest evaluated cost per item, or
- (b) to accept or reject any quotation; and
- (c) to cancel the quotation process and reject all quotations at any time prior to contract award.

2. Form of bid

This is a hard copy bid submission and responses must be submitted to the delivery address stated on the cover page. Bidders are required to complete the envelop cover page and paste it on top of their bid envelop.

3. Preparation of Quotations

Bidders are requested to quote for the items mentioned in Section III by completing, signing and returning:

- (a) the Quotation Letter in Section II with its annex for Bid Securing Declaration
- (b) the List of Goods and Price Schedule Section III;
- (c) the Specifications and Compliance Sheet in Section V; and
- (d) any other attachment deemed appropriate.

Bidders are advised to carefully read the complete Request for Sealed Quotations document, including the Special Conditions of Contract in Section VII, before preparing your quotation. The standard forms in this document may be retyped for completion but the Bidder is responsible for their accurate reproduction.

4. Validity of Quotations

The Quotation validity period shall be **60** days from the date of submission deadline.

5. Eligibility Criteria (Mandatory Legal Document)

To be eligible to participate in this Quotation exercise, the bidder shall submit with this bid document:

- (a) A certified copy of a valid company Registration Certificate.

- (b) An original or certified copy of a valid good Standing Tax Certificate; **(Valid at the deadline of submission of bid)**
- (c) An original or certified copy of a valid good Standing Social Security Certificate; **(Valid at the deadline of submission of bid)**
- (d) A certified copy of a valid Affirmative Action Compliance Certificate, proof from Employment Equity Commissioner that bidder is not a relevant employer, or exemption issued in terms of Section 42 of the Affirmative Action Act, 1998; **(Valid at the deadline of submission of bid)**
- (e) A certified copy of a valid "Fitness Certificate" from a Local Authority Health Department or Ministry of Health & Social Services. **(Valid at the deadline of submission of bid)**
- (f) Bidder to submit Written statement by a power of attorney (or notary statement, etc.) proving that the person, who signed the bid on behalf of the company, is duly authorized to do so.
- (g) Requested certified copies of documents shall only be considered if **(certified by a Commissioner of Oath appointed in terms of the Justices of the Peace and Commissioners of Oaths Act.1963 (Act No. 16 of 1963))**
- (h) All bids that do not comply with the eligibility criteria or any other requirement in this document will be disqualified.

6. Mandatory Administrative Documents

- (a) Bid Securing Declaration
- (b) Bid Submission Form
- (c) A written undertaking on the part of the Bidder that the salaries and wages payable to its personnel in respect of this proposal are compliant to the relevant laws as contemplated in section 138(2) of the Labour Act, 2007

7. Capability of Bidders

The Bidder warrants that it has/will have the capacity to deliver the service, as well as to provide the related support services in Namibia, where applicable.

The Bidder shall furnish, as part of the response, documents establishing the bidder's eligibility to propose and to deliver the goods as required. The documentary evidence shall establish to Oshakati Town Council's satisfaction that:

- a) In the case of a bidder offering to supply goods under the eventual Contract or Purchase Order, which the bidder did not manufacture or otherwise produce or where the bidder obtained the goods from another source, the bidder has been duly authorized by the manufacturer or producer of the goods to supply the goods in the Republic of Namibia.
- b) The Bidder has the financial and technical capacity necessary to fulfil its obligations under the eventual Contract or Purchase Order.
- c) The bidder has established the necessary infrastructure and has adequate equipment, resources, and such other facilities as required to fulfil its obligations under the eventual Contract or Purchase Order.

- d) Bidders must, upon request, furnish such additional information that Oshakati Town Council may reasonably **require as to their ability to render the service.**

8. Enquiries

- a) All enquiries in connection with this bid document shall be directed in writing (e-mail is acceptable) to the person(s) as listed in the invitation Letter with a cut -off date of fourteen (14) calendars days before the bid submission deadline.
- b) Replies to enquiries will be issued to all bidders and potential bidders in the form of addenda to be initialled and submitted by bidders as part of the bid document.
- c) Any verbal information given or perceived to have been given shall not be binding to the Oshakati Town Council.

9. Site Visits

Upon request

10. Extensions of Time

Oshakati Town Council may in its absolute discretion by written notice to all Bidders extend the submission closing time. If any bidder applies for and is granted an extension of time to lodge its submission, the extension so granted shall apply to all bidders who will be advised of the extended closing date for receipt of quotations whether their submissions have or have not been lodged. If a bidder has already lodged a submission, it may revise that submission and resubmit it no later than the extended submission closing time.

8. Addenda

Oshakati Town Council may, from time to time, clarify any aspects of the direct documentation, which require clarification and will issue addenda to bidder detailing such clarifications.

9. Bid Security/Bid Securing Declaration

Bidders are required to subscribe to a Bid Securing Declaration for this procurement process. The Bidder shall furnish as part of its quotation, a Bid Securing Declaration as per the format contained in this document.

10. Delivery

The service shall be rendered monthly after acceptance and issue of Purchase Order. Deviation in rendering a service shall not be considered.

11. Inspections

The following verifications will be done at the site on the treatment dates.

- a) Inspection will be done on the work to be done before approval of the quotations.
- b) Visual Inspection to confirm the work done prior to submission of invoices.

12. Submission of Quotation

Quotations should be submitted to Procurement Management Unit, Oshakati Town Council, Bid Box located at Oshakati Town Council Civic Centre, 906 Sam Nuyoma Road, Oshakati, Namibia. not later than

Closing date: Tuesday 14 May 2024

Closing time: 12:00

- a) Quotations by e-mail would not be considered.
- b) Late quotations will be rejected.

13. Opening of Quotations

Quotations will be opened internally by the Oshakati Town Council. A record of the Quotation Opening Report stating the name of the bidders and the amount quoted will be available to any bidder on request within three working days of the Opening.

14. Evaluation of Quotations

The Oshakati Town Council shall have the right to request for clarifications in writing during evaluation. Offers that are substantially responsive shall be compared on the basis of price or ownership cost, subject to Margin of Preference where applicable, to determine the lowest evaluated quotation.

15. Technical Compliance

Bidders shall submit along with their quotation's documents and any other literature to substantiate compliance with the required specifications and to qualify deviations if any with respect to Oshakati Town Council's requirements.

The Specifications, Performance Requirements and Compliance Sheet details the minimum specifications of the goods/items to be supplied. The specifications have to be met but no credit will be given for exceeding the specifications.

Additional Criteria
<ul style="list-style-type: none">a) Curriculum Vitae and relevant qualification of key personnel, indicating experience in Air conditioner servicing and repair, electrical and plumbing works.b) Bidder's two (2) years' experience on assignments/ projects of similar nature (air conditioner servicing and repair, Electrical and plumbing), attach two reference letter/s.c) Submission must include a company profile.

16. Prices and Currency of Payment

To ensure comparative and competitive pricing, the bidders must provide a fixed price quotation for each of the items specified in the Scope of Work of this request for quotation document. All prices shall be in Namibian dollars.

The bidders must provide a price exclusive of any General Sales Tax or Value Added Tax for each item and all delivery points detailed in the Quotation Response Document.

17. Margin of preference

This bid is reserve for Local Suppliers in terms of Section 73 of the Public Procurement Act, and the Code of Good Practice.

The applicable margins of preference and their application methodology are as follows:

$$A = \frac{MP \times BP}{100}$$

- (a) "A" represents the amount to be determined:
- (b) "MP" represents the total percentage of all margins of preferences granted in respect
- (c) "BP" represents the bid price.

1.2. Bidders applying for the Margin of Preference shall submit evidence of:

#	Category of Local Supplier	Margin of Preference
1	Micro, Small & Medium Enterprise (SME)	1%
2	Women Owned Enterprise	1%
3	Youth Owned Enterprise	2%
4	Previously Disadvantaged Person Owned Enterprise	2%
5	Suppliers providing employment to Namibian citizens	1%
Total		7%

- A bidder must include a declaration in its bid, outlining the preferences the bidder qualifies for and the grounds for such qualifications.
- Share Certificates
- Proof of Qualification for categories (i.e ID of youth and woman, SME Certificate, employee list and nationality)

The following documentary evidence in support of the grounds for qualification must be submitted

CATEGORIES OF BIDDERS	MARGIN OF PREFERENCE	DOCUMENT EVIDENCE TO BE SUBMITTED	CRITERIA
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<p>Manufacturer</p>	<p>2%</p>	<p>-Certificate of registration from a registering authority. -Declaration by the bidder that the manufactured goods meet the local content as determined in Annexure 6 as per the cost structure for Valued Added Calculation in Annexure 1, and as certified by an Accountant.</p>	<p>“manufacturer” means a person or a company that is involved in the physical or chemical transformation or materials or components into new products whether</p> <ul style="list-style-type: none"> - (a) the transformation is through work; <ul style="list-style-type: none"> (i) Performed by a power-driven machine or by hand; or (ii) Done in a home or factory; or (iii) The new products are sold on a wholesale or retail basis.
<p>Micro, Small and Medium Enterprise</p>	<p>1%</p>	<p>-A valid SME registration certificate -Declaration indicating the percentage of Namibian MSME ownership</p>	<p>a bidder who is a MSME, means an enterprise that has a valid micro, small and medium enterprise certificate issued by the Ministry responsible for trade, whose minimum equity is 51 % owned by Namibians.</p>
<p>Women owned enterprise</p>	<p>1%</p>	<p>-IDs of all shareholders Founding statement/company registration indicating ownership structure/shareholder certificate -declaration indicating</p>	<p>A bidder who is a woman or whose minimum equity is 51% owned by Namibian women.</p>

		the percentage of Namibian female ownership	
Youth Owned enterprise	2%	-IDs of all shareholders -Founding statement/company registration indicating ownership structure/shareholder certificate -declaration indicating the percentage of Namibian youth ownership.	A bidder who is a youth(from the age of 16 -35 as per the Namibian Act) or whose minimum equity is 51% owned by Namibian youths
Previously Disadvantaged person owned enterprise	2%	-IDs of all shareholders -Founding statement/company registration indicating ownership structure/shareholder certificates -declaration indicting the percentage of Namibian PDPs ownership.	a bidder who is a PDP or whose minimum equity is 51% owned by Namibian PDPs.
Suppliers providing environmental protection	1%	-Declaration and proof that the bidder meets the requirements set out in the bidding document.	A bidder that promotes the protection of the environment, maintain ecosystems and sustainable use of natural resources as specified by the public entity in the bidding document.
Suppliers providing employment to Namibian	1%	-declaration that the bidder employs 50% or more Namibian citizens.	A bidder who employs 50% or more Namibian citizens.

TOTAL	10%	
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NATIONAL PREFERENCE

PROCUREMENT	MARGIN OF PREFERENCE
GOODS	
Namibian Shareholding	3%
Goods (Manufactured, grown, mined, extracted)	4%
Namibian Employees	3%
Total	10%
CONSULTANCY SERVICES	
Namibian Shareholding	3%
Service rendered by Namibian team leader	4%
Service rendered by Namibian employees	3%
Total	10%
NON-CONSULTANCY SERVICES	
Namibian Shareholding	3%
Service rendered by Namibian (key employees)	2%
Service rendered by Namibian employees	3%
Materials	2%
Total	10%
CONSULTANCY SERVICES (INDIVIDUAL)	
Namibian	5%
WORKS	
Namibian Shareholder	3%
Materials 50-60%	2%
Services rendered by Namibian key personnel including of Management	2%
Services rendered by Namibian Semi-skilled employees	3%
Total	10%

18. Language

Bidder responses shall be submitted in the English language.

19. Award of Contract

- The Bidder having submitted the lowest evaluated responsive quotation and qualified to provide/render the services, shall be selected for award of contract/Framework Agreement for a period of Thirty-Six (36) Months.
- Award of contract shall be by issue of an appointment letter in accordance with terms and conditions contained in Section VI: Contract Agreement and General Conditions of Contract.
- The Oshakati Town Council would reserve the right to terminate the contract if the service to be rendered by the bidder does not satisfactory performed as required.

20. Performance Security

No performance security is required.

21. Notification of Award and Debriefing

Oshakati Town Council shall after award of contract promptly inform all unsuccessful bidders in writing of the name and address of the successful bidder and the contract amount and post a notice of award on its website within 7 days. Furthermore, Oshakati Town Council shall attend to all requests for debriefing made in writing within 7 days of the unsuccessful bidders being informed of the award.

22. Costs

Any costs incurred by a Bidder, in the preparation and submission of its response must be borne by the Bidder.

23. Contract Period for services and Price Adjustment

The contract if for a period of Thirty-Six (36 months) from date of award. The rate shall be fixed for the first 12 months of which escalation of 2% of the rates will be applied for the last Twelve (12) Months of the contract.

24. Final Check

Please check that you have attached all documents, details or additional information that are related or requested in this document before submitting your responses.

SECTION II: QUOTATION LETTER

(to be completed by Bidders)

[Complete this form with all the requested details and submit it as the first page of your quotation with the Price list and documents requested above. A signature and authorisation on this form will confirm that the terms and conditions of the RFQ prevail over any attachments. **If your quotation is not authorised, it will be rejected.**]

Quotation addressed to:	Oshakati Town Council
Procurement Reference Number:	W/RFQ/OSHTC-15/2023/2024
Subject matter of Procurement:	PROVISION FOR SERVICING CONTRAC FOR 7 AIR CONDITIONERS, 12 COOL ROOMS, ELECTRICAL (LIGTS, DISTRIBUTION BOXES AND PLUGSO AND PLUMBING WORKS AT DR. FRANS AUPA INDONGO OPEN MARKET FOR A PERIOD OF THREE (3) YEARS (FROM, 1ST JULY 2024 - 30TH JUNE 2027)

We offer to supply the items listed in the attached List of Goods and Price Schedule as per the defined specifications, *except for the qualified deviations [Bidder may delete this phrase in case of no deviation]* and, in accordance with the terms and conditions stated in your Request for Quotations referenced above.

We confirm that we are eligible to participate in this Quotation exercise and meet the eligibility criteria specified in Section 1: Instruction to Bidders.

We undertake to abide ethical conduct during the procurement process and the execution of any resulting contract.

We have read and understood the content of the Bid Securing Declaration (BSD) attached hereto and subscribe fully to the terms and conditions contained therein. We further understand that this subscription could lead to [*forfeiture of the security amount / disqualification on the grounds mentioned in the BD*].

The validity period of the Quotation is **days** from the date of the bid submission deadline.

We confirm that the prices quoted in the List of Goods and Price Schedule are fixed and firm and will not be subject to revision or variation, if we are awarded the contract prior to the expiry date of the quotation validity.

The delivery period offered from the date of issue of Purchaser Order/ Letter of Acceptance is as shown in the List of Goods items and Price Schedule.

Quotation Authorised by:

Name of Bidder		Company's Address and seal
Contact Person		

Name of Person Authorising the Quotation:		Position:	Signature:
Date		Phone No./Fax	

W/RFQ/OSHTC-15/2023/2024

Appendix to Quotation Letter

BID SECURING DECLARATION
(Section 45 of Act) (Regulation 37(1)(b) and 37(5))

Date:

Procurement Ref No.:

To:

I/We* understand that in terms of section 45 of the Act a public entity must include in the bidding document the requirement for a declaration as an alternative form of bid security.

I/We* accept that under section 45 of the Act, I/we* may be suspended or disqualified in the event of

- (a) a modification or withdrawal of a bid after the deadline for submission of bids during the period of validity.**
- (b) refusal by a bidder to accept a correction of an error appearing on the face of a bid;**
- (c) failure to sign a procurement contract in accordance with the terms and conditions set forth in the bidding document, should I/We* be successful bidder; or**
- (d) failure to provide security for the performance of the procurement contract if required to do so by the bidding document.**

I/We* understand this bid securing declaration ceases to be valid if I am/We are* not the successful Bidder.

Signed:

Capacity of:.....

Name:

(Duly authorized to sign the bid for and on behalf of: [insert complete name of Bidder])

Dated on _____ day of _____, _____

Corporate Seal

[Note*: In case of a joint venture, the bid securing declaration must be in the name of all partners to the joint venture that submits the bid.]



Republic of Namibia

Ministry of Labour, Industrial Relations and Employment Creation

Witten undertaking in terms of section 138 of the Labour Act, 2015 and section 50(2)(D) of the Public Procurement Act, 2015

1. EMPLOYERS DETAILS

Company Trade Name:.....

Registration Number :.....

Vat Number:

Industry/Sector:

Place of Business:.....

Physical Address:.....

Tell No.:.....

Fax No.:.....

Email Address:.....

Postal Address:.....

Full name of Owner/Accounting Officer:.....

.....

Email Address:.....

2. PROCUREMENT DETAILS

Procurement Reference of:.....

Procurement Description:
.....
.....

Anticipated Contract Duration:

Location where work will be done, good/services will be delivered:
.....

3. UNDERTAKING

I [insert full name], owner/representative

of[insert full name of company]

hereby undertake in writing that my company will at all relevant times comply fully with the relevant provisions of the Labour Act and the Terms and Conditions of Collective Agreements as applicable.

I am fully aware that failure to abide to such shall lead to the action as stipulated in section 138 of the labour Act, 2007, which include but not limited to the cancellation of the contract/licence/grant/permit or concession.

Signature:

Date:

Seal:.....

Please take note:

1. A labour inspector may conduct unannounced inspections to assess the level of compliance
2. This undertaking must be displayed at the workplace where it will be readily accessible and visible by the employees service(s) in relations to the goods and services being procured under this contract rendering.

SECTION III – SCOPE OF SERVICE

Part 1. Background

The Dr. Frans Aupa Indongo Open Market hosts about 800 vendors, and more than 350 visitors daily, therefore there is a great need for maintaining the Electrical and plumbing services. The Market has four ablution blocks, a terminal offices, administration block, car wash and several stalls for vendors, of which include 12 Cool rooms that need to be serviced and maintained regularly.

Therefore, there is a great need to have a service level agreement with a service provider, who will be maintain both electrical and plumbing components at the facility.

Part 2. The Services

- The Service to be Provided under this contract comprise of the following but not limited to:
 - (a) Repair and servicing of 7 Air conditioners.**
 - (b) Repair and servicing of 12 Cool rooms.**
 - (c) Repair, replacement and maintenance of all electrical components (lights, Distribution boxes and plugs)**
 - (d) Repair, replacement and maintenance of plumbing components.**
 - (e) And other component that might be necessary.**

Part 3. Facilities to be provided by the Public Entity.

- The public entity will be responsible for the supervision of the works done by the Service Provider.

Part 4. Payment

Payments shall be made according to the work done:

- invoice to be paid within 30 working days from the submission date.
- Invoice submitted to be accompanied by progress report
- No advance payment

Part 5. Deliverables

The service provider will provide a repair and maintenance of electrical and plumbing services at Dr. Frans Aupa Indongo and Tafel House Open Market

2.3.2 Penalties

The events or malpractices for which penalties shall be applied, and the corresponding amounts of the penalties, are as follows:

- a) The Service Provider will be issued with a warning for not attending to call out and poor workmanship.
- b) The Service Provider is liable to cover for any Damage caused to Oshakati Town Council property.

3.1 NATURE OF CONTRACT

The Contractor is: Provision for Servicing Contract for 7 Air Conditioners, 12 cool Rooms, Electrical (Lights, DB and Plugs) and Plumbing works at the Dr. Frans Aupa Indongo and Tafel Houde Open markets for a Period of Three (3) Years (From, 1st July 2024 - 30th June 2027).

3.2 SITE INSPECTION

Prospective bidders will be met on request for site inspection with a view to furnish such additional information in connection with the Contract as may be required by the bidders.

3.3 OBLIGATIONS OF CONTRACTOR

3.3.1 CONDUCT

The Contractor shall, always, ensure that all its actions, including the actions of any of his/her employees or sub-contractors (if applicable) shall, in no manner, constitute any nuisance or be to the detriment of any person or property.

3.4 ACCIDENT OR INJURY TO WORKMAN

Oshakati Town Council shall not be held liable for or in respect of any damages or compensation payable at law in respect or in consequence of any accident or injury to any workman or other person in the employment of the Contractor. The Contractor hereby indemnifies the Oshakati Town Council against all such damages and compensation.

3.5 COMPLAINTS

Should any complaint be received concerning the operation, the Contractor shall furnish all relevant information to enable the Council to investigate the complaint. The Contractor shall thereafter rectify the situation in accordance with any instructions issued by the Council.

3.6 PERSONNEL AND EQUIPMENT

3.6.1 CONTRACTOR'S PERSONNEL AND RECRUITMENT

The Contractor shall make his/her own arrangements for the engagement of all labour and control sub-contractors residing in the Service Area and for the Payment thereof.

3.6.2 SAFETY OF PERSONNEL AND PUBLIC

The Contractor will be responsible for ensuring the safety of all people in the Service Area, whether they are Contractor's staff, Council official or members of the public. In this regard, the Contractor will be responsible for taking all necessary measures to ensure and maintain safety over the entire Service Area for the duration of the Contract.

SECTION V: LIST OF GOODS AND PRICE SCHEDULE

QUOTATION FOR PROVISION FOR SERVICING CONTRACT FOR 7 AIR CONDITIONERS, 12 COOLROOMS, ELECTRICAL (LIGHTS, DISTRIBUTION BOXES(DB) AND PLUGS) AND PLUMBING WORKS AT DR. FRANS AUPA INDONGO AND TAFEL HOUSE OPEN MARKETS FOR A PERIOD OF THREE(3) YEARS (FROM, 1ST JULY 2024 - 30TH JUNE 2027)

COMPONENTS	7 AIR CNDITIONERS	12 COOL ROOMS	ELECTRICAL (LIGHTS, DB, PLUGS)	PLUMBING	TOTAL
Call Out Fee/ Digonsis (Fixed Rate)	N\$ _____	N\$ _____	N\$ _____	N\$ _____	N\$ _____
Preventative Servicing Every After Four (4) Months Rate(N\$)Dr. Frans Aupa Indondo Open Market Only	N\$ _____	N\$ _____			N\$ _____
ELECTRICAL (LIGHTS, DB AND PLUGS) (Rate (N\$))	N\$ _____	N\$ _____	N\$ _____	N\$ _____	N\$ _____
Plumbing Works(plumbing pipes, water tap, and other sanitary items)	N\$ _____	N\$ _____	N\$ _____	N\$ _____	N\$ _____

	Sub Total		N\$ _____
	Vat 15%		N\$ _____
	Total Cost		N\$ _____

NAME:	POSITION:	SIGNATURE	DATE
NAME OF BIDDER:	ADDRESS:		

1. X If Price quoted is subject to change in rate of exchange at the time of delivery of goods provide details hereunder:

Currency: Exchange Rate:

If no base rate of exchange is given, the price shall be treated as firm in Namibian Dollars for all intent and purpose.

Key note: NA=Not Applicable. NO=No Quote

SECTION VI: SPECIFICATIONS AND COMPLIANCE SHEET

Procurement Reference Number: W/RFQ/OSHTC-15/2023/2024

Bidders should complete columns C and D with the specification of the goods offered. Also state “comply” or “not comply” and give details of any non-compliance/deviation to the specification required. Attach detailed technical literature if required. Authorise the specification offered.

*Bidders should complete columns C and D with the specification of the goods offered. Also state “comply” or “not comply” and give details of any non-compliance/deviation to the specification required. Attach detailed technical literature if required. Authorise the specification offered in the signature block below. * Columns A and B to be completed by Public*

Entity.

Item No	Technical Specification Required	Compliance of Specification Offered	Details of Non-Compliance/ Deviation (if applicable)
<i>A*</i>	<i>B*</i>	<i>C</i>	<i>D</i>
1	Servicing, repair of 7 Air Conditioners		
2.	Servicing, repair of 12 cool rooms		
3.	Servicing repair of electrical components		
4.	Repair of plumbing components		

Specifications and Compliance Sheet Authorised By:

Name:		Signature:	
Position:		Date:	
Authorised for and on behalf of:		Company	

SECTION VII: GENERAL CONDITIONS OF CONTRACT AND CONTRACT AGREEMENT

Any resulting contract shall be placed by means of a Purchase Order/Letter of Acceptance and shall be subject to the General Conditions of Contract (GCC) for the Procurement of Goods - Ref. **G/RFQ-GCC** on the website of the Public Entity *www.oshtc.na* except where modified by the Special Conditions below.

SECTION VIII: SPECIAL CONDITIONS OF CONTRACT

Procurement Reference Number: W/RFQ/OSHTC-15/2023/2024

The clause numbers given in the first column correspond to the relevant clause numbers of the GCC [This section is to be customised by the Public Entity to suit the requirements of the specific procurement].

Clause	Contract Data
GCC 1.1 Effectiveness of Contract	The Contract shall be deemed to come into effect as from date of Appointment Letter. 01 July 2024
GCC 1.3.1 Intended Completion date	Unless terminated earlier pursuant to sub-clause GCC 1.7 of the Contract, the Service Provider shall complete its activities prompt response.
GCC 1.6.1 Issue of notices	<p>Any notice shall be sent to the following addresses:</p> <p>Oshakati Town Council, Procurement Management Unit Sam Nuuyoma Drive, Private Bag 5530 Oshakati Anna-Liisa Korea Head of Procurement +264 65 229500/535/536 akorea@oshtc.na/procurementunit@oshtc.na or Fidelis Kabozu Fidelisk@oshtc.na +264 65 229500/568</p> <p>For the Service Provider the address and contact name shall be:</p> <p>_____</p> <p>_____</p>
GCC 2.1 Effectiveness of Contract	The date on which this contract shall come into effect is 1st July 2024 .
Intended Completion Date GCC 2.3	The intended completion date is 30th June 2027 .
GCC 2.6 Insurance and liabilities to	The amount of the Professional Indemnity Insurance Cover shall be at least:

Section II- Bidding Data Sheet

Third Party	N/A
GCC 2.7 Reporting Obligations	The Service Provider shall report to: Mr. Fidelis Kabozu
GCC 2.10 Performance Security	The Performance Security shall be for an amount <i>[5 to 10 %]</i> of the Contract Price or part thereof if the contract is awarded on a split basis.
GCC 4.2 Contract Price	The amount in local currency in Namibian Dollar .
GCC 4.3 Terms of Payment	Payments will be made within 30 to the Service Provider after completion of the service and upon receipt of invoice days after receipt of invoice.
GCC 4.5 Price Adjustment	The contract is for a period of Thirty-Six (36 Months) from date of award. The rate shall be fixed for the first 12 months of which escalation of 2% for the remaining years of the contract.
Identifying Defects GCC 7.1	The satisfactory of the service rendered

SECTION IV: EVALUATION

EVALUATION AND QUALIFICATION CRITERIA

1. Evaluation Criteria

This Section complements the Instructions to Bidders. It contains the criteria that Oshakati Town Council will use to evaluate a bid and determine whether a Bidder has the required qualifications. No other criteria but the one indicated here shall be used during evaluation.

Evaluation Methodology

Evaluation will be conducted by an Ad hoc Bid Evaluation Committee (BEC) in accordance with the criteria stated in table 1, 2, and 3 in three phases.

Phase1: Mandatory Documents evaluation

The eligibility criteria will be assessed based on a **Yes** or **No**. The bidders who score a **Yes** for all the required (mandatory) documents as stated in **Table 1 and Table 2**, will proceed to the next phase (phase 2 - technical evaluation).

Phase 2: Technical evaluation

Bidders will be assessed based on a **Yes** or **No**. The bidders who score a **Yes** for all the required technical criteria as stated in **Table 3**, will proceed to the next phase (phase 3 - Financial evaluation).

Phase 3: Financial Evaluation

Oshakati Town Council shall select bid for award to the lowest arithmetically corrected evaluated, substantially, responsive bidder. However, the final award will be determined after the application of Margin of Preference

Margin of preference

1.1. The applicable margins of preference and their application methodology are as follows:

$$A = \frac{MP \times BP}{100}$$

- (a)** “**A**” represents the amount to be determined:
- (b)** “**MP**” represents the total percentage of all margins of preferences granted in respect
- (c)** “**BP**” represents the bid price.

1.2. Bidders applying for the Margin of Preference shall submit evidence of:

#	Category of Local Supplier	Margin of Preference
1	Micro, Small & Medium Enterprise (SME)	1%
2	Women Owned Enterprise	1%
3	Youth Owned Enterprise	2%
4	Previously Disadvantaged Person Owned Enterprise	2%
5	Suppliers providing employment to Namibian citizens	1%
Total		7%

- A bidder must include a declaration in its bid, outlining the preferences the bidder qualifies for and the grounds for such qualifications.
- Share Certificates
- Proof of Qualification for categories (i.e ID of youth and woman, SME Certificate, employee list and nationality)
- The following documentary evidence in support of the grounds for qualification must be submitted.

Table 1: Mandatory Documentation and eligibility criteria

Bidders must submit all the required documents listed below to advance to the next step in the evaluation process. Bidder's that do not comply with the stipulated requirements will be deemed non-responsive, therefore disqualified and excluded from further evaluation and comparison.

LEGAL REQUIREMENTS:	Yes/No
1. Provide a certified copy by the Namibian Police / Commissioner of Oath of proof of an existing business premises in a form of; Fitness Certificate from the Local Authority and or lease agreement in the Region applied for.	
2. A certified copy of the Company Registration Certificate issued by the Ministry of Industrialization, Trade and SME development or BIPA, certified by the Namibian Police / Commissioner of Oath.	
3. A valid original or certified copy of a Good Standing Tax Certificate from the Receiver of Revenue certified by the Namibian Police / Commissioner of Oath;	
4. A valid original or certified copy of a Good Standing Certificate from Social Security Commission certified by the Namibian Police / Commissioner of Oath;	
5. A valid certified copy of an Affirmative Action Compliance Certificate or in its absence, proof from the Employment Equity Commissioner that the Bidder is not a relevant employer, or exemption issued in terms of Section 42 of the Affirmative Action Act, 1998 certified by the Namibian Police / Commissioner of Oath;	
6. An undertaking on the part of the Bidder that the salaries and wages payable to its personnel in respect of this proposal are compliant to the relevant laws, wage determinations, and Award, where applicable and that it will abide to sub-clause 6.2 of the General Conditions of Contract if it is awarded the Contract or part thereof.	
7. Has the Bidder provided a written Special Power of Attorney that the undersigned person is herewith granted a special power of attorney to initial and sign the standard bidding document for the purposes of procurement process (Completion of Form-Special Power of Attorney) NB: (Not applicable to sole owners of entities who are signing their own bids, however required if a sole owner is using someone else to sign on their behalf	
OVERALL LEGAL COMPLIANCE	

TABLE 2 ADMINISTRATIVE COMPLIANCE

ADMINISTRATIVE REQUIREMENTS:	Yes/No
1. Has the Bidder submitted the duly filled in, signed and/or stamped, and dated Bid Submission Sheet Form.	
2. Has the Original copy of the bid been typed or written in indelible ink and signed by a person duly authorized to sign on behalf of the Bidder.	
3. Has the Bidder offered period of validity of the bid (60) days in line with the period stipulated in ITB.	
4. Has the Bidder completed, signed, and submitted a bid securing declaration	
5. Has the Bidder completed and signed Self-Declaration form; Margin of Preference	
6. Has the bidder completed and signed Price schedule or the cost rates	
OVERALL ADMINISTRATIVE COMPLIANCE	

TABLE 3 TECHNICAL COMPLIANCE

TECHNICAL REQUIREMENTS:	Yes/No
1. Curriculum Vitae and relevant qualification of key personnel, indicating experience in Air conditioner servicing and repair, electrical and plumbing works.	
2. Bidder's two (2) years' experience on assignments/ projects of similar nature (air conditioner servicing and repair, Electrical and plumbing), attach two reference letter/s.	
3. Has the Bidder submitted a company profile.	
OVERALL TECHNICAL COMPLIANCE	

Table 4: Financial Evaluation

Oshakati Town Council shall select bid for award to the lowest arithmetically corrected evaluated, substantially, responsive bidder. However, the final award will be determined after the application of Margin of Preference as per **Section IV Phase 3**

(a) Margin of Preference

Exclusive Preference will be allowed for the following categories:

#	Category of Local Supplier	Margin of Preference
1	Micro, Small & Medium Enterprise (SME)	1%
2	Women Owned Enterprise	1%
3	Youth Owned Enterprise	2%
4	Previously Disadvantaged Person Owned Enterprise	2%
5	Suppliers providing employment to Namibian citizens	1%
	Total	7%

1.1. The applicable margins of preference and their application methodology are as follows:

**A=MP x BP in which formula
100**

- (a) "A" represents the amount to be determined:
- (b) "MP" represents the total percentage of all margins of preferences granted in respect
- (c) "BP" represents the bid price.

Contract Agreement

This agreement made on the _____ day of _____ between _____ (hereinafter “**the Employer**”), of the one part, and _____ hereinafter “**the Contractor**”), of the other part:

WHEREAS the Employer desires that the Works known as _____

_____ should be executed by the Contractor, and has accepted a Bid by the Contractor for the execution and completion of these Works and the remedying of any defects therein,

The Employer and the Contractor agree as follows:

1. In this Agreement words and expressions shall have the same meanings as are respectively assigned to them in the Contract documents referred to.

2. The following documents shall be deemed to form and be read and construed as part of this Agreement. This Agreement shall prevail over all other Contract documents.

- (a) the Notification of award
- (b) the Bid
- (c) the Addenda Nos _____
- (d) the Appendix to the General Conditions of Contract
- (e) the General Conditions of Contract;
- (f) the Specification
- (g) the Drawings; and
- (h) the completed Schedules,

3. In consideration of the payments to be made by the Employer to the Contractor as indicated in this Agreement, the Contractor hereby covenants with the Employer to execute the Works and to remedy defects therein in conformity in all respects with the provisions of the Contract.

4. The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects therein, the Contract Price or such other sum as may become payable under the provisions of 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 Namibia on the day, month and year indicated above.

Signed by: _____

For and on behalf of the Employer

In the presence of _____

Witness Name, Signature, Address, Date

Signed

by: _____

For and on behalf of the Contractor

In the presence of: _____

Witness Name, Signature, Address, Date



ENVELOP COVER

PROVISION FOR SERVICING CONTRACT FOR 7 AIR CONDITIONERS, 12 COOLROOMS, ELECTRICAL (LIGHTS, DISTRIBUTION BOXES(DB) AND PLUGS) AND PLUMBING WORKS AT DR. FRANS AUPA INDONGO AND TAFEL HOUSE OPEN MARKETS FOR A PERIOD OF THREE (3) YEARS (FROM, 1ST JULY 2024 - 30TH JUNE 2027)

PROCUREMENT REFERENCE NUMBER: W/RFQ/OSHTC-15/2023/2024

DELIVERY ADDRESS
Oshakati Town Council
906 Sam Nuyoma Road
Private Bag 5530
Oshakati
Tel:065-229500

CLOSING DATE AND TIME: TUESDAY 14 May 2024 at 12h00

FROM:

COMPANYNAME: _____

CONTACT PERSON: _____

P. O. BOX: _____

CONTACT NUMBER: _____

EMAIL: _____