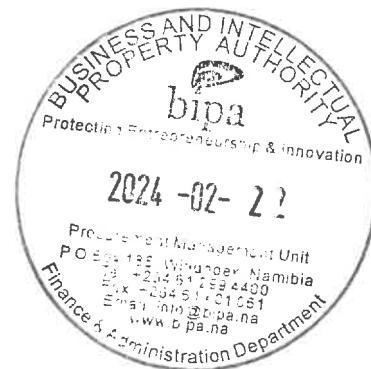




**BUSINESS AND INTELLECTUAL
PROPERTY AUTHORITY**
Protecting Entrepreneurship and Innovation



PROCUREMENT MANAGEMENT UNIT

Request for Sealed Quotations

for

Procurement of Supply and delivery of five (5) gazebos for Regional Outreach

Procurement Reference No: G/RFQ/BIPA-39/2023

Due Date for Submission: Wednesday, 28 February 2024

Business and Intellectual Property Authority, No. 3 Rhur Str, Northern Industry, PZN
Building, Windhoek, Namibia, Tel: +264 61 299 4400, Email: info@bipa.na,



**BUSINESS AND INTELLECTUAL
PROPERTY AUTHORITY**

Protecting Entrepreneurship and Innovation

Letter of Invitation

To: all Bidders

Procurement Reference No: G/RFQ/BIPA-39/2023

Date: 22 February 2024

Dear Sir/Madam,

Request for Quotations for Procurement of Supply and delivery of five (5) gazebos for Regional Outreach

The BIPA invites you to submit your best quote for the items described in detail hereunder.

Any resulting contract shall be subject to the terms and conditions referred to in the document.

Queries, if any, should be addressed to *PMU, 061 2994309*.

Please prepare and submit your quotation in accordance with the instructions given or inform the undersigned if you will not be submitting a quotation.

Yours faithfully,

J. Shaanika

Jakob Mwaala Shaanika: Secretary to the Procurement Committee



SECTION I: INSTRUCTIONS TO BIDDERS

1. Rights of Public Entity

The BIPA 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. Preparation of Quotations

You 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.

You 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.

3. Validity of Quotations

The Quotation validity period shall be *180* days from the date of submission deadline.

4. Eligibility Criteria

To be eligible to participate in this Quotation exercise, you should:

- (a) have a valid company Registration Certificate.
- (b) have an original valid NAMRA good Standing Tax Certificate.
- (c) have an original valid good Standing Social Security Certificate.
- (d) have a valid certified copy of 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.
- (f) Submit signed Bid-securing Declaration.
- (h) Submit BIPA Good standing Certificate will be added advantage.

5. Bid Security/Bid Securing Declaration

Bidders are required to *submit a Bid Securing Declaration* for this procurement process. The Bidder shall furnish as part of its quotation.

6. Delivery

Delivery shall be *three months* after acceptance/issue of Purchase Order. Deviation in delivery period *shall not be accepted*.

6.1. The following tests and inspections will be conducted on the goods at delivery:

Quality check of the items

7. Sealing and Marking of Quotations

Quotations should be sealed in a single envelope, clearly marked with the Procurement Reference Number, addressed to the Public Entity with the Bidder's name and contact information at the back of the envelope.

8. Submission of Quotations

Quotations should be deposited in the Quotation/Bid Box located at Business and Intellectual Property Authority, No. 3 Rhur Str, Northern Industry, PZN Building, Windhoek, Namibia, not later **than 28 February 2024 at 11h00am**. Quotations by post or hand delivered should reach Business and Intellectual Property Authority, No. 3 Rhur Str, Northern Industry, PZN Building, Windhoek, Namibia by the same date and time at latest. Late quotations will be rejected.

Quotations received by e-mail will not be considered.

9. Opening of Quotations

Quotations will be opened internally by the Public Entity immediately after the closing time referred to in instruction 8 above. A record of the Quotation Opening stating the name of the bidders, the amount quoted, the presence or absence of a Bid Security/Bid Securing Declaration, will be posted on the website of the Public Entity and available to any bidder on request within three working days of the Opening.

10. Evaluation of Quotations

The Public Entity 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.

11. Technical Compliance

Bidders shall submit along with their quotations documents, catalogues and any other literature to substantiate compliance with the required specifications and to qualify deviations if any with respect to Public Entity'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.

12. Prices and Currency of Payment

Prices shall be fixed in Namibian Dollars.

13. Margin of Preference

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

N/A

- 13.2. Bidders applying for the Margin of Preference shall submit, **upon request**, evidence of:

N/A

14. Award of Contract

The Bidder having submitted the lowest evaluated responsive quotation and qualified to supply the goods/items and related services shall be selected for award of contract. Award of contract shall be by issue of a Purchase Order/Letter of Acceptance in accordance with terms and conditions contained in Section VI: Contract Agreement and General Conditions of Contract.

15. Performance Security

N/A

16. Notification of Award and Debriefing

The Public Entity 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 seven (7) days. Furthermore, the Public Entity shall attend to all requests for debriefing made in writing within seven (7) days of the unsuccessful bidders being informed of the award.

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: BIPA	
Procurement Reference Number:	
Subject matter of Procurement:	

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 Security / 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 *[insert number of 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	

Appendix to Quotation Letter

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

Date: [Day|month|year].....

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:
[insert signature of person whose name and capacity are shown]

Capacity of:
[indicate legal capacity of person(s) signing the Bid Securing Declaration]

Name:
[insert complete name of person signing the Bid Securing Declaration]

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

Dated on _____ day of _____, _____
[insert date of signing]

Corporate Seal (where appropriate)

[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.]

***delete if not applicable / appropriate**



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 No.:

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 rendering service(s) in relations to the goods and services being procured under this contract.*

SECTION III: LIST OF GOODS AND PRICE SCHEDULE

QUOTATION FOR: Procurement of Supply and delivery of five (5) gazebos for Regional Outreach

Procurement Ref No: G/RFQ/BIPA-39/2023

INSTRUCTIONS TO THE PUBLIC ENTITY					INSTRUCTIONS TO BIDDERS		
At time of preparation of the RFQ, Columns A to D shall be filled in by the Public Entity.					Bidders shall fill-in columns E - I and fill the total F= mark with a *if an equivalent is quoted E= Rate per unit F= Total price for one item (C x E) • If an equivalent is quoted, please attach to your quote appropriate technical information & specification • Bidders shall fill in and sign the bottom section of this page		
A	B	C	D	E	F	G	
Item no.	Description of Goods	Quantity required	Unit of measures	Unit Price without VAT NAD	Total price without VAT NAD	Delivery weeks) (days/month	Country of Origin
1	Gazebos (3x3m) with BIPA logo	5	each				
				Total Price			
				VAT			
				Total Price with VAT			
NAME:				SIGNATURE		DATE	
NAME OF BIDDER:							

1. 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 notes: NA=NOT APPLICABLE, NQ=NO QUOTE

SECTION IV: SPECIFICATIONS AND PERFORMANCE REQUIREMENTS

N/A

Section V: REQUIREMENTS AND EVALUATION CRITERIA

1. Bidding Requirements

CRITERIA	SPECIFIC REQUIREMENTS
Relevant Experience	At least three (3) years' experience providing the provision of similar goods
Methodology or Workplan	The bidder must be able to: N/A
Delivery time	Five Days
References	Submit three (3) proof or testimonials from previous clients on similar assignment

2. Evaluation Criteria

Part	Evaluation Process	Pass Rate
Part: A	Compliance with the requirements required in terms of section 50(1) of the Public Procurement Act, 2015. Any bid found non-compliant to this section will be excluded from the competition and will not be evaluated further. (Mandatory Documents are compulsory)	100%
Part: B	Technical Evaluation will be out of a possible score of 70 Reference letters and years of experiences	50 marks
Part: C	Financial Evaluation will be out of a possible score of 30	20 Marks
Part: D	Total Evaluation will be out of a possible score of 100	70 Marks

SECTION VI: SPECIFICATIONS AND PERFORMANCE REQUIREMENTS





SECTION VII: SPECIFICATIONS AND COMPLIANCE SHEET

Procurement Reference Number: _____

[Bidders should complete columns C and D with the specification of the goods offered.]

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	Gazebos (3x3m) with BIPA logo as per the pictures attached		

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.]

Specifications and Compliance Sheet Authorised By:

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

SECTION VIII: 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

SECTION IX: 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 except where modified by the Special Conditions below.

SECTION X: SPECIAL CONDITIONS OF CONTRACT

Procurement Reference Number: G/RFQ/BIPA-39/2023

The clause numbers given in the first column correspond to the relevant clause number of the GCC.

Subject and GCC clause reference	Special Conditions
Purchaser GCC 1.1(h)	The purchaser is: BIPA
Site GCC 1.1(m)	The Site/final destination for delivery of the Goods is BIPA
Incoterms Edition GCC 4.2(b)	Incoterms shall be governed by the rules prescribed in Incoterms 2010.
Notices GCC 8.1	Any notice shall be sent to the following addresses: For the BIPA, the address and the contact name shall be: _____ For the Supplier, the address and contact name shall be: _____
Disputes GCC 10.2	The rules of procedures for arbitration proceedings pursuant to GCC 10.2 shall be as follows: _____
Delivery and Documents GCC 13.1	The Goods are to be delivered within 7 days from the date of Purchase Order or Letter of Acceptance. The documents to be furnished by the Supplier are: (a) signed delivery note;

Section VII Special Conditions of Contract 14

Subject and GCC clause reference	Special Conditions
Price Adjustment GCC 15.1	The price charge for the Goods supplied and the related Services performed “<i>shall not</i>” be adjustable. If the prices are adjustable, the method described in the Price Adjustment Formula as attachment to these SCC shall be used
Terms of Payment GCC 16.1	The structure of payments shall be: full payment following delivery of the Supplies and submission of an invoice and the documents listed in clause 13.1
Terms of Payment GCC 16.3	Payments shall be made not later than thirty days after submission of an invoice and its certification by the Purchaser.
Terms of Payment GCC 16.4 (a)	The price “ <i>shall not be</i> ” adjustable to the fluctuation in the rate of exchange.
Payment Period GCC 16.5	The method and conditions of payments to be made to the Supplier under this Contract shall be as follows: i) On Acceptance: The Contract Price of goods received shall be paid no later than thirty (30) days of receipt of the Goods upon submission of an invoice (showing Purchaser’s name; the Procurement Reference number, description of payment and total amount, signed in original, stamped or sealed with the company stamp/seal) supported by the Acceptance Certificate issued by the Purchaser.
Performance Security GCC 18.1	(i) No performance security is required
Discharge of Performance Security GCC 18.4	N/A
Packing GCC 23.2	The packing, marking and documentation within and outside the packages shall be: Packed per size
Insurance GCC 24.1	N/A
Transportation GCC 25	The Goods shall be delivered: N/A

Section VII Special Conditions of Contract 15

Subject and GCC clause reference	Special Conditions
Inspection and Test GCC 26.1	The inspection and tests shall be: N/A
Location of Inspection and Tests GCC 26.2	The inspections shall be conducted at: BIPA Head Office
Liquidated Damages GCC 27.1	N/A.
Warranty GCC 28.3	N/A
Repair and Replacement GCC 28.5	N/A

- (a) No price adjustment shall be allowed beyond the original delivery dates unless specifically stated in the extension letter. As a rule, no price adjustment shall be allowed for periods of delay for which the Supplier is entirely responsible. The Purchaser will, however, be entitled to any decrease in the prices of the Goods and Services subject to adjustment.
- (b) If the currency in which the Contract Price P_0 is expressed is different from the currency of origin of the labor and material indices, a correction factor will be applied to avoid incorrect adjustments of the Contract Price. The correction factor shall correspond to the ratio of exchange rates between the two currencies on the base date and the date for adjustment as defined above.
- (c) No price adjustment shall be payable on the portion of the Contract Price paid to the Supplier as advance payment.

SCHEDULE 3**QUOTATION CHECKLIST SCHEDULE****Procurement Reference No.:** **G/RFQ/BIPA-35/2023**

Description	Attached	Not Attached
Quotation Letter		
List of Goods and Price Schedule		
Specification and Compliance Sheet		
Bid Securing Declaration		