



**BUSINESS AND INTELLECTUAL
PROPERTY AUTHORITY**

Protecting Entrepreneurship and Innovation

Request for Quotations for Non-Consultancy Services Lump-Sum

Procurement of replacement of BIPA Webserver

Procurement Reference No: NCS/RFQ/BIPA-40/2023

NB!!! Bidders should bid in-line with their principle business.

Business and Intellectual Property Authority, No. 3 Rhur Str, Northern Industry, PZN Building,
Windhoek, Namibia, Tel: +264 61 299 4415, Email: procurementrequest@bipa.na



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PROPERTY AUTHORITY**
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Letter of Invitation

To: All Bidders

Procurement Reference Number: NCS/RFQ/BIPA-40/2023

Date: 22 February 2024

Dear Sirs,

Request for Quotations for Procurement of replacement of BIPA Webserver

The Business and Intellectual Property Authority (BIPA) invites you to submit your best quote for the services 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

1. Technical enquiries: Mr Kumaipurua Katire: Tel 061 -299 4419
2. Administrative enquiries: Procurement at Tel: 061 -299 4415/4309

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,

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 accept or reject any quotation; or
- (b) 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 services mentioned in Section III by completing, signing and returning:

- (a) the Quotation Letter in Section II with its annex for Bid Securing Declaration, where applicable;
- (b) the Priced Activity Schedule in Section IV;
- (c) the Specifications and Performance Standards Compliance Sheet in Section V; and;
- (d) any other attachment as deemed appropriate.

You are advised to carefully read the complete Request for 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 90 days from the date of bid submission deadline.

4. Eligibility Criteria

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

	Document name / title	Please tick
1	Original valid certified copy Certificate of Good Standing Tax for Procurement Purposes , issued NAMRA	
2	Certified copy of a valid Affirmative Action Compliance Certificate (issued in terms of Section 42 of the Affirmative Action (Employment) Act 29 of 1998, as amended); or Letter from the Employment Equity Commission or exemption issued in terms of Section 42 of the Affirmative Action Act, 1998. (letter should be on letterhead, stamped and signed by the EEC).	
3	Original Certificate of valid Good Standing Certificate with the Social Security Commission.	
4	Certified Copy of the Close Corporation Certificate (issued in terms of Act 26 of 1988) or Founding Statement or any other Company Registration Certificate. <i>These Certificates should clearly indicate the goods / services that the Supplier is registered to render.</i> Submit BIPA Good standing Certificate will be added advantage	
5	Certified copy of a valid Certificate of Registration as an SME , issued by the Ministry of Industrialisation, Trade and SME Development (if	

	applicable).	
6	<p>Signed Bid-securing Declaration & Written Undertaking (these forms are part of the bid document)</p> <p>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, Remuneration Order, and Award, where applicable and that it will abide to sub-clause 4.6 of the General conditions of Contract if it is awarded the contract or part thereof; and;</p>	

5. Additional eligibility criteria

Bidders should provide a list of 3 reference letters from 3 clients (with their telephone and email addresses) to whom similar work have been provided, preferably in Public Entities.

6. Bid Security/Bid Securing Declaration

Bidders are required to subscribe to a Bid Securing Declaration for this procurement process.

7. Services Completion Period

The completion period for services shall be three (3) days after acceptance/issue of Purchase Order. Deviation in completion period shall not be accepted.

8. Documents to be submitted

Bidders shall submit along with their quotations documents giving company's profile, past experience and evidence of similar services provided together with customers reference details.

9. 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 at the back of the envelope.

10. Submission of Quotations

Quotations should be deposited in the Quotation/Bid Box located at located at **Business and Intellectual Property Authority, No. 3 Rhur Str, Northern Industry, PZN Building, Windhoek, Namibia**, not later than **Friday, 01 March 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.

11. Opening of Quotations

Quotations will be opened internally by the Public Entity immediately after the closing time referred to in section 9 above. A record of the Quotation Opening stating the name of the Bidders and the amount, the presence or absence of a Bid-Securing Declaration will be made available to any bidder on request within three working days of the Opening.

12. 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 evaluated cost to determine the lowest evaluated quotation.

13. Scope of Services, Specifications and Performance Standards

The Scope of Services and Performance Standards Compliance Sheet detailed in Sections III and V are to be complied with. Bidders may propose alternative for part of the scope substantiating that such alternatives will equally serve the interest of the Public Entity. However evaluation will be carried out as per the defined scope. Alternatives will only be considered from bidders having submitted the lowest evaluated quotation as per the base requirements.

Bidders have to substantiate in what manner the deviation in set specifications and performance standards, if any, are not material deviation.

14. Prices and Currency of Payment

Prices for the execution of services shall be fixed in Namibian Dollars as quoted. Quotations shall cover all costs of labour, materials, equipment, overheads, profits and all associated costs for performing the services, and shall include all duties. The whole cost of performing the services shall be included in the items stated, and the cost of any incidental services shall be deemed to be included in the prices quoted.

15. Margin of Preference

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

Formula for calculation of Margin of Preference

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

"A" represents the amount to be determined

"MP" represents the total percentage of all margins of preferences granted

"BP" represents the bid price

14.1. Bidders applying for the Margin of Preference shall submit, upon request, evidence of:

No	Categories of bidders	Margin of Preference	Requirement (all the document required per category MUST be submitted/attached)	Document evidence submitted (bidder to indicate YES by ticking)
1	100% Namibian shareholding	3%	Certified copy of founding statement/company	

			registration indicating ownership structure/ certified copy of all shareholder certificate with Certified copy of Identity Documents (IDs) of all shareholder	
2	SME Company	1%	Certified copy of SME Registration Certificate	
3	Company owned by youth	1%	≥ 51% Company Registration, Certified copy of Certified copy of Identity Documents (IDs)	
4	Women and previously disadvantaged	1%	≥ 51% Company Registration, Certified copy of Certified copy of Identity Documents (IDs)	
5	Service rendered by Namibian citizens (key employees). State key personnel for this project	1%	1% = employees with Namibian Citizenship <60 2% = employees with Namibian Citizenship >60 Certified copy of Identity Documents (IDs)	
6	Service rendered by Namibians (employer) is this a manager or board of directors?	1%	As per Section 71(3) of Procurement Act (bidder to meet any of the criteria above)	
7	Materials	2%	40% materials/goods to be used are from Namibia, Attach Proof	

15. Award of Contract

The Bidder having submitted the lowest evaluated responsive quotation and qualified to perform the 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 and General Conditions of Contract

16. Performance Security

Performance Security is not applicable

17. Notification of Award and Debriefing

The Public Entity shall after award must 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 of ward on its website within seven (7) days. Furthermore, the Public Entity shall attend to all requests for debriefing made in writing within seven days (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 Priced Activity Schedule and documents requested above. A signature and authorisation on this form will confirm that the terms and conditions of this RFQ prevail over any attachments. **If your quotation is not authorised, it may be rejected.**

Quotation Addressed to :	
Procurement Reference Number:	
Subject matter of Procurement:	

We offer to provide the services detailed in the Scope of Service, 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: Request for Quotations.

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 *[forfeiture of the security amount / disqualification on the grounds mentioned in the BDS]*

The validity period of our Quotation is _____ days *[insert number of days]* from the date of the bid submission deadline.

We confirm that the prices quoted in the Priced Activity 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 services will commence within _____ *[to insert number]* days from date of issue of Purchase Order/ Letter of Acceptance.

The services will be completed within _____ *[to insert number]* days from date of issue of Purchase Order/ Letter of acceptance.

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	

[This form is to be deleted if Bid Securing Declaration is not applicable.]

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:

[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

Written 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: SCOPE OF SERVICES

[insert (a) a brief description of the services; and (b) the performance requirements and specifications of services and location where services should be performed. It is recommended to describe outputs and performances, rather than inputs, wherever possible.] *NOT APPLICABLE*

SECTION IV: PRICED ACTIVITY SCHEDULE

Procurement Reference Number: NCS/RFQ/BIPA-40/2023

Procurement of replacement of BIPA Webserver

Currency of Quotation:

Item No	Brief Description of Services	Quantity	Duration	Unit Price (Excl VAT)	Total Price (Excl VAT)
A*	B*	C*	D*	E	F
1	CPU: Intel® Xeon® Gold 6430 (32 core, 2.1GHz, 60 MB L3, 270W)	1			
2	Memory: 32GB DDR4 SDRAM	6			
3	Storage Capacity: 1.2TB SAS3 10k RPM/12Gb/s	4			
4	Network Interface: 10/100/1000 Base T Ethernet	2			
5	Optical Drive: DVD - RW	1			
Enter 0% VAT rate if VAT exempt.				Other additional costs	
				Subtotal	
				VAT @ %	
				Total	

* Columns A to D to be completed as applicable by Public Entity

Priced Activity Schedule Authorised By: *[insert company seal]*

Name of signatory:		Signature:	
Position:		Date:	
Company Name :			

SECTION V: SPECIFICATIONS AND PERFORMANCE

STANDARD COMPLIANCE SHEET

Procurement Reference Number: _____

Bidders should complete columns C and D with the specifications of the services 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.

Item No	Specifications and Performance Required	Compliance of Specifications and Performance Offered	Details of Non-Compliance/ Deviation (if applicable)
<i>A*</i>	<i>B*</i>	<i>C</i>	<i>D</i>
1	CPU: Intel® Xeon® Gold 6430 (32 core, 2.1GHz, 60 MB L3, 270W)		
2	Memory: 6x 32GB DDR4 SDRAM		
3	Storage Capacity: 4x 1.2TB SAS3 10k RPM/12Gb/s		
4	Network Interface: 2x 10/100/1000 Base T Ethernet		
5	Optical Drive: DVD - RW		

* Columns A and B to be completed by Public Entity.

Specifications and Performance Standard Compliance Sheet Authorised By:

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

SECTION VI: CONTRACT AGREEMENT AND GENERAL CONDITIONS OF CONTRACT

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) Ref: NCS-LS/RFQ-GCC for procurement of services (lump-sum) available on the website of the Public Entity (*insert website address*) except where modified by the Special Conditions below.

SECTION VII: SPECIAL CONDITIONS OF CONTRACT

Procurement Reference Number: _____

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

Subject and GCC Reference	Special Conditions
Definitions GCC 1.1(a)	Adjudicator is Not Applicable for this contract
Definitions GCC 1.1(l)	The Member is: <i>[to be inserted at contract signing]</i>
Definitions GCC 1.1(o)	The Service Provider is: <i>[to be inserted at contract signing]</i>
Notices GCC 1.4	Any notice shall be sent to the following addresses: For the [Public Entity], the address and the contact name shall be: _____ For the [Service Provider], the address and contact name shall be <i>[to be inserted at contract signing]</i> : _____
Authorised Representatives GCC 1.6	The Authorised Representatives are: For the Public Entity: _____ For the Service Provider <i>[to be inserted at contract signing]</i> : _____
Effectiveness of Contract GCC 2.1	The date on which this Contract shall come into effect is _____

Starting Date GCC 2.2.2	The intended starting date for the commencement of Services is _____.
Intended Completion Date GCC 2.3	The intended completion date is _____.
Prohibition GCC 3.2.3(c)	List of Activities: _____.
Service Provider's Actions Requiring Public Entity's Prior approval GCC 3.7(c)	The other actions are _____.
Documents Prepared by Service Provider to be the Property of the Public Entity GCC 3.9	Restrictions on the use of documents prepared by the Service Provider are: _____
Payments of Liquidated Damages GCC 3.10.1	Liquidated damages for the whole contract are <i>[insert percentage of the final contract price]</i> per week. The maximum amount of liquidated damages for the whole contract is <i>[insert percentage]</i> of the final contract price.
Lack of Performance Penalty GCC 3.10.3	The percentage _____ to be used for the calculation of lack of Performance Penalty(ies) is _____. <i>(Where applicable)</i>
Performance Security GCC 3.11	<p>(i) No Performance Security is required*or</p> <p>(ii) A Performance Security in the form of a Bank Guarantee representing <i>[insert percentage]</i> of the final contract price shall be required.*</p> <p>* Delete as appropriate</p>

Assistance and Exemptions GCC 5.1	The assistance and exemptions provided to the Service Provider are(<i>where applicable</i>): _____
Contract Price GCC 6.2(a)	The amount in local currency is _____.
Terms and Condition of Payment GCC 6.4	Insert the payment terms in line with the GCC.
Interest on Delayed Payments GCC 6.5	Payment shall be made within 30 days of receipt of the invoice and the relevant documents, and within _____ days in the case of the final payment. The interest rate is _____.
Price Adjustment GCC 6.6.1	Price adjustment <i>is/not</i> applicable.
Identifying Defects GCC 7.1	The following inspections shall be carried out: _____ The defect liability period is: _____
Dispute Settlement GCC 8.2	In cases where no adjudicator has been appointed the disputes shall be subject to the procedures of the laws of Namibia. If any dispute arises between the Employer and the Contractor in connection with or arising out of the Contract, the parties shall seek to resolve any such dispute by amicable agreement. If the parties fail to resolve such dispute by amicable agreement, within 14 days after one party has notified the other in writing of the dispute, then the dispute may be referred to court by either party.
Dispute Settlement GCC 8.2.3	Not Applicable
Dispute Settlement GCC 8.2.4	The arbitration procedures of _____ will be used (applicable to overseas service provider)
Dispute Settlement GCC 8.2.5	Not Applicable

SCHEDULE 3

(a) COST STRUCTURE FOR VALUE ADDED CALCULATION PER PRODUCT

<u>COST STRUCTURE FOR VALUE ADDED CALCULATION PER PRODUCT</u>		
	N\$	N\$
Raw Materials, Accessories & Components		
• Imported (CIF)	
• Local (VAT & Excise Duty Fee)
Labour Cost		
• Direct Labour
• Clerical Wages
• Salaries to Management
Utilities		
• Electricity	
• Water	
• Telephone
Depreciation	
Interest on Loans	
Rent
Other (please specify)		
•	
•	
•
TOTAL COST		

$$\text{Local Value Added} = \frac{\text{Total Cost} - \text{Cost of imported inputs}}{\text{Total Cost}} \times 100$$

NB! The cost structure should be certified by a Certified Accountant

SCHEDULE 4**QUOTATION CHECKLIST SCHEDULE**

[Public Entity to update this checklist to ensure that it contains the documents required from Bidders for the specific procurement]

Procurement Reference No.:

Description	Attached (please tick if submitted and cross if not)
Quotation Letter	
Priced Activity Schedule	
Specification and Compliance Sheet	
Bid Security/Bid securing declaration	
Company profile, past experience and references where similar services have been provided	
Insert any other	

Disclaimer: *The list defined above is meant to assist the Bidder in submitting the relevant documents and shall not be a ground for the bidder to justify its non-submission of major documents for its quotation to be responsive. The onus remains on the Bidder to ascertain that it has submitted all the documents that have been requested and are needed for its submission to be complete and responsive.*