



**BUSINESS AND INTELLECTUAL  
PROPERTY AUTHORITY**

**Protecting Entrepreneurship and Innovation**



## **PROCUREMENT MANAGEMENT UNIT**

### **Request for Proposal for the Provision of Auditing Services for a period of three years**

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**Procurement No: CS/RP/BIPA-01/2024**

**Due Date for Submission: 24 May 2024**

**Business and Intellectual Property Authority, 3 Ruhr Street, Northern  
Industrial Area, 061 299 4415, [info@bipa.na](mailto:info@bipa.na)**

# **Request for Proposal**

## **LETTER OF INVITATION**

**Dear Sir/Madam**

**Subject: Provision of Auditing Services for a period of 3 years**

1. You are hereby invited to submit technical and financial proposals for consultancy services required under Auditing services for the Business and Intellectual Property Authority which could form the basis for future negotiations and ultimately, a contract between yourself and the BIPA.
2. The purpose of this assignment is to:
  - (a) Audit the Authority's annual financial statements.
  - (b) Advise the Authority on tax and related matters.
  - (c) Express an audit opinion and report to management on controls and weaknesses.
  - (d) Provide recommendations after the audit.
3. The following documents are enclosed to enable you to submit your proposal:
  - (a) The Terms of Reference (TOR) [Annexure 1];
  - (b) Supplementary information for consultants, including a suggested format of curriculum vitae [Annexure 2]; and
  - (c) A sample format of the service contract under which the service will be performed [Annexure 3]
4. Any request for clarification should be forwarded in writing to the Authority. Request for clarifications should be received within 14 days prior to the deadline set for submission of proposals.
5. The Government of the Republic of Namibia requires that bidders/suppliers/contractors participating in the procurement in Namibia observe the highest standard of ethics during the procurement process and execution of contracts.

Consultants are advised to consult the website of the Procurement Policy Office: [www.mof.gov.na/procurement-policy-unit](http://www.mof.gov.na/procurement-policy-unit) to acquaint themselves with the legislations related to public procurement in the Republic of Namibia.
6. **Eligibility**
  - (a) A consultant that is under a declaration of ineligibility by the Government of Namibia in accordance with applicable laws at the date of the deadline for bid submission and thereafter shall be disqualified.

- (b) Proposals from consultants appearing on the ineligibility lists of African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank Group and World Bank Group shall be rejected.
- (c) Consultants should submit a statement on past and present declaration of ineligibility, if any, by any local/international agency or any termination of contract for unsuccessful completion of assignment, giving adequate details to enable a fair assessment.

## 7. Eligibility Criteria

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

## 8. Submission of proposals

The proposals from the shortlisted consultants shall be submitted in two separate envelopes, namely Technical and Financial proposal, and should follow the form given in annexure 2 - "Supplementary Information for Consultants". The proposals must be deposited into the bid box on or before: **Friday, 24 May 2024** at the **Procurement Management Unit- BIPA Office, 3 Ruhr Street, PZN Holdings Building, Ground Floor at 11H00.**

**Please take note:** Proposals should **not** be forwarded by electronic mail.

## 9. Deciding on the award of contract

| 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. | 100%      |
| Part: B | Technical Evaluation will be out of a possible score of 100                                                                                                                                                                   | 70 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 |

Qualifications and experience of the consultants shall be considered as the paramount requirement. The proposals will be evaluated on the basis of a maximum of 100 marks for Technical Proposals and 30 marks for Financial proposals. Proposals from consultants should score at least 70 marks for the Technical Proposals to be retained for further consideration.

Only those consultants scoring a total of 70 marks on the overall assessment shall be considered for the assignment. Negotiations will start with the Consultant scoring the highest marks and if negotiation is not successful, negotiation will start with the next best ranked Consultant and so on until an agreement is reached. Should you be contacted for negotiations, you must be prepared to furnish the detailed cost break-down and other clarifications to the proposals submitted by you, as may be required to adjudge the reasonableness of your price proposals.

#### **10. Rights of the Authority**

- (a) Please note that the Authority is not bound to select any of the consultants submitting proposals.
- (b) Please note that the cost of preparing a proposal and of negotiating a contract including visits to Namibia, if any, is not reimbursable as a direct cost of the assignment.

#### **11. Duration of assignment**

It is estimated that the minimum duration of the assignment shall be for a period of three years from the day of appointment. You should base your financial proposal on these figures, giving an indication of man-months considered necessary by you to undertake the assignment. The extent to be spent in Namibia and that in office outside Namibia should be clearly indicated. The rate proposed in your submission will be applied in case the duration of the assignment is to be extended.

#### **12. Validity of proposal**

You are requested to hold your proposal valid for 60 working days from the deadline for submission of proposals during which period you will maintain without change, your proposed price. The Authority will make its best efforts to finalize the agreement within this period.

#### **13. Commencement date of assignment**

Assuming that the contract can be satisfactorily concluded in January 2024, you will be expected to take up/commence with the assignment subsequent to the Authority's financial year i.e. FY2024.

#### **14. Tax liability**

Please note that the remuneration which you receive from this contract will be subject to normal tax liability in Namibia; but the Authority shall pay directly or

reimburse the taxes, duties, fees, levies and their impositions in Namibia related to:

- (a) payments to the consultant in connection with carrying out this assignment;
- (b) equipment, materials and supplies brought into Namibia for the purpose of carrying out the assignment, provided they are subsequently withdrawn; (This clause shall apply only to foreign consultants). and
- (c) property brought in for your personal use provided the property is subsequently withdrawn. (This clause shall apply only to foreign consultants).

#### **15. Insurance**

The consultant shall meet the cost of any insurance and/or medical examination or treatment required by him/her in the course of performing the services.

#### **16. Confirmation of invitation to submit proposal**

We should appreciate if you would inform us by hand delivery:

- (a) your acknowledgment of the receipt of this letter of invitation within 7 working days and;
- (b) further indicate whether or not you will be submitting the proposal.

**17.** The Authority would like to thank you for considering this invitation for submission of proposals.

Yours faithfully,



**Mwaala Jakob Shaanika**  
**Secretary to the Procurement Committee**



#### **Enclosures:**

Annexure 1: Terms of Reference.

Annexure 2: Supplementary Information to Consultant.

Annexure 3: Draft contract under which service will be performed.

## TERMS OF REFERENCE

### Part 1. Background

Business and Intellectual Property Authority, referred to as “BIPA” is a Public Enterprise established by the Act of Parliament, BIPA Act, 2016 (Act No. 8 of 2016) as a focal point for the registration of business and industrial property, and is responsible for the administration and protection of business and intellectual property.

The functions and powers are:

- to regulate and administer the registration of business and industrial property under the applicable legislation.
- implement, promote electric business and intellectual property information and transaction systems.
- collect fees and rates under BIPA ‘s Act or the applicable legislations.
- maintain accurate, current and relevant information concerning business and intellectual property.

The objectives are:

- enhance the efficient protection of the business and intellectual property in Namibia.
- facilitate and promote the efficient and effective registration of business and industrial property in Namibia.
- promote the conduct and use of business and intellectual property in Namibia.

### Part 2. Requirements

#### Mandatory, Technical and Financial Requirements

The consultant will be evaluated against a combination of Mandatory, Technical and Financial criteria (combined scoring method). Maximum technical criteria equals 100% with a pass score of 70%. The financial criteria equal 30%. The Mandatory, Technical & Financial Proposal will include the following:

| <b>MANDATORY REQUIREMENT</b>                                                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The consultant should submit a valid certified copy of the company Registration Documents and; BIPA Good Standing ( <b>optional</b> )                                   |
| The consultant should submit a valid original or valid certified copy (valid at the deadline of submission of proposals) of a Good Standing Tax Certificate from NAMRA  |
| The consultant should submit a valid original or valid certified copy (valid at the deadline of submission of proposals) of a Good Standing Social Security Certificate |

The consultant should submit the latest Affirmative Action Compliance Certificate, or proof from the Employment Equity Commissioner that the consultant is not a relevant employer or exemption issued in terms of Section 42 of the Affirmative Action Act, 1998 OR a letter from the Employment Equity Commissioner indicating that the consultant has submitted documents for the issuance of a new certificate/letter

The consultant should submit a fully completed and signed Bid Securing Declaration and a Written undertaking in terms of section 138 of the Labour Act

***(Forms have been issued with the bidding document marked as Annexure 5 & 6)***

| <b>CRITERIA</b>                                         | <b>SPECIFIC REQUIREMENTS</b>                                                                                                                                                                                                                                                                |
|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Relevant Experience</i>                              | Three (3) years of consultancy experience performed in auditing or similar assignment with three projects successfully completed on time. Audit of small to large entities including State-Owned Enterprises.                                                                               |
| <i>Qualifications of the Lead Consultant &amp; Team</i> | Chartered Accountant / Registered Auditor with PAAB Professional membership certificate<br>The Consultant should indicate the names of the lead consultant and team consultant that will carry out the assignment without alternatives. BIPA will be very strict on this requirement.       |
| <i>Audit Over runs</i>                                  | <ul style="list-style-type: none"> <li>The Consultant should indicate a list of current auditing works that its currently auditing for the Financial year end March, April, May 2024.</li> </ul>                                                                                            |
| <i>Methodology Workplan</i> or                          | Present a clear outline or workplan on how the assignment will be carried out based on the following; <ul style="list-style-type: none"> <li>Planning the audit engagement</li> <li>Execution of the audit</li> <li>Concluding and reporting</li> <li>Communicate audit findings</li> </ul> |
| <i>Delivery time</i>                                    | BIPA will enter into a three (3) year contract with the consultant. The audit for each year should be completed at a minimum of six (6) weeks.                                                                                                                                              |
| <i>References</i>                                       | Submit three (3) proof or testimonials from previous clients on similar assignment (typed official letterhead signed by the management).                                                                                                                                                    |

Whereas, the **financial proposal** carries the weight of 30 marks and the specific assessment criteria include:

| <b>CRITERIA</b>                            | <b>SPECIFIC REQUIREMENTS</b>                                                                          |
|--------------------------------------------|-------------------------------------------------------------------------------------------------------|
| <i>Consultant's contract cost estimate</i> | Consultant's contract cost estimate in relations to BIPA's budgeted amount to perform the assignment; |
| <i>Contract Cost Breakdown</i>             | Consultant indicate the cost breakdown per activities.                                                |

### **Part 3. Services of the Authority**

Business and Intellectual Property Authority is an Authority striving for excellence in the registration and protection of business and intellectual property rights in Namibia.

Our Mission is to provide globally competitive, effective and efficient services in the administration and protection of business and Intellectual Property Rights (IPRs) in an effort to transform the business landscape and in so doing inspire innovation.

### **Part 4. Facilities to be provided by the Authority**

BIPA ensures that conditions of employment on their working premises is safe, sound and effective for administration hence, BIPA will provide you with an office that is safe to use with own privacy.

### **Part 6. Contract duration and fees**

- (a) The duration for this contract is for three (3) years from the date of appointment/award.
- (b) And the fees are normally rated on an hourly basis.

### **Part 7. Deliverables**

Upon completion of this assignment, the consultant is expected to deliver the following outcomes:

- Audit opinions in all audited focus areas.
- Report to management on controls and weaknesses, and;
- Provide recommendations upon their findings.

## EVALUATION CRITERIA

### PROCUREMENT OF CONSULTANCY SERVICES –

For

Auditing services for a period of three years

#### FULL EVALUATION CRITERIA DETAILS

| No. | Mandatory Requirements                                                                                                                                                                                                                                                                                                                                                                                                   | Yes | No |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 1.  | Has the consultant submitted a valid certified copy of the company Registration Documents and; BIPA GoodStanding ( <b>optional</b> )                                                                                                                                                                                                                                                                                     |     |    |
| 2.  | Has the consultant provided a valid original or valid certified copy (valid at the deadline of submission of proposals) of a Good Standing Tax Certificate                                                                                                                                                                                                                                                               |     |    |
| 3.  | Has the Consultant provided a valid original or valid certified copy (valid at the deadline of submission of proposals) of a Good Standing Social Security Certificate                                                                                                                                                                                                                                                   |     |    |
| 4.  | Has the consultant provided the latest Affirmative Action Compliance Certificate, or proof from the Employment Equity Commissioner that the consultant is not a relevant employer or exemption issued in terms of Section 42 of the Affirmative Action Act, 1998 OR a letter from the Employment Equity Commissioner indicating that the consultant has submitted documents for the issuance of a new certificate/letter |     |    |
| 5.  | Has the bidder submitted a fully completed and signed Bid Securing Declaration and a Written undertaking in terms of section 138 of the Labour Act<br><i>(Forms have been issued with the bidding document marked as Annexure 5 &amp; 6)</i>                                                                                                                                                                             |     |    |

| Criteria                        | Details of Technical Evaluation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Mark | Score |
|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-------|
| <b>Relevant Experience</b>      | <p>Three (3) years of consultancy experience performed in auditing or similar assignment with three projects successfully completed on time. Audit of small to large entities including State-Owned Enterprises.</p> <p>Bidders must submit a brief description of the organization and an outline of recent experience on assignments of similar nature and submit document proof</p> <p>Submit reference letters (typed on official letterhead signed by Management) and proof of three (3) similar auditing assignments completed successfully in the last three (3) years</p> <p><b>Three reference letters = 30</b><br/> <b>Two reference letters = 15</b><br/> <b>One reference letter = 5</b><br/> <b>No reference letter = 0</b></p> |      | 30    |
| <b>Human Resources Capacity</b> | <p>The Leader Consultant Should be a Chartered Accountant/Registered Auditor with PAAB Professional membership certificate</p> <p><i><b>(The Consultant should indicate the names of the lead consultant and team consultant that will carry out the assignment without alternatives. BIPA will be very strict on this requirement)</b></i></p>                                                                                                                                                                                                                                                                                                                                                                                              |      |       |

|                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |                                              |
|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------|
|                                  | (Attached CV and Certified copies of qualification(s)):<br><br><b>Fully meet requirements = 30</b><br><b>Partially meet requirements = 15</b><br><b>Does not meet requirement = 0</b><br><br><b>Certification = 10</b><br><b>No Certification = 0</b>                                                                                                                                                                                                                                                                         |  | 30<br><br><br><br><br><br><br><br><br><br>10 |
| <b>Methodology and Work plan</b> | Methodology and Work plan: <ul style="list-style-type: none"> <li>• Description of Technical Approach and Methodology (Refer to the methodology requirements)</li> <li>• Description of Work Plan. This should highlight the breakdown of activities needed to carry out the assignment and the time</li> <li>• Clear time schedule in relation to the expected time frame of this project.</li> </ul> <b>Fully meet requirements = 30</b><br><b>Partially meet requirements = 15</b><br><b>Does not meet requirement = 0</b> |  | 30                                           |
| <b>Total Score</b>               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  | <b>100</b>                                   |

**Formula:**

**The weights given to the Technical and Financial Proposals are:**

**T = 70 [0.7], and**

**F = 30 [ 0.3]**

The maximum mark for the Technical Evaluation is 100 marks. The minimum mark for the Technical Evaluation is *70 of the total marks*. Those having not scored the minimum marks shall not be considered for financial evaluation

## FINANCIAL EVALUATION

Bidders will be ranked according to price quoted (from lowest to highest). The bid shall be awarded to the lowest evaluated substantially responsive bid in terms of Section 55 (1) of the Public Procurement Act, 2015 (Act No. 15 of 2015).

|                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                       |                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <p><b>Financial Proposal:</b><br/>Contract Cost Breakdown</p> <p><i>Consultant's contract cost estimate is within BIPA's budgeted amount to perform the assignment</i></p> | <p>Consultant to indicate the cost breakdown under the followings headings:</p> <ul style="list-style-type: none"> <li>• Feasibility of cost estimate</li> <li>• Clear Fee Structure</li> </ul> <p><b>Fully meet requirements = 30</b></p> <p><b>Partially meet requirements = 15</b></p> <p><b>Does not meet requirement = 0</b></p> | <p><b>Total Score</b></p> <p>30</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|

## MARGIN OF PREFERENCE EVALUATION

The margin of preference will be applied to all the qualifying bids. The methodology to be used for this preference is as stipulated in the code of good practice.

| # | Category                                         | Documentary evidence                                                                                                                                                                                                                                                                                                               | Margin of preference |
|---|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| 1 | Manufacturer                                     | <ul style="list-style-type: none"><li>-Certificate of registration from a registering authority</li><li>-Declaration by the bidder that the manufactured goods meet the local content as determined in Annexure 6 as per the cost structure for Value Added Calculation in Annexure 1, and as certified by an Accountant</li></ul> | 2%                   |
| 2 | Micro, Small and Medium Enterprise               | <ul style="list-style-type: none"><li>-SME registration certificate</li><li>-Declaration indicating the percentage of Namibian MSME ownership</li></ul>                                                                                                                                                                            | 1%                   |
| 3 | Women owned enterprise                           | <ul style="list-style-type: none"><li>- IDs of all shareholders</li><li>-Founding statement/company registration indicating ownership structure/shareholder certificate</li><li>- declaration indicating the percentage of Namibian female ownership</li></ul>                                                                     | 1%                   |
| 4 | Youth owned enterprise                           | <ul style="list-style-type: none"><li>- IDs of all shareholders</li><li>- Founding statement/company registration indicating ownership structure/shareholder certificate</li><li>- declaration indicating the percentage of Namibian youth ownership</li></ul>                                                                     | 2%                   |
| 5 | Previously Disadvantaged Person owned enterprise | <ul style="list-style-type: none"><li>-IDs of all shareholders</li><li>- Founding statement/company registration indicating ownership structure/shareholder certificates</li><li>- declaration indicating the percentage of Namibian PDPs ownership</li></ul>                                                                      | 2%                   |
| 6 | Suppliers providing environmental protection     | <ul style="list-style-type: none"><li>-declaration and proof that the bidder meets the requirements set out in the bidding document</li></ul>                                                                                                                                                                                      | 1%                   |

|   |                                            |                                                                    |            |
|---|--------------------------------------------|--------------------------------------------------------------------|------------|
| 7 | Suppliers providing employment to Namibian | -declaration that the bidder employs 50% or more Namibian citizens | 1%         |
|   | <b>TOTAL</b>                               |                                                                    | <b>10%</b> |

**a) For procurement of non-consultancy services:**

**(i) Namibian shareholding:**

3% - if the bidder meets any of the qualification criteria under section 71(3) of the Act;

**(ii) Services to be rendered by Namibian citizens:**

(aa) 1% - if between 50% - 60% of the key employees to render the service inclusive of management are Namibian citizens;

**OR**

(bb) 2% - if more than 60% of the key employees to render the service inclusive of management are Namibian citizens;

(cc) 3% - if 100% semi-skilled labour are Namibian citizens;

**(iii) Materials:**

2% - if the bidder has signed a declaration that 50% of the total value of goods or materials to be used for the services are manufactured, grown, mined or extracted in Namibia.

**b) For procurement of consultancy services**

**(i) Namibian shareholding:**

3% - if the bidder meets any of the qualification criteria under section 71(3) of the Act;

**(ii) Services to be rendered by Namibian citizens:**

(aa) 4% - If the Team leader is a Namibian citizen;

(bb) 1% - if between 50% - 60% of the employees to render the service are Namibian citizens;

**OR**

(cc) 3% - if more than 60% of the employees to render the service are Namibian citizens.

**(c) For procurement of consultancy services (Individual):**

5% - if an individual consultant is a Namibian citizen;

**Formula to calculate margins of preference:**

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

100

in which formula -

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

**NOTE:** Margin of Preference is applicable.

## **Annexure - 2**

### **SUPPLEMENTARY INFORMATION FOR CONSULTANTS**

#### **Proposals**

1. Proposals should include the following information:

##### **(a) Technical Proposals**

- (i) Curriculum vitae of consultant (Form F-2).
- (ii) An outline of recent experience on assignments/ projects of similar nature executed during the last five years (Form F-3).
- (iii) Any comments or suggestions of the consultant on the Terms of Reference (TOR).
- (iv) A description of the manner in which the consultant would plan to execute the work.
- (v) The consultant's comments, if any, on the data, services and facilities to be provided by the Public body indicated in the Terms of Reference (TOR).

##### **(b) Financial Proposals**

2. The financial proposals should be given in the form of summary of contract estimate (Form F- 4)
3. The proposals shall be submitted in **one original and one copy of the original**.

#### **Contract Negotiations**

1. The aim of the negotiations is to reach an agreement on all points with the consultant and initial a draft contract by the conclusion of negotiations. Negotiations commence with a discussion of consultant's proposal, the proposed work plan, and any suggestions you may have made to improve the terms of reference. Agreement will then be reached on the final terms of reference and the bar chart, which will indicate periods in [weeks/months] and reporting schedule.
2. Once these matters have been agreed, financial negotiations will take place and will begin with a discussion of your proposed payment schedule.

#### **Review of reports**

1. A review committee of three (3) members will review all reports and suggest any modifications/changes considered necessary within 15 days of receipt.

**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  
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.

**BID SUBMISSION FORM**

From: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Hiring of Consultancy Services for *[insert title of assignment]***

I/We \_\_\_\_\_ herewith enclose Technical and Financial Proposals for selection as Consultant for the ..... *[name of public entity]*.

I/we undertake that, in competing for (and, if the award is made to me/us, in executing) the above contract, I/we will observe the highest level of ethical conduct.

Yours faithfully

Signature: \_\_\_\_\_

Full name: \_\_\_\_\_

Address: \_\_\_\_\_

# FORMAT OF CURRICULUM VITAE (CV) FOR CONSULTANT

Name of Consultant : \_\_\_\_\_  
 Profession : \_\_\_\_\_  
 Date of Birth : \_\_\_\_\_  
 Nationality : \_\_\_\_\_  
 Membership in Professional bodies: \_\_\_\_\_

## **Key Qualifications:**

*[Give an outline of experience and training most pertinent to tasks on assignment. Describe degree of responsibility held on relevant previous assignments and give dates and locations. Use about half a page.]*

## **Education:**

*[Summarize college/university and other specialized education, giving names of institutions, dates attended, and degrees obtained. Use about one quarter of a page.]*

## **Employment Record:**

*[Starting with present position, list in reverse order every employment held. List all positions held since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments. For experience in last ten years, also give types of activities performed and employer's references, where appropriate. Use about two pages.]*

## **Languages:**

*[For each language indicate proficiency: excellent, good, fair, or poor; in speaking, reading, and writing]*

## **Certification:**

I, the undersigned, certify that to the best of my knowledge and belief, these data correctly describe me, my qualifications, and experience.

**Date:** ..... **Day/Month/Year**

.....  
**[Signature of Consultant]**

**Full name of Consultant:** \_\_\_\_\_

**ASSIGNMENTS OF SIMILAR NATURE SUCCESSFULLY COMPLETED DURING LAST 5 YEARS**

1. Outline of recent experience on assignments of similar nature:

| Sl.No | Name of assignment | Name of Project | Owner or Sponsoring agency | Cost of Project | Date of Commencement | Date of Completion | Was assignment satisfactorily completed |
|-------|--------------------|-----------------|----------------------------|-----------------|----------------------|--------------------|-----------------------------------------|
|       |                    |                 |                            |                 |                      |                    |                                         |
|       |                    |                 |                            |                 |                      |                    |                                         |
|       |                    |                 |                            |                 |                      |                    |                                         |
|       |                    |                 |                            |                 |                      |                    |                                         |
|       |                    |                 |                            |                 |                      |                    |                                         |
|       |                    |                 |                            |                 |                      |                    |                                         |
|       |                    |                 |                            |                 |                      |                    |                                         |

Note: Please attach certificates from the employer by way of documentary proof. (Issued by the Officer of rank not below that of Divisional Manager or equivalent.)

**Cost Estimate of Services<sup>1</sup>****Remuneration:**

| <b>Consultant Name</b> | <b>Monthly Rate</b>  | <b>Working Months</b> |
|------------------------|----------------------|-----------------------|
| <b>Total Cost</b>      | <b>(in currency)</b> | <b>(in</b>            |
|                        | <b>currency)</b>     |                       |

|       |       |       |       |
|-------|-------|-------|-------|
| _____ | _____ | _____ | _____ |
|-------|-------|-------|-------|

Sub-Total (Remuneration) \_\_\_\_\_

**Out-of-Pocket Expenses<sup>2</sup> :**

| <b>(a) Per Diem<sup>3</sup> :</b> | <b>Room Charge</b> | <b>Subsistence</b> | <b>Total</b> | <b>Days</b> |
|-----------------------------------|--------------------|--------------------|--------------|-------------|
|-----------------------------------|--------------------|--------------------|--------------|-------------|

|       |       |       |       |       |
|-------|-------|-------|-------|-------|
| _____ | _____ | _____ | _____ | _____ |
|-------|-------|-------|-------|-------|

(b) Air fare \_\_\_\_\_

(c) Lump Sum Miscellaneous Expenses<sup>4</sup> : \_\_\_\_\_

Sub-Total (Out-of-Pocket) \_\_\_\_\_

Contingency Charges: \_\_\_\_\_

**Total Estimate:** \_\_\_\_\_

<sup>1</sup> Rates shall be used for extension of contract for Lump-sum basis and for Time-based contract at negotiation stage or as otherwise specified

<sup>2</sup> Reimbursable at cost with supporting documents/receipts unless otherwise specified.

<sup>3</sup> Per Diem is fixed per calendar day and need not be supported by receipts.

<sup>4</sup> To include reporting costs, visa, inoculations, routine medical examination, minor surface transportation and communications expenses, portage fees, in-and out expenses, airport taxes, and such other travel related expenses as may be necessary.