

STANDARD BIDDING DOCUMENT FOR THE PROCUREMENT OF GOODS DOMESTIC TENDER



ZIMRA
Zimbabwe Revenue Authority

FEBRUARY 2022



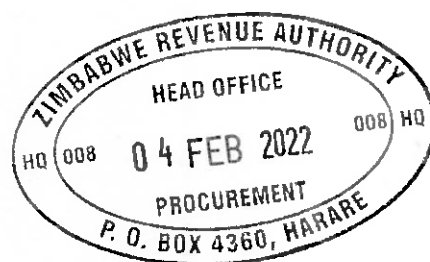
**BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF OFFICE
FURNITURE**

PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 04/2022

PROCURING ENTITY: ZIMBABWE REVENUE AUTHORITY

DATE OF ISSUE: 04 FEBRUARY 2022

CLOSING DATE: 03 MARCH 2022



**BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF OFFICE
FURNITURE**

PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 04/2022

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PART 1 BIDDING PROCEDURES

PART 1: BIDDING PROCEDURES

References:

References to the Act are to the Public Procurement and Disposal of Public Assets Act [Chapter 22:23] and references to the Regulations are to the Public Procurement and Disposal of Public Assets (General) Regulations (Statutory Instrument No. 5 of 2018). The terms and requirements in the Act and Regulations govern the submission of Bids and should be read by all Bidders.

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Preparation of Bids

You are requested to bid for the supply and delivery of office furniture specified in the Statement of Requirements below, by completing and returning the following documentation:

1. the Bid Submission Sheet in this Part;
2. the Statement of Requirements in Part 2;
3. A copy of every document necessary to demonstrate eligibility in terms of section 28 (1) of the Regulations;
4. Proof of supplier registration with the Procurement Regulatory Authority of Zimbabwe (PRAZ) a must in **Category: GF004 Furniture, Office Equipment, Upholstery, Carpeting & Curtaining Products**.
5. A bid security;
6. A copy of CR 14, CR6 and a Certificate of Incorporation or equivalent documents
7. A valid tax clearance certificate (ITF 263)
8. A copy of your company profile
9. At least three (3) reference letters showing bidders' direct experience in the successful provision of similar quality of the required services
10. Warranty period must be stated.
11. Bidders must submit a sample for Lot 1 (**Swivel Ergonomic chair**), Lot 3 (**boardroom chair**) and catalogue/s for Lot 2 (**boardroom table**), bids without samples/catalogue/s will **automatically be disqualified for the lot bidding for.**

You are advised to carefully read the complete Bidding Document, as well as the General Conditions of Contract which are available on the Authority's website, before preparing your Bid. Part 3: Contract is provided not for completion at this stage but to enable Bidders to note the Contract terms they will enter into if their Bid is successful.

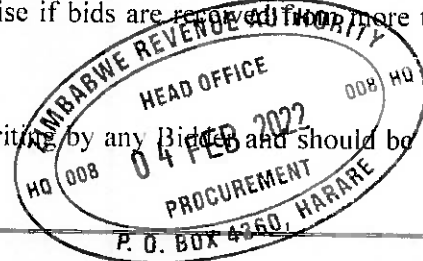
The standard forms in this document may be retyped for completion but the Bidder is responsible for their accurate reproduction. All pages of the Bid must be clearly marked with the Procurement Reference Number above and the Bidder's name and any reference number.

Number of bids allowed

No Bidder may submit more than one bid, either individually or as a joint venture partner in another Bid, except as a subcontractor. Where the procurement is divided into lots and packages, only one Bid can be submitted. A conflict of interest will be deemed to arise if bids are received from more than one Bidder owned, directly or indirectly, by the same person.

Clarification

Clarification of the bidding document may be requested in writing by any Bidder and should be sent to;



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The Director Procurement
Zimbabwe Revenue Authority (ZIMRA)
10th Floor, ZB Centre
Cnr Kwame Nkrumah / First Street
Harare,
Zimbabwe.

Or via Email to procurement@zimra.co.zw

Such queries should be submitted within 10 days from the date of publication and responses to questions / queries will be made in writing to all prospective bidders at least 5 days before tender closing.

Pre-bid meeting

There is no pre-bid meeting for this tender.

Validity of Bids

The minimum period for which the Bidder's bid must remain valid is **90 days** from the deadline for the submission of bids.

Submission of Bids

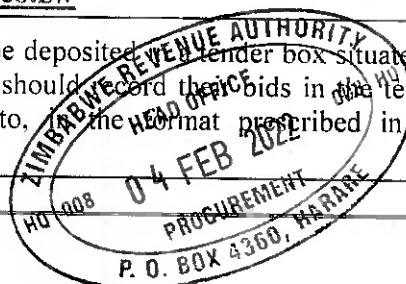
Bids must be submitted in writing in a sealed envelope to the address below, no later than the date and time of the deadline below. It is the Bidder's responsibility to ensure that they receive a receipt confirming submission of their bid that has correct details of the Bidder and the number of the Bid.

The Bidder must mark the envelope with the Bidder's name and address and the Procurement Reference Number.

Bids should be submitted in triplicate with one (1) original copy marked "ORIGINAL" and two (2) copies each marked "COPY". All 3 copies should be in sealed envelopes clearly marked with the details of the tender, and should be deposited in a tender box situated at the below address. In the event of any discrepancy between the original and the copies, the original will prevail.

Late bids will be rejected. The Procuring Entity reserves the right to extend the bid submission deadline but will notify all potential bidders who have collected the bidding documents of the amended bid submission deadline.

| | | | |
|-----------------------------|---|-----------------------|---------------------------------------|
| Date of deadline | 03 March 2022 | Deadline Time: | 1000Hours Harare time (GMT + 2 hours) |
| Submission address: | The Director Procurement Zimbabwe Revenue Authority (ZIMRA) 6 th Floor ZB Centre Corner Kwame Nkrumah Ave/ First Street Harare Zimbabwe Or via E-mail to tender@zimra.co.zw | | |
| Means of acceptance: | Bids in the sealed envelopes shall be deposited in the tender box situated at the above address. All the bidders should record their bids in the tender submission register situated thereto, in the format prescribed in the register. | | |



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PART 1 BIDDING PROCEDURES

Bid opening

Due to Covid 19 pandemic and lockdown measures, bidders and their representatives are not allowed to witness the opening of bids, which will take place at the submission address immediately following the deadline.

Withdrawal, amendment or modification of Bids

A Bidder may withdraw, substitute, or modify its Bid after it has been submitted by sending a written notice, duly signed by an authorized representative. However, no Bid may be withdrawn, substituted, or modified in the interval between the deadline for submission of Bids and the expiration of the period of Bid validity specified by the Bidder or any extension of that period.

Delivery Requirements

The delivery period required (from the date of contract signing) and the final destination for delivery are as indicated in the Delivery Schedule in Part 2.

Bid Prices and Discounts

The prices and discounts quoted by the Bidder in the Bid Submission Form and in the Price Schedules must conform to the requirements specified below.

Prices must be quoted as specified in the Price Schedule included in Part 2 Statement of Requirements. In quoting prices, the Bidder is free to use transportation through carriers registered in any eligible country and similarly may obtain insurance services from any eligible country. Prices quoted must include the following costs and components:

- (a) For Goods
 - (i) the price of the Goods and the cost of delivery to the final destination, including the relevant INCOTERM, as stated in the Delivery Schedule;
 - (ii) the custom duties to be paid on the Goods on entry in Zimbabwe, if not already included;
 - (iii) Any other applicable import taxes;
 - (iv) any sales and other taxes due within Zimbabwe which will be payable on the Goods, if not already included;
 - (v) any rebate or mark-up of the local agent or representative.
- (b) for Related Services, (other than inland transportation and other services required to convey the Goods to their final destination), whenever such Related Services are specified in the Schedule of Requirements:

the price of each item comprising the Related Services (inclusive of any applicable taxes).

Bid Security

The Bidder must include Bid Security of ZWL60, 000.00, in *either* of the following forms:

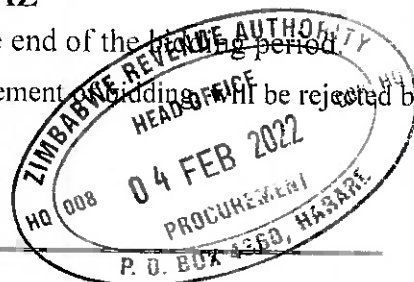
Option 1 ----- A certified Bank Cheque in the ZIMRA name.

Option 2 ----- A Bank Guarantee in the ZIMRA name

Option 3 ----- A Cash Deposit to the Authority PRAZ

The bid security shall be valid for a period of 90 days after the end of the bidding period.

Any bid not accompanied by a Bid Security where this is a requirement will be rejected by the Procuring Entity as non-responsive.



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PART 1 BIDDING PROCEDURES

If a bidder chooses options 2 or 3, the following should be noted;

Option 2

Submission of bank guarantee

A standard bank Guarantee of **ZWL60,000.00** which is valid for 90 days, obtainable from a reputable Registered Commercial Bank redeemable in **Zimbabwe**.

Please note: The required Bank Guarantee should include the following features and be redeemable in Zimbabwe in order for it to be considered valid:

1. Letterhead of registered commercial bank (i.e. the Supplier of the Bank Guarantee)
2. The Header has to clearly state that it is a Bank Guarantee.
3. Purpose of the Bank Guarantee to be clearly stated.
4. The date when the Common Seal of the said Surety was effected should be clearly shown.
5. Conditions of the said Obligations must be stated.
6. The physical address of the Surety should be given.
7. The validity period of the Bank Guarantee must be clearly stated.
8. Signature of surety and the date when it was endorsed must be clearly shown.
9. It must be an original document that is date stamped.
10. Bid Bonds from Insurance Companies are not acceptable.
11. All foreign Bank Guarantee to be confirmed by a local corresponding Commercial bank in Zimbabwe.

The Bank Guarantee of the unsuccessful bidders will be released immediately after the award of the Tender while that of the winning bidder will only be released after submission of the Performance Bond as specified in the tender document section 1.9

Option 3

If **Option 3** is chosen bidders must pay **ZWL60, 000.00** for the Bid Security that shall be Refundable at the end of the bid validity period plus another **ZWL20, 000.00** that shall be non-refundable for cash bid bond establishment fee in line with Part IV of the Procurement Regulations (S.I 299 of 2021). The amount is payable at Procurement Regulatory Authority of Zimbabwe (PRAZ), 76 Samora Machel Avenue, Harare or to be deposited into the following Account numbers:

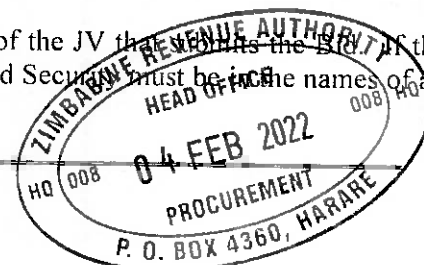
1. NON-REFUNDABLE (LOCAL)

| | |
|-----------------|--|
| BANK NAME: | COMMERCIAL BANK OF ZIMBABWE |
| ACCOUNT NAME: | PROCUREMENT REGULATORY AUTHORITY OF ZIMBABWE |
| ACCOUNT NUMBER: | 01121064850020 |
| BRANCH: | KWAME NKRUMAH |

2. REFUNDABLE (LOCAL)

| | |
|-----------------|--|
| BANK NAME: | COMMERCIAL BANK OF ZIMBABWE |
| ACCOUNT NAME: | PROCUREMENT REGULATORY AUTHORITY OF ZIMBABWE |
| ACCOUNT NUMBER: | 01121064850030 |
| BRANCH: | KWAME NKRUMAH |

The Bid Security of a Joint Venture (JV) must be in the name of the JV that constitutes the Bid. If the JV has not been legally constituted at the time of bidding, the Bid Security must be in the names of all intended partners.



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PART 1 BIDDING PROCEDURES

Evaluation of Bids

Bids will be evaluated using the following methodology:

1. Preliminary examination to confirm that all documents required have been provided, to confirm the eligibility of Bidders in terms of section 28 (1) of the Regulations and to confirm that the Bid is administratively compliant in terms of section 28 (2) of the Regulations.
2. Technical evaluation to determine substantial responsiveness to the specifications in the Statement of Requirements and the **samples** submitted;
3. Financial evaluation and comparison to determine the evaluated price of bids and to determine the responsiveness based on accepted **samples** for the evaluated bid.

Bids failing any stage will be eliminated and not considered in subsequent stages.

Evaluation criteria

1. Eligibility and Qualification Criteria

| Evaluation Parameter | Compliant /Non - Compliant |
|--|----------------------------|
| Suppliers must be registered with the Procurement Regulatory Authority of Zimbabwe (PRAZ) for the Category: GF004 Furniture, Office Equipment, Upholstery, Carpeting & Curtaining Products and proof of registration must be submitted with the bid. | |
| A valid tax clearance certificate (ITF 263) | |
| A valid NSSA certificate | |
| A copy of CR 14, CR6 and a Certificate of Incorporation or equivalent documents | |

2. Administrative compliance

| Evaluation Parameter | Compliant /Non - Compliant |
|---|----------------------------|
| Bid validity of 90 days | |
| Bid security of ZWL60,000.00 | |
| The Bid Submission Sheet in this Part; | |
| The Statement of Requirements in Part 2 | |
| Must state delivery period | |
| A copy of your company profile | |
| Warranty period must be stated. | |
| At least three (3) reference letters showing bidders' direct experience in the successful provision of similar quality of the required services | |



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PART 1 BIDDING PROCEDURES

3. Technical evaluation

Technical evaluation shall be done as per technical specification and compliance sheet attached:

| Evaluation Parameter | Compliant /Non - Compliant |
|---|----------------------------|
| 1.Swivel High back Ergonomic Chair <ul style="list-style-type: none">•Adjustable headrest & lumbar support•Large backrest to support entire back, able to recline, breathable, dampness regulated mesh material made of 100% polyester•Adjustable, comfortable T armrests made of soft polyurethane•Adjustable height•Base with 5 or more pedestals for stability•Freely moving castors•Seat tilt adjustment•Can carry body weight of approximately 125KG | |
| 2.Boardroom table <ul style="list-style-type: none">•10 seater polished wooden boardroom table with:•6 Power socket outlets, data points and VGA, audio, HDMI connections integrated into the design/ or in the base of the table•Rounded edges avoiding a design with sharp corners or edges.•Neutral colours for a standard look | |
| 3.Boardroom chairs leather <ul style="list-style-type: none">•10 x boardroom leather swivel chairs with arm rests and height adjustment | |

4. Financial Evaluation

This shall be done as per the prices submitted by bidders.



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PART I BIDDING PROCEDURES

Eligibility and Qualification Criteria

Bidders are required to meet the criteria in section 28 of the Act to be eligible to participate in public procurement and to be qualified for the proposed contract. They must therefore provide any available documentation and certify their eligibility in the Bid Submission Sheet. To be eligible, Bidders must

1. have the legal capacity to enter into a contract;
2. not be insolvent, in receivership, bankrupt or being wound up, not have had business activities suspended and not be the subject of legal proceedings for any of these circumstances;
3. have fulfilled their obligations to pay taxes and social security contributions in Zimbabwe;
4. not have a conflict of interest in relation to this procurement requirement;
5. not be debarred from participation in public procurement under section 72 (6) of the Act and section 74(1) (c), (d) or (e) of the Regulations or declared ineligible under section 99 of the Act;
6. have the nationality of an eligible country as specified in the Special Conditions of Contract; and
7. have been registered with the Authority as a Supplier and have paid the applicable Supplier Registration Fee set out in Part III of the Fifth Schedule to the Regulations.

Participation in this bidding procedure is open to Zimbabwean bidders only

Origin of Goods

All goods and related services must have as their country of origin an eligible country, as specified in the Special Conditions of Contract.

Technical Criteria

The Technical Specifications Sheet details the minimum specification of the goods required. The goods offered must meet this specification, but no credit will be given for exceeding the specification. **No alternatives to technical specifications given shall be accepted for evaluation.**

Currency

Bids should be priced in United States Dollars (US\$) and Zimbabwean Dollar (ZWL). Payment of the contract will be made in ZWL at the prevailing RBZ interbank rate.

Award of Contract

The lowest evaluated bid per Lot per sample, after application of any additional evaluation criteria, including any margin of preference, which is substantially responsive to the requirements of this bidding document will be recommended for award of contract. The proposed award of contract will be by issue of a Notification of Contract Award in terms of section 55 of the Act which will be effective until signature of the contract documents in accordance with Part 3: Contract.

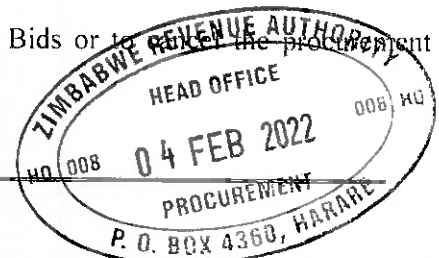
Unsuccessful bidders will receive the notification of contract award and, if they consider they have suffered prejudice from the process, they may within 14 days of receiving this notification. Submit to the Procuring Entity a challenge in terms of section 73 of the Act, subject to payment of the applicable fee set out in section 44 of and the Third Schedule to the Regulations.

When tendering for more than one lot, the award of one lot must not be conditional to the award of several/ other lots.

Right to Reject

The Procuring Entity reserves the right to accept or reject any Bids or to cancel the procurement process and reject all Bids at any time prior to contract award.

Corrupt Practices



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PART 1 BIDDING PROCEDURES

The Government of Zimbabwe requires that Procuring Entities, as well as Bidders and Contractors, observe the highest standard of ethics during the procurement and execution of contracts. In pursuit of this policy:

1. the Procuring Entity will reject a recommendation for award if it determines that the Bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive or coercive practices in competing for the Contract or been declared ineligible to be awarded a procurement contract under section 99 of the Act;
2. the Authority may under section 72 (6) of the Act impose the sanctions under section 74 (1) of the Regulations; and
3. Any conflict of interest on the part of the Bidder must be declared.



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PART 1 BIDDING PROCEDURES

Bid Submission Sheet

{Note to Bidders: Complete this form with all the requested details and submit it as the first page of your Bid. Attach the completed Statement of Requirements and any other documents requested in Part 1. Ensure that your Bid is authorised in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this Bid prevail over any attachments. If your Bid is not authorised, it may be rejected. If the Bidder is a Joint Venture (JV), the Bid must be signed by an authorized representative of the JV on behalf of the JV, and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized representatives.}

Bidders must mark as "CONFIDENTIAL" information in their Bids which is confidential to their business. This may include proprietary information, trade secrets or commercial or financially sensitive information}.

Procurement Reference Number:

Subject of Procurement:

Name of Bidder:

Bidder's Reference Number:

Date of Bid:

We offer to supply the items listed in the attached Statement of Requirements, at the prices indicated on the attached Price Schedule and in accordance with the terms and conditions stated in your Bidding Document referenced above.

We confirm that we meet the eligibility criteria specified in Part 1: Procedures of Bidding.

We declare that we are not debarred from bidding and that the documents we submit are true and correct.

The validity period of our bid is: {Days} from the date of submission.

We confirm that the prices quoted in the attached Price Schedule are fixed and firm for the duration of the validity period and will not be subject to revision, variation or adjustment.

Bid Authorised by:

| | |
|----------------------------------|-----------------------|
| Signature | Name: |
| Position: | Date:(DD/MM YY) |
| Authorised for and on behalf of: | |
| Company | |
| Address: | |



BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF OFFICE FURNITURE

PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 04/2022

PART 3 CONTRACT

PART 2: STATEMENT OF REQUIREMENTS

Name of Bidder:

Bidder's Reference Number:

List of Goods and Price Schedule

Currency of Bid: USS/ZWL

| LOT NO. | DESCRIPTION | QTY | UNIT PRICE USS INCL VAT | TOTAL PRICE USS INCL VAT | UNIT PRICE ZWL INCL VAT | TOTAL PRICE ZWL INCL VAT |
|---------|----------------------------------|-----|-------------------------|--------------------------|-------------------------|--------------------------|
| 1 | Swivel High back Ergonomic Chair | 30 | | | | |
| 2 | Boardroom table | 1 | | | | |
| 3 | Boardroom chairs leather | 10 | | | | |

The samples must be delivered to,

ZIMRA CENTRAL STORES

ENFIELD COMPLEX, 61-63 PLYMOUTH ROAD

SOUTHERTON, HARARE.

BIDS WITHOUT SAMPLES WILL AUTOMATICALLY BE DISQUALIFIED

Note 1: Bidders must submit a sample for Lot 1 (Swivel Ergonomic chair), Lot 2 Boardroom chair and catalogue/s for Lot 3 (boardroom table) and clearly labelled with the bidders' name and telephone/mobile numbers, before the closing date and time.

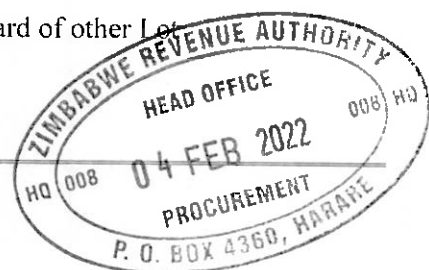
Note 1: The description or quantity must indicate the unit of measure where relevant.

Note 2: Unit and total prices must be for delivery through to the final destination stated in Part 1.

Note 3: Bidders must bid for a full lot.

Note 4: The tender will be awarded per Lot.

Note 5: The award of one Lot should not be conditional to the award of other Lot.



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PART 3 CONTRACT

Delivery Schedule

Name of Bidder:

Bidder's Reference Number:

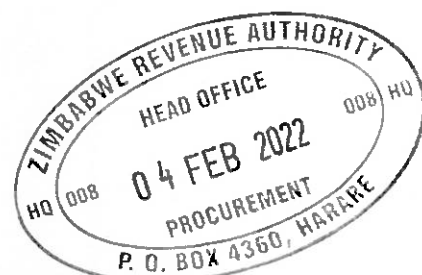
{Note to Bidders: If the delivery period offered, or any other details, differ from the requirements below, this should be stated in your tender}.

SUPPLY AND DELIVERY OF OFFICE FURNITURE

Expected delivery period is 4 weeks

The delivery period required is measured from the date of the signing of the Contract between the Procuring Entity and the Bidder.

| | |
|--|--|
| The Project Site for delivery of the goods is the final destination: | ZIMBABWE REVENUE AUTHORITY ENFIELD COMPLEX, 61-63 PLYMOUTH ROAD SOUTHERTON, HARARE. |
|--|--|



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PART 3 CONTRACT

Technical Specification and Compliance Sheet

Name of Bidder:

Bidder's Reference Number:

*The Goods and Related Services must comply with following Technical Specifications and Standards:
[Columns a and b are completed by the Procuring Entity. Column c must be completed by the Bidder to indicate the full specification of the items offered and their compliance with the specification required (in Column b)]*

| | A | B | c |
|---------------|---|---|--|
| | <i>Item description and full technical Specification required (including applicable standards)</i> | <i>Item description and full technical Specification required (including applicable standards)</i> | <i>{Confirm full specification of items offered by Bidder and compliance of items to detail in column b}</i> |
| LOT NO | DESCRIPTION/ FEATURES | MINIMUM REQUIREMENTS | |
| 1 | Swivel High back Ergonomic Chair <ul style="list-style-type: none">•Adjustable headrest & lumbar support•Large backrest to support entire back, able to recline, breathable, dampness regulated mesh material made of 100% polyester•Adjustable, comfortable T armrests made of soft polyurethane•Adjustable height•Base with 5 or more pedestals for stability•Freely moving castors•Seat tilt adjustment•Can carry body weight of approximately 125KG | <ul style="list-style-type: none">•Adjustable headrest & lumbar support•Large backrest to support entire back, able to recline, breathable, dampness regulated mesh material made of 100% polyester•Adjustable, comfortable T armrests made of soft polyurethane•Adjustable height•Base with 5 or more pedestals for stability•Freely moving castors•Seat tilt adjustment•Can carry body weight of approximately 125KG | |



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PART 3 CONTRACT

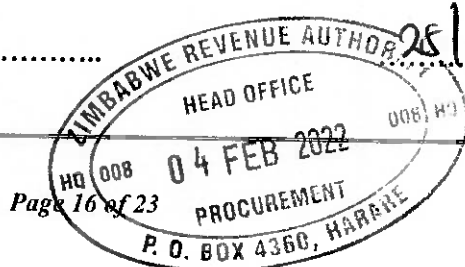
| | A | B | c |
|--------|--|--|--|
| | <i>Item description and full technical Specification required (including applicable standards)</i> | <i>Item description and full technical Specification required (including applicable standards)</i> | <i>{Confirm full specification of items offered by Bidder and compliance of items to detail in column b}</i> |
| LOT NO | DESCRIPTION/ FEATURES | MINIMUM REQUIREMENTS | |
| 2 | Boardroom table <ul style="list-style-type: none"> •10 seater polished wooden boardroom table with: •6 Power socket outlets, data points and VGA, audio, HDMI connections integrated into the design/ or in the base of the table •Rounded edges avoiding a design with sharp corners or edges. •Neutral colours for a standard look | Boardroom table <ul style="list-style-type: none"> •10 seater polished wooden boardroom table with: •6 Power socket outlets, data points and VGA, audio, HDMI connections integrated into the design/ or in the base of the table •Rounded edges avoiding a design with sharp corners or edges. •Neutral colours for a standard look | |
| 3 | Boardroom chairs leather <ul style="list-style-type: none"> •10 x boardroom leather swivel chairs with arm rests and height adjustment | Boardroom chairs leather <ul style="list-style-type: none"> •10 x boardroom leather swivel chairs with arm rests and height adjustment | |

The detailed technical evaluation will examine the technical specification of the items offered in column c and determine whether this meets the minimum specification in column b. Bidders must complete column c or their tender will be rejected.

Declaration by the Accounting Officer

I declare that the procurement is based on neutral and fair technical requirements and bidder qualifications.

PP 



28/01/2022

BIDDING DOCUMENT FOR THE SUPPLY AND DELIVERY OF OFFICE FURNITURE

PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 04/2022

PART 3 CONTRACT

PART 3 CONTRACT

Contract Agreement

Procurement Reference: Domestic tender ZIMRA NCB 04/2022

THIS CONTRACT AGREEMENT is made the *[insert: date]* day of *[insert: month]*, *[insert: year]*.

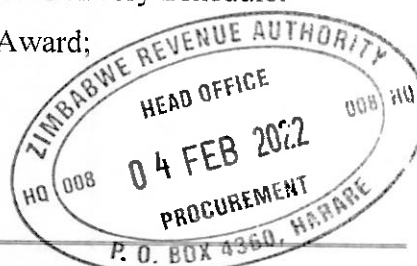
BETWEEN

- (1) *[insert complete name of Procuring Entity]*, a *[insert description of type of legal entity, for example, an agency of the Ministry of ... of the Government of Zimbabwe, or corporation incorporated under the laws of Zimbabwe]* and having its principal place of business at *[insert full postal address of Procuring Entity]* (hereinafter called "the Procuring Entity"), and
- (2) *[insert name of Contractor]*, a corporation incorporated under the laws of *[insert: country of Contractor]* and having its principal place of business at *[insert full postal address of Contractor]* (hereinafter called "the Contractor").

WHEREAS the Procuring Entity invited Bids for certain Goods and ancillary services, viz., *[insert brief description of Goods and Services]* and has accepted a Bid by the Contractor for the supply of those Goods and Services in the sum of *[insert Contract Price in words and figures, expressed in the Contract currency]* (hereinafter called "the Contract Price").

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are assigned to them in the General and Special Conditions of Contract referred to below.
2. The following documents shall constitute the Contract between the Procuring Entity and the Contractor, and each shall be read and construed as an integral part of the Contract:
 - (a) This Contract Agreement;
 - (b) Special Conditions of Contract;
 - (c) General Conditions of Contract;
 - (d) Technical Requirements (including Schedule of Requirements and Technical Specifications);
 - (e) The Contractor's Bid, original Price Schedules and Delivery Schedule;
 - (f) The Procuring Entity's Notification of Contract Award;
 - (g) *[Add here any other document(s)]*.



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PART 3 CONTRACT

3. This Contract Agreement shall prevail over all other Contract Documents. In the event of any discrepancy or inconsistency within the Contract Documents, then the documents shall prevail in the order listed above.
4. In consideration of the payments to be made by the Procuring Entity to the Contractor as mentioned below, the Contractor hereby agrees with the Procuring Entity to provide the Goods and Services and to remedy any defects in them in conformity with the Contract.
5. The Procuring Entity hereby agrees to pay the Contractor in consideration of the provision of the Goods and Services and the remedying of any defects in them, the Contract Price or such other sum as may become payable under the Contract at the times and in the manner prescribed by the Contract.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Zimbabwe on the day, month and year indicated above.

For and on behalf of the Procuring Entity

Signed:

Name:

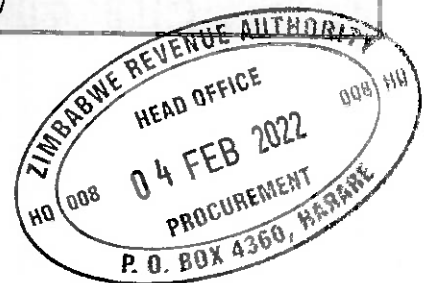
In the capacity of: *[Title or other appropriate designation]*

For and on behalf of the Contractor

Signed:

Name:

In the capacity of: *[Title or other appropriate designation]*



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PART 3 CONTRACT

General Conditions of Contract

Any resulting contract is subject to the Zimbabwe General Conditions of Contract (GCC) for the Procurement of Goods (copy available on request) except where modified by the Special Conditions below.

Special Conditions of Contract

Procurement Reference Number... **Domestic tender NCB 04/2022**

The clause numbers given in the first column correspond with the relevant clause number of the General Conditions of Contract.

| GCC reference | Special Conditions |
|---------------|--|
| GCC 7.5 | Eligible Countries: Zimbabwe |
| GCC 8.1 | Notices: Any notice shall be sent to the following addresses: For the Procuring Entity, the address shall be as given in the Contract document and the contact shall be, 6th Floor ZB Centre, Corner Kwame Nkrumah Avenue and First Street, Harare Zimbabwe. For the Contractor, the address shall be as given in the Bid and the contact shall be <i>{state name of contact}</i> |
| GCC 19.1 | Liquidated Damages: Liquidated Damages in terms of section 88 of the Act shall apply. In the case of delays in the delivery of goods, the Contractor will be liable to pay damages of 0.5% of contract price per week of delay up to a maximum of 10% of contract value. If 10% is exceeded, the contract may be cancelled NB. The contractor will not be charged liquidated damages when the delay in delivery or performance is beyond the contractor's control and is not caused by fault or negligence on the part of the contractor. |

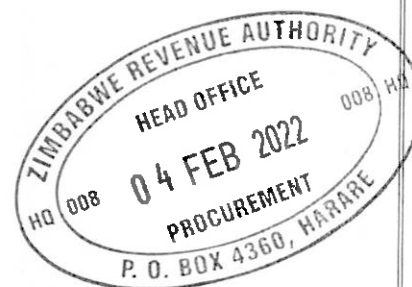


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| GCC reference | Special Conditions |
|---------------|---|
| GCC 21.2 | <p>Packing, Marking and Documentation: The goods shall meet the following special packing requirements in addition to the general requirements stated in GCC clause 21.1</p> <p>The documents to be furnished by the Contractor are:</p> <ol style="list-style-type: none">1. A negotiable bill of lading when the goods are coming by sea2. An airway bill, when the goods are coming by Air3. A road consignment note, when the goods are coming by road <p>Sample provision - For Goods supplied from abroad:</p> <p>Upon shipment, the Contractor shall notify the Procuring Entity and the insurance company in writing of the full details of the shipment. In the event of Goods sent by airfreight, the Contractor shall notify the Procuring Entity a minimum of forty-eight (48) hours ahead of dispatch, the name of the carrier, the flight number, the expected time of arrival, and the waybill number. The Contractor shall email and then send by courier the following documents to the Procuring Entity, with a copy to the insurance company:</p> <ol style="list-style-type: none">(i) One original and two copies of the Contractor's invoice, showing the Procuring Entity as the consignee; the Contract number, Goods description, quantity, unit price, and total amount. Invoices must be signed in original;(ii) One copy of delivery note, document showing Procuring Entity as the consignee and delivery through to final destination as stated in the Contract(iii) One original of the manufacturer's or Contractor's Warranty Certificate covering all items supplied; |
| | <p style="text-align: center;">Page 20 of 23</p> |



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| GCC reference | Special Conditions |
|---------------|--|
| | <p><i>Sample provision - For Goods from within Zimbabwe</i></p> <p>Upon or before delivery of the Goods, the Contractor shall notify the Procuring Entity in writing and deliver the following documents to the Procuring Entity:</p> <ul style="list-style-type: none">(i) One original and two copies of the Contractor's invoice, showing the Procuring Entity, the Contract number, Goods' description, quantity, unit price, and total amount. Invoices must be signed in original;(ii) One copy of delivery note, document showing Procuring Entity as the consignee and delivery through to final destination as stated in the Contract;(v) one original of the manufacturer's or Contractor's Warranty certificate covering all items supplied; <p>The above documents shall be received by the Procuring Entity before arrival of the Goods and, if not received, the Contractor will be responsible for any consequent expenses.</p> <div data-bbox="1034 1503 1465 1771"></div> |

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| GCC reference | Special Conditions |
|-----------------|--|
| GCC 22.1 | Insurance: The Goods shall be insured in accordance with the specified Incoterms. |
| GCC 23.1 & 23.2 | Inspections and tests: the tests and/or inspections of the Goods and Related Services that the Contractor is required to carry at its own expense are: 100% inspection on technical compliance. |
| GCC 24.1 | <p>Performance security:</p> <p>The successful tenderer will be requested to provide a guarantee of 10% of the total tender amount endorsed by a registered Commercial Bank located in Zimbabwe acceptable to ZIMRA (Total tender amount is calculated according to the tender dossier) when countersigning the contract. The performance guarantee must be delivered within 14 days after receipt by the tenderer of the contract signed by ZIMRA. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next most economically advantageous, compliant tender.</p> |
| GCC 24.4 | Reduction of performance security (<i>Not applicable</i>) |
| GCC 25.1 | Warranty: The period of the warranty shall be one (1) year manufacturer warranty. |
| GCC 25.6 | Failure to remedy a defect: The period allowed to the Contractor to remedy a defect during the period of the Warranty shall be (30) days |
| GCC 29.1 | <p>Price adjustments: The following price adjustments are applicable.</p> <p>When the application of price adjustment would modify the initial price by more than twenty per centum or would modify the balance owing under the contract by more than twenty per centum, the procuring entity may terminate the contract</p> |
| GCC 30.1 | <p>Terms of Payment: The structure of payments shall be:</p> <p>Acceptance: The Contract Price shall be paid to the Contractor within fifteen (15) days after the date of the Acceptance certificate for the respective delivery issued by the Procuring Entity.</p> <p>In the event that advance payment is required, the Contractor must avail a bank guarantee of the equivalent amount from a reputable registered commercial bank redeemable in Zimbabwe.</p> |
| GCC 31.1 | Contract Administration Fee: The Contract Administration Fee set out in Part V of the Fifth Schedule of the Regulations is due upon the signing of the Contract at the applicable fee per year. |



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PART 3 CONTRACT

Bank Guarantee for Performance Security

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

Contract No:

Date:

To:

[Name and address of Procuring Entity]

PERFORMANCE GUARANTEES No:

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

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

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

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

Signature

Signature

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