

# **Government of Zimbabwe**

## **STANDARD**

## **REQUEST FOR PROPOSALS**

**For the**

# **Selection of Consultancy Services**

**March 2021**

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

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**Standard Request for Proposals for the Engagement of specialist sub-consultants for the provision of Town Planning, Geo Technical Survey and EIA service to ZIMRA, for the development of Makuti Dry Port as per below lots;**

**LOT 1 : Town Planner**

**LOT 2: Geo Technical Surveyor**

**LOT 3: Environmental Impact Assessment Consultant**

Procurement Reference No: ZIMRA RFP 06/2022

Procuring Entity: ZIMBABWE REVENUE AUTHORITY

Date of Issue: 31 March 2022

Date of submission: 15 April 2022

## **Table of Contents**

**Part 1: Proposal Procedures**

**Part 2: Statement of Requirements**

**Part 3: Contract**

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

**PART 1: REQUEST FOR PROPOSALS 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, 2018 (Statutory Instrument No. 5 of 2018). The terms and requirements in the Act and Regulations govern the submission of Proposals and should be read by all Consultants.

**Preparation of Proposals:**

Only consultants registered under the **Zimbabwe Institute of Rural and Urban Planners (ZIRUP)** (for Lot 1), Engineering Council of Zimbabwe (or Equivalent body) for Lot 2 and **EMA** (for Lot 3), and for all Lots with the **Procurement Regulatory Authority of Zimbabwe** in terms of section 4 of the Public Procurement and Disposal Of Public Assets Act [Cap 22:23] Regulations, are eligible to participate.

You are requested to submit a Proposal to provide the consulting services detailed in the Statement of Requirements by submitting separate technical and financial proposals, for the LOT you are bidding for, as detailed below. The standard forms contained within this Request for Proposals may be retyped for completion but the Consultant is responsible for their accurate reproduction.

You are advised to read carefully the complete Request for Proposals document, including the Special Conditions of Contract in Part 3, as well as the Contract Agreement and the General Conditions of Contract for Consultancy Services (available on the Authority's website or on request), before preparing your proposal. Part 3: Contract Agreement is provided not for completion at this stage but to enable Consultants to note the Contract terms they will enter into if their bid is successful.

**Number of bids allowed**

No Consultant may submit more than one bid, either individually or as a joint venture partner in another bid, except as a subcontractor. A conflict of interest will be deemed to arise if bids are received from more than one Consultancy owned, directly or indirectly, by the same person.

Bidders are also required to submit the following documents for eligibility;

1. Proof of registration with the Procurement regulatory Authority of Zimbabwe
2. Proof of registration with the respective bodies as indicated in the Statement of Requirements.
3. a copy of your current and valid tax clearance certificate and VAT registration;
4. Company Profile
5. Certificate of Incorporation, CR6 and CR14 or other company registration documents, where applicable.
6. CVs of key personnel
7. Bidders must provide a minimum of three (3) references (or reference letters) showing bidders' direct experience in the provision of similar projects.

**Preparation of Technical Proposals: - per Lot being tendered for.**

Technical proposals should contain the following documents and information:

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

8. The Technical Proposal Submission Sheet in this Part;
9. A proposed technical approach and methodology which gives a description and summary of the approach to be taken in performing the services;
10. A proposed work plan which describes the steps to be undertaken to address the proposed scope of work, including a delineation of specific tasks to also be undertaken in each project activity and timelines, showing the inputs of all key staff who will be carrying out the required work;
11. Bidders must provide a minimum of 3 CV's of key staff ;
12. A summary of your experience in similar assignments, together with the names and contact details of persons connected with these assignments who will provide references; as stated in the statement of requirements

**Preparation of Financial Proposals: - For the Lot being tendered for**

Financial proposals should contain the following documents and information:

1. The Financial Proposal Submission Sheet in this Part;
2. The Breakdown of Contract Price form in this Part, showing all costs for the assignment, broken down into fees and reimbursable costs;

**Basis of Pricing and Payment:**

The contract will be a **lump sum contract**.

Payments will be made on the following basis:

The contract price must be a maximum amount. Payment will be made for the time actually spent and for reimbursable expenses actually incurred by the Consultant in the performance of the Services, using the rates specified in the Breakdown of Contract Price.

Clarification of the request for proposals document may be requested in writing by any Consultant up to 8 April 2022 and should be sent to:

**The Procurement Director  
Zimbabwe Revenue Authority (ZIMRA)  
10<sup>th</sup> Floor, ZB Centre, Corner Kwame Nkrumah Ave/ First Street  
Harare, Zimbabwe.**

Or via Email to [procurement@zimra.co.zw](mailto:procurement@zimra.co.zw)

Responses to questions / queries will be made in writing to all prospective bidders before end of business Friday 12 April 2022

**Validity of Proposals:**

The minimum period for which the Consultant's proposal must remain valid is **60 Days** from the deadline for submission of proposals.

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

**Sealing and marking of Proposals:**

The technical and financial proposals should be sealed in separate envelopes, both clearly marked with the Procurement Reference Number above, the Consultant's name, the name of the Procuring Entity and either "Technical Proposal" or "Financial Proposal" as appropriate.

Both envelopes should be enclosed in a single outer envelope, clearly marked with the Procurement Reference Number above, the Consultant's name and the name of the Procuring Entity. All the two envelopes should be sealed in such a manner that opening and resealing cannot be achieved undetected. The single outer envelope make a single full bid.

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.

**Submission of Proposals:**

Proposals should be submitted to the address below, no later than the date and time of the deadline below. Late proposals will be rejected. The Procuring Entity reserves the right to extend the proposal submission deadline but will notify all consultants invited to submit proposals of the amended proposal submission deadline

Date for Submission:	<b>15 April 2022</b>
Time of Submission	<b>10 00 Hours (<i>local time</i>).</b>
Address for submission:	<b>Zimbabwe Revenue Authority Reception Area, 6<sup>th</sup> Floor, ZB Centre Corner Kwame Nkrumah Ave/ First Street Harare, Zimbabwe.</b>

**Means of acceptance:**

Bids in the sealed envelopes shall be deposited in a 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.

**Opening of Proposals:**

The technical proposals will be opened in public immediately following the deadline for submission. Financial proposals will be kept unopened and the evaluation committee will have no access to financial information until the technical evaluation is concluded.

Financial proposals of rejected bids will be returned unopened. Financial proposals for accepted bids will be opened in public on the date specified in the notice of results for the technical evaluation.

**Withdrawal, amendment or modification of Proposals:**

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

**Evaluation of Proposals:**

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

The evaluation of proposals will use the **Quality and Cost Based Selection (QCBS)** evaluation methodology as detailed below:

**Quality and Cost Based Selection (QCBS):**

1. Preliminary examination to confirm that all documents required have been provided, to confirm the eligibility of consultants and to confirm that the Consultant has accepted all terms and conditions without material deviation or reservation;
2. Technical evaluation to assess the technical quality of proposals against the criteria below, to determine the technical score for each proposal and to determine which proposals reach the minimum technical score given below; and
3. Financial evaluation to determine the financial score of each proposal, to weight the technical and financial scores and to determine the total score of each proposal.

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

**Technical Evaluation Criteria: - for all the Lots**

Proposals will be awarded scores out of the maximum number of points indicated below for each of the following criteria:

Specific Experience	[30] points
Technical Approach, Methodology and Work Plan Proposed	[40] points
Key Personnel	[30] points
<b>TOTAL</b>	<b>100 points</b>

In addition to the above;

1. The Principal Partner and other members must be registered with the relevant professional bodies in Zimbabwe.
2. ZIMRA may contact referees for profiled projects and/or visit the cited works and bidders' premises as part of evaluation and due diligence.

The minimum technical qualifying score required to pass the technical evaluation is 80 points.

**Financial Criteria:**

Financial scores will be determined by awarding 100% (20 points) to the lowest priced proposal (total) **PER LOT** and giving all other proposals a score which is proportionate to this.

Total scores will be determined using a weighting of 80% for technical proposals and a weighting of 20% for financial proposals."

**Currency:**

Bids should be priced in both the Zimbabwean Dollars and United States Dollars. The currency of evaluation will be United States Dollars and the currency of payment be the Zimbabwean Dollars. The US\$ figure will be used to track any inflationary movements in the case of a variation, using the exchange rates published by the Reserve Bank of Zimbabwe. <http://www.rbz.co.zw/>.

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

**Recommendation for Award:**

The proposals with the highest total scores per lot will be recommended for award of contract, subject to any negotiations required.

**Award of contract:**

Award of contract will be by placement of a contract in accordance with Part 3 of this Request for Proposals. 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 Consultants 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.

The contract will only be valid subject to payment of annual contract administration fees in line with Part V of the Fifth Schedule to the Regulations.

**Right to Reject:**

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

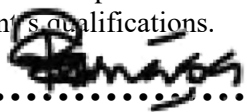
**Corrupt Practices:**

The Government of Zimbabwe requires that Procuring Entities, as well as Consultants, 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 Consultant recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive or obstructive practices in competing for the Contract or been declared ineligible to be awarded a procurement contract under section 99 of the Act; a definition of these terms is found in clause 1.9 of the GCC;
2. the Authority may under Section 72 (6) of the Act impose the debarment sanctions under section 74(1) of the Regulations;
3. in accordance with section 42 of the Regulations, submission of a bid will be deemed to be an undertaking on behalf of the Consultant to accept the responsibilities described in clause 1.1 of the GCC; and
4. Any conflict of interest on the part of the Consultant must be declared.

**Declaration by the Accounting Officer**

I declare that the procurement is based on neutral and fair technical requirements and the Consultant's qualifications.

  
.....  
**Signature**

.....1.4.2022.....  
**Date**



**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

**Technical Proposal Submission Sheet**

**[Complete this form for the Lot being tendered for]**

*{Note to Consultants: Complete this form with all the requested details and submit it as the first page of your technical proposal, with the documents requested in Part 1 attached. Ensure that your proposal is authorised in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this RFP prevail over any attachments. If your proposal is not authorised, it may be rejected.}*

*In case the Consultant 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.}*

Procurement Reference Number:

Subject of Procurement:

Name of Consultant:

Consultant's Reference Number:

Date of Technical Proposal:

We offer to provide the services described in the Statement of Requirements, in accordance with the terms and conditions stated in your Request for Proposals referenced above.

We confirm that we are eligible to participate in public procurement and meet the eligibility criteria specified in Part 1: Proposal Procedures of your Request for Proposals.

The validity period of our proposal is: ..... days from the date of the submission.

We submit on the attached Appendices the evidence to demonstrate our suitability to perform the required services:

Appendix A: Methodology and Work Plan;

Appendix B: Experience and Qualifications.

We understand that the proposals in these Appendices, if approved or as amended, will be included in the Contract Appendices and shall form a contractual commitment.

We enclose a separately sealed financial proposal.

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

**Technical Proposal Authorised By:**

<b>Signed</b> .....	<b>Name:</b> .....
	...
<b>In capacity of:</b> .....	<b>Date:</b> .....(DD/MM/YY)
<b>Duly authorised for and on behalf of:</b>	

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR  
THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO  
ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

<b>Firm</b>	.....
<b>Address:</b>	.....
	.....
<b>Phone:</b>	..... <b>email</b> .....
<b>Corporate Seal (where appropriate)</b>	

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

PART 1: PROPOSAL PROCEDURES

## Financial Proposal Submission Sheet

**[Complete this form for the Lot being tendered for]**

*{Note to Consultants: Complete this form with all the requested details and submit it as the first page of your financial proposal, with the documents requested above attached. Ensure that your proposal is authorised in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this RFP prevail over any attachments. If your proposal is not authorised, it may be rejected. The total price of the proposal should be expressed in a currency permitted in the SCC}.*

*In case the Consultant 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.*

Procurement Reference Number:

Subject of Procurement:

Name of Consultant:

Consultant's Reference Number:

Date of Financial Proposal:

The total price/rate of our proposal for Lot ..... is: \_\_\_\_\_ and \_\_\_\_\_.  
{insert currencies and amounts/rates}

We confirm that the rates quoted in our Financial Proposal are fixed and firm for the duration of the validity period and will not be subject to revision or variation or adjustment.

**Financial Proposal Authorised By:**

<b>Signed</b> .....	<b>Name:</b> .....
<b>In capacity of:</b> .....	<b>Date:</b> .....(DD/MM/YY)
<b>Duly authorised for and on behalf of:</b>	
<b>Firm</b> .....	
<b>Address:</b> .....	
<b>Phone:</b> .....	<b>email:</b> .....
<b>Corporate Seal (where appropriate)</b>	

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR  
THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO  
ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

PART 1: PROPOSAL PROCEDURES

---

## Summary of Costs

### COMPLETE THE TABLE FOR EACH LOT

*{Complete this form to summarise all the costs together from the breakdown of costs and submit it as part of your financial proposal.*

Item	Costs
	<i>[Indicate Currency]</i>
Fees	
Reimbursable Costs	
VAT	
<b>Total Cost of Financial Proposal <sup>1</sup></b>	

1 The total cost must coincide with the sum in the Financial Proposal Submission Sheet.

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR  
THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO  
ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

PART 1: PROPOSAL PROCEDURES

**BREAKDOWN OF CONTRACT PRICE (FEES)**  
**[COMPLETE THE FORM FOR EACH LOT]**

*{Complete this form with details of all your costs and submit it as part of your financial proposal. Authorise the rates quoted in the signature block below. Where this is a lump sum contract, the total price will be the contract price and the breakdown will be used only to determine the price of any additional services. Where this is a time-based contract, the breakdown will be used as the cost estimates and payment will be made for the services actually performed and costs actually incurred.}*

Currency of Costs: \_\_\_\_\_

FEES				
Name and Position of Personnel	Input Quantity	Unit of Input	Unit Rate	Total Price
Sub Total:				

**Breakdown of Contract Price Authorised By:**

Signed .....	Name: .....
In capacity of: .....	Date: .....(DD/MM/YY)
Duly authorised for and on behalf of:	
Firm .....	
Address: .....	
Corporate Seal (where appropriate)	

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR  
THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO  
ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

PART 1: PROPOSAL PROCEDURES

**BREAKDOWN OF CONTRACT PRICE (REIMBURSABLES)**  
**[COMPLETE THE FORM FOR EACH LOT]**

Currency of Costs: \_\_\_\_\_

REIMBURSABLE COSTS				
Description of Cost	Quantity	Unit of Measure	Unit Price	Total Price
Sub Total:				

**Breakdown of Contract Price Authorised By:**

Signed .....	Name: ..... ...
In capacity of: .....	Date: .....(DD/MM/YY)
Duly authorised for and on behalf of:	
Firm .....	
Address: .....	
Corporate Seal (where appropriate)	

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR  
THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO  
ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

**Appendix A: Methodology and Work Plan**

*{Describe the methodology and work plan you would propose to use in meeting the  
requirements in the statement of requirements in Part 2.}*

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**PART 1: PROPOSAL PROCEDURES**

---

**Appendix B: Experience and qualifications**

*{Provide background information about the consultancy firm that is bidding for the Contract and of any other firm that is associated with this bid. State whether any of the required services will be sub-contracted. Describe the experience of the firm in performing similar consultancy Contracts, if so required by the instructions in Part 1.*

*Name the key personnel who will perform the requirements under the Contract, their proposed period of engagement, including working hours and holidays, and describe their qualifications and experience in working on similar Contracts, distinguishing between foreign consultants and national (Zimbabwean) consultants. Describe any intended transfer of knowledge to consultants and other personnel in Zimbabwe and how this transfer will be achieved.}*



## **PART 2: STATEMENT OF REQUIREMENTS**

### **LOT 1 TERMS OF REFERENCES – TOWN PLANNING SERVICES**

#### **1. Background**

The Zimbabwe Revenue Authority is developing Makuti Dry Port and is looking for qualified firms to provide consultancy for town planning services. Now, ZIMRA invites registered Town Planning Consultancy firms with skills capacity and proven track record of accomplishment, qualification and experience to submit their proposals in the provision of town planning development skills for the Dry-port.

#### **2. Objectives**

To develop a self-sustained state of the art Dry Port community which is purpose functional and addresses social and economic problems for the immediate hinterland, the Nation, Regionally and Internationally

#### **3. Scope of Work and Technical Proposal**

- Determine and plan for traffic and vehicular movement and impacts within the planning area
- Determine and propose overall required residential, commercial and institutional space within the planning area.
- Develop Town planning sub-division layout plans, township layout plans and consolidations where necessary.
- Determine and obtain appropriate zoning for the project area and obtain the necessary approvals from town planning regulatory authorities.
- Prepare and develop the town planning master plan and preliminary planning designs
- Prepare and develop viable designs for the residential, commercial, industrial and institutional neighborhoods, road accesses and any future air and rail accesses
- Design the Dry Port taking into cognisance and including loading and offloading zones, yard layout, yard handling space and equipment handling space.
- The Master Plan design shall include town planning development control parameters including phasing options in line with the project funding and investment plans

#### **4. Reports and deliverables required, reporting schedule and assignment time schedule:**

- Weeks – Resource mobilization and consultations
- 2 Weeks – Preparation of layout Designs
- Layout designs approval – TBA

#### **5. Qualifications and experience**

The Principal Consultant should have the following minimum qualifications and experience:

- i. Holder of Bachelor's Degree in Rural and Urban Planning (RUP) or equivalent.
- ii. Registered with the Zimbabwe Institute of Rural and Urban Planners (ZIRUP).

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

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- iii. More than 5 years' experience in similar works.
- iv. At least 3 trade reference letters for similar work done in the past 5 yearsRegistered with the Institute of Architects of Zimbabwe and the Architects Council of Zimbabwe (or equivalent for foreign consultants)
- v. More than 5 years' experience in construction of public infrastructure projects.
- vi. Experience in the designing and customs dry ports an added advantage.

**6. Confidentiality**

It is acknowledged that in the ordinary course of the consultant process you will have access to information about the business of the Authority and associated documents. You will therefore be required to sign oath of secrecy.

The consultant will not either during or on completion for own purposes or for any purpose other than those of the Authority (for any reason and in any manner), use or divulge or communicate to any person, firm, company, or organization except to officials of the Authority who are entitled to know any confidential information acquired or discovered.

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

---

**LOT 2 TERMS OF REFERENCES – GEO TECHNICAL SURVEYING**

**1. Background**

The Zimbabwe Revenue Authority is developing Makuti Dry Port and is looking for qualified firms to provide consultancy for geotechnical surveying services. The project is located at Makuti Township in Hurungwe District.

**2. Scope of Work and Technical Proposal**

- Site geology
- Soil condition at the formation level at the above-mentioned site.
- Subsoil condition in the site and take logs and perform laboratory tests
- Submit a pit report that must include the following information:
  - Plot plan showing all the test locations and indicating co-ordinates of trial pits
  - The depth, the elevation and the thickness of each soil layers, including bedrock.
  - The description of subsurface conditions.
  - The description of the bedrock and of each bedrock layer.
  - The compactness or consistency of the soil layers.
  - The depth of representative samples and tests performed.
  - The final exploration depth.
  - Identification and assessment of the location of suitable foundation material, either in bedrock or in satisfactory load-bearing soils.
  - Investigation of ground conditions and water levels (water table)
  - Summary of results obtained from various tests and other interpretation to evaluate various soil parameters.
- All field and laboratory test results shall be plotted against depth and also in tabular form
- Summary of results obtained from various tests and other interpretation to evaluate various soil parameters.
- Conduct necessary laboratory tests, including grain size test, Atterburg Test, (Liquid Limit, Plastic Limit) tests in accordance with ASHTO test methods in order to classify the material.
- Determine the laboratory maximum dry density and optimum moisture content.
- Recommend suitable foundation depth for the proposed structures.

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

---

- Recommend in the report the suitable foundation system or ground improvements to be adopted
- Preparation and submission of a detailed report and recommendation
- Provide any other relevant information.

**Safety measures:**

- The contractor shall ensure that all of his staff and workers are equipped with Personal Protection Equipment (PPEs). No worker or engineer will be allowed on site without having the appropriate PPE.
- The consultant is to mark and secure all the pits from the public while the drilling works is ongoing in a technical and professional way to ensure safety on site during sample collection.
- The contractor shall NOT allow the movement of public inside the site.
- The consultant is responsible to refill and level the pits as its previous condition and or to satisfaction, once they're no longer needed for the subjected geotechnical investigations without any delay. Costs related to these safety measures shall be borne by the consultant and it is deemed covered by the unit cost of geotechnical investigation.

The contractor shall make safeguard his equipment, personal and all other resources from vandalism and trespassing at his/her own cost. The cost of all safety measures mentioned above, and any other internationally practiced measures shall not be quoted separately but will be deemed covered in the price of bidder. A breach to any of the safety measures

**3. Qualifications and experience**

**Consultant's Personnel**

- The services shall be headed by a Civil Engineer or Geotechnical Engineer with at least 5 years' experience
- The consultant's staff should have extensive experience in geotechnical survey (preferably geotechnical surveys/investigations for vertical structures and associated infrastructure) Minimum 5 years' experience.
- Geotechnical Technician/s must have a verifiable professional background. Minimum requirements experience of 5 years.

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

---

**4. Company Requirements**

- Registered company (or an equivalent body) with minimum 5 years of operation.
- Submit the following documents:
  - Traceable Reference of similar projects carried out in the last 5 years
  - Valid calibration Certificates for laboratory machines and equipment.
  - Company Profile
  - Current ITF 263
  - Memorandum and Articles of Association
  - Certificate of Incorporation
  - CR 14
  - CR 6

**5. Confidentiality**

It is acknowledged that in the ordinary course of the consultant process you will have access to information about the business of the Authority and associated documents. You will therefore be required to sign oath of secrecy.

The consultant will not either during or on completion for own purposes or for any purpose other than those of the Authority (for any reason and in any manner), use or divulge or communicate to any person, firm, company, or organization except to officials of the Authority who are entitled to know any confidential information acquired or discovered.

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

---

**LOT 3 TERMS OF REFERENCES – ENVIRONMENTAL IMPACT ASSESSMENT**

**1) Background**

The Zimbabwe Revenue Authority's is intending to develop a Dry Port in Makuti area under Hurungwe district. The dry port in terms of the requirements of the Environmental Management Act (Chapter 20:27), the project developments are a prescribed activity which should be preceded by the undertaking of an Environmental Impact Assessment process. Now, ZIMRA invites registered Environmental consultancy firms with proven record of accomplishment, qualifications, and experience to submit their proposals in undertaking the EIA process on behalf of ZIMRA until it is certified by EMA.

**2) Objectives**

To provide carry out the EIA process and submit it to EMA for approval and certification.

**3) Scope of Work and Technical Proposal**

- The following terms of reference will guide the EIA process
- Document the baseline environmental and socio-economic conditions in and round the project area.
- Describe the surrounding land use systems
- Carry out consultations with relevant stakeholders
- Investigate the possibility of ground and water pollution from activities undertaken at the site
- Investigating waste management issues associated with the operation phase
- Determine suitable/effective mitigation measures for all likely impacts
- Compile an EIA study report consistent with the requirements of the Environmental Management Act (Chapter 20:27)
- Review the policy and regulatory framework applicable to the project

**4) Expected delivery timelines**

Bidders to propose through a clear work plan

**5) Qualifications and experience**

The proposed mission shall be conducted by a team of experts, who should have the following profiles:

- The Consultancy company must be registered with EMA and provide proof for registration.
- The consultancy company must have at least 5 years relevant experience with proven record
- Team Leader must at least have 10 years' experience in conducting environmental impact assessments.
- Other experts must have at least 5 year's relevant experience

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

---

**6) Confidentiality**

It is acknowledged that in the ordinary course of the consultant process you will have access to information about the business of the Authority and associated documents. You will therefore be required to sign oath of secrecy.

The consultant will not either during or on completion for own purposes or for any purpose other than those of the Authority (for any reason and in any manner), use or divulge or communicate to any person, firm, company, or organization except to officials of the Authority who are entitled to know any confidential information acquired or discovered.

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR  
THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO  
ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

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## PART 3: CONTRACT FOR CONSULTANTS' SERVICES

### Lump Sum Contract

between

---

*[name of the Procuring Entity]*

and

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*[name of the Consultant]*

**Dated:** \_\_\_\_\_



REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

---

## Contract

*[Text in brackets [] is for the guidance of the person who drafts the document; all notes should be deleted in final text]*

This CONTRACT (hereinafter called “the Contract”) is made on the *[day]* day of the month of *[month]*, *[year]*, between, on the one hand, *[full name and address of Procuring Entity]* (hereinafter called the “Procuring Entity”) and, on the other hand, *[full name of Consultant]* (hereinafter called the “Consultant”).

*[Note: If the Consultant consist of more than one entity, the above should be partially amended to read as follows: “... (hereinafter called the “Procuring Entity”) and, on the other hand, a joint venture/consortium/association consisting of the following entities, each of which will be jointly and severally liable to the Procuring Entity for all the Consultant’s obligations under this Contract, namely, *[name of Consultant]* and *[name of Consultant]* (hereinafter called the “Consultant”).*

### WHEREAS

- (a) the Procuring Entity has requested the Consultant to provide certain consulting services as defined in this Contract (hereinafter called the “Services”);
- (b) the Consultant, having represented to the Procuring Entity that he has the required professional skills, and personnel and technical resources, has agreed to provide the Services on the terms and conditions set forth in this Contract;
- (c) the Procuring Entity has secured budgeted funds towards the cost of the Services and intends to apply a portion of the funding to eligible payments under this Contract, it being understood that such payments will be subject, in all respects, to the terms and conditions of the contract;

NOW THEREFORE the Parties hereby agree as follows:

1. The following documents (hereinafter called “the Contract Documents”) attached hereto shall be deemed to form an integral part of the Contract:

- (a) The General Conditions of Contract;
- (b) The Special Conditions of Contract;
- (c) The following Appendices: *[Note: If any of these Appendices are not used, the words “Not Used” should be inserted below, next to the title of the Appendix]*

Appendix A: Methodology and Work Plan *{This should be in accordance with Section A of the Statement of Requirements}* *[Not used]*

Appendix B: Experience and Qualifications of Key Personnel *{This should be in accordance with Section B of the Statement of Requirements.}* *[Not used]*

Appendix C: Cost Estimates *[Not used]*

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

This Contract shall prevail over the Contract Documents. In the event of any discrepancy or inconsistency within the Contract Documents, then the documents shall prevail in the order listed above.

2. The reciprocal rights and obligations of the Parties shall be as set forth in the Contract and the Contract Documents, in particular:
  - (a) the Consultant shall carry out the Services in accordance with the provisions of the Contract; and
  - (b) the Procuring Entity shall make payments to the Consultant in accordance with the provisions of the Contract.
3. Irrespective of when the Contract is signed by the Parties, the Effective Date of the Contract is the date referred to in clause 2.1 of the General Conditions of Contract, i.e. the date of the Procuring Entity's notice to the Consultant instructing the Consultant to begin carrying out the Services.

IN WITNESS WHEREOF, the Parties have caused the Contract to be signed in their respective names.

For and on behalf of	<i>[name of Procuring Entity]</i>
Signed:	..... <i>[Authorized Representative]</i>
Name:	
In capacity as:	
For and on behalf of	<i>[full name of Consulting Company]</i>
Signed:	..... <i>[Authorized Representative]</i>
Name:	
in capacity as:	

.....  
*[Note: If the Consultant consists of more than one entity, all these entities should appear as signatories, e.g., in the following manner:]*

For and on behalf of	each of the Members of the Consultants
Name of Member:	..... <i>[Authorized Representative]</i>

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR  
THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO  
ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

Name of signatory:

in capacity as:

Name of Member:

.....*[Authorized Representative]*

Name of signatory:

in capacity as:

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR  
THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO  
ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

---

## General Conditions of Contract

Any resulting contract placed shall be subject to the General Conditions of Contract (GCC) for the Procurement of Consultancy Services (copy available on the Authority's website or on request) except where modified by the Special Conditions below.

## Special Conditions of Contract

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

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
1.4	<p>The address for the Procuring Entity is:</p> <p><i>[Address]</i></p> <p><i>[Address]</i></p> <p>Email:</p> <p>The address for the Consultant is:</p> <p><i>{Consultant to provide contact details}</i></p> <p>Email:</p>
1.5	The location for the performance of services are <i>[provide details]</i>
1.6	The Member in Charge is <i>{Consultant to provide details}</i>
1.7	The Authorized Representatives are:

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
	For the Procuring Entity: <i>[Insert name and telephone number]</i>
	For the Consultant: <i>{insert name and telephone number}</i> <i>[If the Consultant consists of a joint venture/consortium/ association of more than one entity, specify the entity that is authorised to act on behalf of the other entities in exercising all the Consultant's rights and obligations towards the Procuring Entity under this Contract, including without limitation the receiving of instructions and payments from the Procuring Entity.]</i>
1.8	<b>Taxes and duties:</b> The Consultant, Sub-Consultants and Personnel shall pay all such indirect taxes, duties, fees and other impositions as are levied under the laws of Zimbabwe. <i>[Amend if any tax exemptions apply.]</i>
1.10	Nationals of the following countries are ineligible for performance of this Contract <i>[Insert ineligible countries or state none]</i>
2.1	The effectiveness conditions are the following: <i>[insert conditions]</i> <i>[Note: List here any conditions of effectiveness of the Contract, e.g., Procuring Entity's approval of Consultant's proposals for appointment of specified key staff members, etc. If there are no effectiveness conditions, delete this and Clause SC 2.1 from the SC].</i>
2.3	Latest time for commencement of services <i>[insert time period, e.g.: 30 days] days after the Effective Date.</i>
2.4	The Contract shall expire after <i>[insert time period, e.g.: twelve months] from the Effective Date.</i>
3.5	<b>Insurance to be taken out by the Consultant.</b> The risks and the coverage shall be as follows: (a) Third Party motor vehicle liability insurance in respect of motor vehicles operated in Zimbabwe by the Consultant or its Personnel or any Sub-Consultants or their Personnel, with a minimum coverage of <i>[insert amount and currency]</i> ; (b) Third Party liability insurance, with a minimum coverage of <i>[insert amount and currency]</i> ; (c) professional liability insurance, with a minimum coverage of <i>[insert amount and currency]</i> ; (d) employer's liability and workers' compensation insurance in respect of the Personnel of the Consultant and of any Sub-Consultants, in accordance with the relevant laws of Zimbabwe, as well as, with respect to such Personnel, any such life, health, accident, travel or other insurance as may be appropriate; and

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
	<p>(e) insurance against loss of or damage to (i) equipment purchased in whole or in part with funds provided under this Contract, (ii) the Consultant's property used in the performance of the Services, and (iii) any documents prepared by the Consultant in the performance of the Services.</p> <p><i>[Note: Delete what is not applicable].</i></p>
3.7	<p><b>Consultant's actions requiring the Procuring Entity's prior approval:</b> <i>[State any other actions for which the Procuring Entity's prior approval is required or state none.]</i></p>
3.9	<p><b>Restrictions on the future use of documents and software prepared by the Consultant:</b> <i>[All plans, drawings, specifications, designs, reports, other documents and software prepared by the Consultant for the Procuring Entity under this Contract shall become and remain the property of the Procuring Entity. State any additional restrictions that shall apply to the future use of these documents and software.]</i></p>
3.12	<p><b>Contract Administration Fee:</b> The Contract Administration Fee set out in Part V of the Fifth Schedule to the Regulations is due upon the signing of the Contract and the applicable Fee is \$ <i>[State applicable fee or delete].</i></p>
4.6	<p><b>Resident Project Manager:</b> <i>[State whether a Resident Project Manager is required and, if so, the period of residence and the terms and conditions of his residence in Zimbabwe.]</i></p>
5.1	<p><b>Assistance and exemptions:</b> <i>[State whether any exceptions are to be made to the provisions of GCC 5.1. and any additional assistance that will be provided by the Procuring Entity]</i></p>
5.4	<p><b>Services, Facilities and Property of the Procuring Entity:</b> <i>[State the services facilities and property that will be made available free of charge to the Consultant and Personnel during the period of performance of the Contract and how/when they will be made available.]</i></p>
5.6	<p><b>Counterpart Personnel:</b> <i>[Provide information about the professional and support counterpart personnel that will be made available free of charge to support the work of the Consultant, including any restrictions on dates or hours of work.]</i></p>
6.1	<p><b>Contract Price:</b> The contract price is <i>[insert amount(s) and currency(ies)]</i></p>
6.2(b)	<p><b>Type of Contract:</b> Lump Sum /Time Based contract <i>[Select the type of contract]</i></p>
6.5(a)	<p>The following payment schedule shall apply:</p>

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
	<p><i>[insert payment terms agreed]</i></p> <p><b>[Note on payment schedules for Lump Sum contracts]</b></p> <p>(a) The following clause is a sample only and must be amended to suit the particular assignment; (b) if payments in different currencies do not follow the same schedule, add separate schedules; (c) all payments should be linked to a specific event or deliverable, which should be determined from the TOR, but could include reports, workshops, documents etc and (d) the payment schedule should take into account the length of the assignment and whether the Consultant is likely to have high mobilization costs e.g. where foreign Consultants are invited, mobilization costs may be high, as flights, subsistence etc will have to be paid and an advance payment, or payment on inception report should be considered, but where an assignment is only a few weeks and all Consultants are local, full payment on completion may be acceptable.</p> <p><b>[Sample clause for Lump Sum contracts – amend as required]</b></p> <ul style="list-style-type: none"> <li>• Thirty (30) per cent of the lump-sum amount shall be paid upon submission of the inception report.</li> <li>• Fifty (50) per cent of the lump-sum amount shall be paid upon submission of the draft final report.</li> <li>• Twenty (20) percent of the lump-sum amount shall be paid upon approval of the final report.</li> </ul> <p><b>[Note on payment schedules for Time-Based contracts]</b></p> <p>Payments are typically made monthly or quarterly for the actual inputs provided. The payment schedule should be specifically drafted for each contract.</p> <p><b>[Sample clause for Time-Based contracts – amend as required]</b></p> <ul style="list-style-type: none"> <li>• Monthly payments shall be made for the actual inputs provided and reimbursable costs incurred by the Consultant, against invoices supported by itemized statements and supporting documentation.</li> <li>• The final payment shall be made after submission and approval of the final report and a final statement of expenditure.”]</li> </ul>
6.5(b)	<b>The Consultants Account(s):</b> <i>{Consultant to insert Bank Account details for payment}</i>
6.5(c)	<b>Advance Payment:</b> <i>[State whether any advance payment will be made and, if so, the amount of such advance payment and any conditions for its use. Any advance payment must be supported by an Advance Payment Guarantee, as at Appendix D.]</i>

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
6.6(a)	<b>Payment period:</b> Payments shall be made within 60 days from submission of a correct payment request. <i>[Amend as necessary]</i>
6.6(b)	<p><b>Payment Documentation:</b> The following documentation shall be required to support request for payment: <i>[List the full requirements for documentation to effect payment e.g.:</i></p> <p><b>Sample clause for Lump Sum Contracts</b></p> <p><i>(a) reports or other deliverables</i></p> <p><b>Sample clause for Time Based Contracts</b></p> <p>(a) timesheets for key Personnel signed by the Procuring Entity;</p> <p>(b) evidence of reimbursable expenditure, including tickets, boarding passes and other receipts</p>
6.6(d)	<b>Interest for late payment:</b> <i>[State whether interest will be paid at the rate set by the Reserve bank of Zimbabwe for payments that are delayed by more than fifteen days beyond the due date.]</i>
6.7	<b>Price Adjustment:</b> <i>[State whether any price adjustment will be allowed and, if so, the basis for any such adjustment.]</i>



REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

---

## Appendices for Lump Sum Contracts

### APPENDIX A – STATEMENT OF REQUIREMENTS

*[Note: This Appendix will include the final Terms of Reference, including the methodology and work plan, worked out by the Procuring Entity and the Consultants during technical negotiations, dates for completion of various tasks, place of performance for different tasks, specific tasks to be approved by Procuring Entity, Reporting requirements, List format, frequency, and contents of reports; persons to receive them; dates of submission, etc.].*

*DESCRIBE ANY INTENDED TRANSFER OF KNOWLEDGE TO CONSULTANTS AND OTHER PERSONNEL IN ZIMBABWE AND HOW THIS TRANSFER WILL BE ACHIEVED].*

### APPENDIX B - KEY PERSONNEL AND SUB-CONSULTANTS

*[Note: List:*

*Titles [and names, if already available], detailed job descriptions and minimum qualifications of Key Personnel to be assigned to work on the provision of consultancy services, indicating whether foreign or Zimbabwean, number of days' allocation and, for foreign personnel, distinguish between home and field days allocated.*

### APPENDIX C - COST ESTIMATES

*[Note: List hereunder cost estimates:*

1.
  - (a) *Monthly rates for Foreign Personnel (Key Personnel and other Personnel)*
  - (b) *Monthly rates for local Personnel (Key Personnel and other Personnel).*
2. *Reimbursable expenses (items that are not applicable should be deleted; others may be added):*
  - (a) *Per diem allowances for each of the Personnel for every day in which such Personnel shall be absent from his or her home office.*
  - (b) *Air transport for Foreign Personnel: the cost of international transportation of the foreign Personnel by the most appropriate means of transport and the most direct practicable route to and from the Consultants' home office. In the case of air travel, this shall be by less than first class;*
  - (d) *Miscellaneous travel expenses: the fixed unit price per round trip for miscellaneous travel expenses such as the cost of transportation to and from airports, airport taxes, passport, visas, travel permits, vaccinations, etc.*
  - (e) *Other expenses, such as communications, printing, workshop or conference expenses etc.]*

REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT

PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022

Part 3: Contract

**APPENDIX D: ADVANCE PAYMENT SECURITY**

*[Delete page if no Advance Payment is required in the SCC]*

*[The bank, as requested by the successful Consultant, must fill in this form in accordance with the instructions indicated.]*

Date: *[insert date (as day, month, and year)]*  
Procurement Reference No: *[insert reference]*

*[Issuing bank's letterhead]*

**Beneficiary:** *[insert legal name and address of Procuring Entity]*

**ADVANCE PAYMENT GUARANTEE No.:** *[insert Advance Payment Guarantee no.]*

We have been informed that ..... *[name of the Contractor]* (hereinafter called "the Contractor") has entered into Contract No..... *[procurement reference number of the Contract]*, dated *[insert day and month]*, *[insert year]* with you, for the execution of ..... *[name of contract and brief description of Works]* (hereinafter called "the Contract").

Furthermore, we understand that, according to the Conditions of the Contract, an advance payment in the sum of ..... *[name of the currency and amount in figures]* <sup>1</sup> (..... *[amount in words]*) is to be made against an advance payment guarantee.

At the request of the Contractor, we ..... *[name of the Bank]*. hereby irrevocably undertake to pay you any sum or sums not exceeding in total an amount of ..... *[name of the currency and amount in figures]* \* (..... *[amount in words]*) upon receipt by us of your first demand in writing accompanied by a written statement stating that the Contractor is in breach of its obligation under the Contract because the Contractor used the advance payment for purposes other than the costs of mobilization in respect of the Works.

It is a condition for any claim and payment under this guarantee to be made that the advance payment referred to above must have been received by the Contractor on its account number ..... *[Contractor's account number]*. at ..... *[name and address of the Contractor's Bank]*.

The maximum amount of this guarantee shall be progressively reduced by the amount of the advance payment repaid by the Contractor as indicated in copies of interim statements or payment certificates which shall be presented to us. This guarantee shall expire, at the latest, upon our receipt of a copy of the interim payment certificate indicating that eighty (80) percent of the Contract Price has been certified for payment, or on the ..... day of ..... <sup>2</sup>, whichever is earlier. Consequently, any demand for payment under this guarantee must be received by us at this office on or before that date. The Guarantor agrees to a one-time extension of this guarantee for a period not to exceed *[six months]* *[one year]*, in response to your written request for such extension, such request to be presented to the Guarantor before the expiry of the guarantee.

This guarantee is subject to the Uniform Rules for Demand Guarantees, ICC Publication No. 758.  
.....

*[Seal of Bank and Signature(s)]* .....

**Note –**

*All italicized text is for guidance in preparing this demand guarantee and must be deleted from the final document.*

**REQUEST FOR PROPOSAL FOR THE ENGAGEMENT OF SPECIALIST SUB-CONSULTANTS FOR THE PROVISION OF TOWN PLANNING, GEO TECHNICAL SURVEY AND EIA SERVICE TO ZIMRA, FOR THE DEVELOPMENT OF MAKUTI DRY PORT**

**PROCUREMENT REFERENCE NO: ZIMRA RFP 06/2022**

**Part 3: Contract**

---

*1 The Guarantor must insert an amount representing the amount of the advance payment denominated either in the currency(ies) of the advance payment as specified in the Contract, or in a freely convertible currency acceptable to the Procuring Entity.*

*2 Insert the expected expiration date of the Time for Completion. The Procuring Entity should note that in the event of an extension of the time for completion of the Contract, the Procuring Entity would need to request an extension of this guarantee from the Guarantor. Such request must be in writing and must be made prior to the expiration date established in the guarantee.*