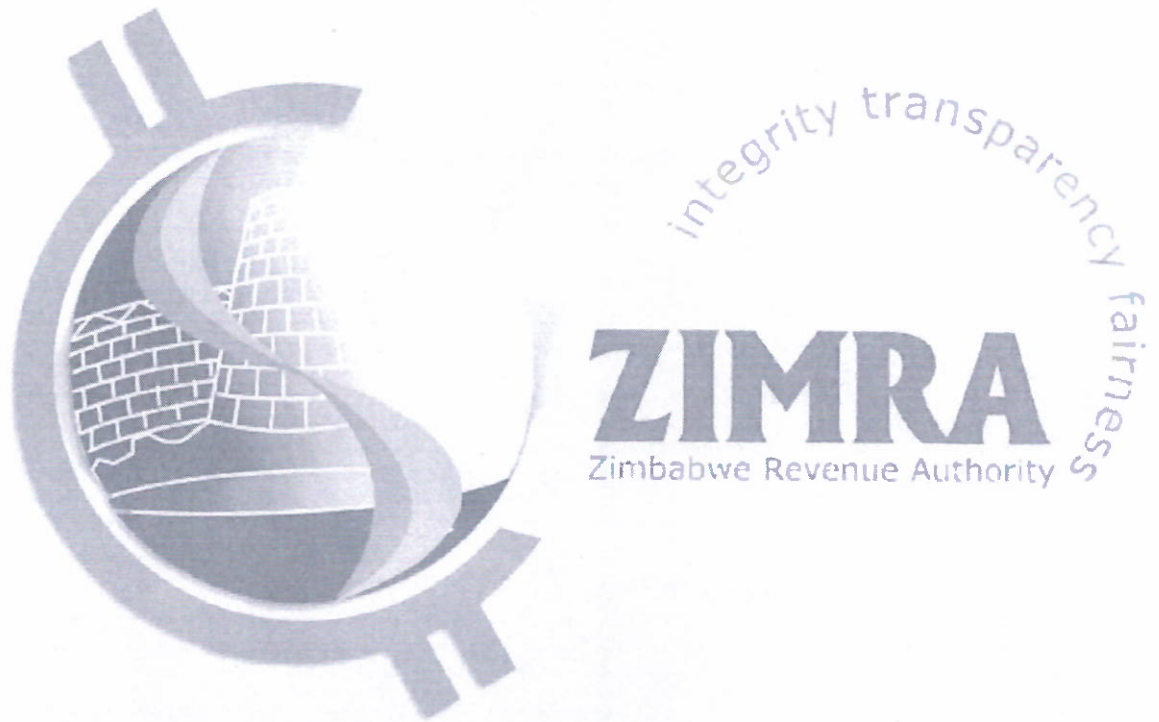


**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022



STANDARD BIDDING DOCUMENT

FOR THE

PROVISION OF NON-CONSULTING SERVICES

DOMESTIC TENDER

ZIMRA NCB 50/2022



SEPTEMBER 2022

**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

**Standard Bidding Document for the Procurement of Auctioneering Services for Obsolete
and Redundant assets – 2 Year Contract**

Procurement Reference No:

Domestic Tender ZIMRA NCB 50/2022

Procuring Entity:

Zimbabwe Revenue Authority (ZIMRA)

Date of Issue:

09 SEPTEMBER 2022

Closing date

07 OCTOBER 2022



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

Table of Contents

Part 1: Bidding Procedures and Bid Submission Sheet

Part 2: Statement of Requirements

Part 3: Contract



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT
Procurement Reference Number: ZIMRA NCB50/2022**

PART 1: BIDDING PROCEDURES

References

The definitions used in the Public Procurement and Disposal of Public Assets Act [Chapter 22:23] (“the Act”), the Public Procurement and Disposal of Public Assets (General) Regulations (Statutory Instrument No. 5 of 2018) (“the Regulations”) and the General Conditions of Contract for the Procurement of Non-Consultancy Services apply to this Standard Bidding Document. The Act and the Regulations govern the submission of Bids and should be read by all Bidders.

Procurement Reference Number: Domestic Tender ZIMRA NCB 50/2022

Preparation of Bids

You are requested to bid for the items described 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 CR 14, CR6, a Certificate of Incorporation or equivalent document
4. A copy of every document necessary to demonstrate eligibility in terms of section 28 (1) of the Regulations;
5. Proof of supplier registration with the Procurement Regulatory Authority of Zimbabwe (Category SA003 for auctioneering services)
6. NSSA registration.
7. A Bid Security.
8. A valid current tax clearance (ITF 263)
9. VAT certificate or Proof of registration for VAT.
10. Bidders must have two (2) years’ experience in the successful provision of similar services
11. A copy of your company profile.
12. At least three (3) reference letters showing bidders’ direct experience in the successful provision of similar quality of the required services.

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. The standard forms in this document may be retyped for completion but the Bidder is



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

responsible for their accurate reproduction. All pages of the Bid must be clearly marked with the Procurement Reference Number above.

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 requirements are 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;

**The Director, Procurement Management Unit
Zimbabwe Revenue Authority (ZIMRA)
10th Floor, ZB Centre, Corner Kwame Nkrumah Ave/ 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.

Services to be performed, location(s) and other requirements

The services to be performed under the Contract, the location or locations where these services are to be performed, the times of performance and the manpower, equipment and other resources required and the supervising agent at these locations are stated in the Statement of Requirements in Part 2. Bidders must signify their acceptance of these requirements when submitting their Bid.



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

Documents establishing conformity of services

To establish the conformity of the Services to the Bidding Document, the Bidder must furnish as part of its Bid a proposed methodology, work plan and schedule to establish that the services will be carried out in accordance with the required technical specifications and quality standards.

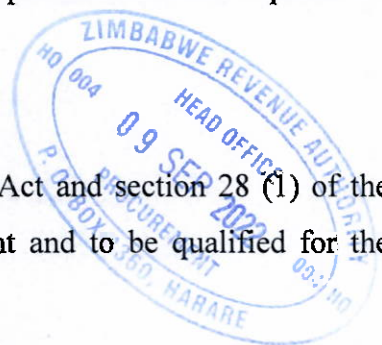
Standards for the provision of the Non-Consulting Services are intended to be descriptive only and not restrictive. The Bidder may offer in the Statement of Methodology, Work Plan and Schedule in this Part other standards of quality, provided that it demonstrates, to the Procuring Entity's satisfaction, that the substitutions ensure substantial equivalence or are superior to those specified.

Eligibility and qualification requirements

Bidders are required to meet the criteria in section 28 of the Act and section 28 (1) of the Regulations to be eligible to participate in public procurement and to be qualified for the proposed Contract. They must therefore

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;

In addition to these eligibility requirements, Bidders must demonstrate that they have the qualifications, resources and experience to perform the contract to satisfactory standards, as indicated in the Statement of Requirements.



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**

Procurement Reference Number: ZIMRA NCB50/2022

Participation in this bidding procedure is open to Zimbabwean bidders **ONLY**.

Validity of Bids

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

Submission of Bids

Bids shall be submitted in both **soft copy (1) on a readable disk/flash drive and hard copies in a sealed envelope** to the address below, no later than the date and time of the deadline below.

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.

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.

Date of deadline	07 October 2022	Deadline Time:	1000Hours Harare time (GMT + 2 hours)
Submission address:	The Director Procurement Zimbabwe Revenue Authority (ZIMRA) 10 th Floor ZB Centre Corner Kwame Nkrumah Ave/ First Street Harare		



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

	Zimbabwe
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.

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.

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 in the Price Schedule included in Part 2: Statement of Requirements.

Bid Security

The Bidder must include Bid Security of **ZWL800, 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 of bidding, will be rejected by the Procuring Entity as non-responsive.

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

Option 2



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT
Procurement Reference Number: ZIMRA NCB50/2022**

Submission of bank guarantee

A standard bank Guarantee of **ZWL800,000.00** 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 **ZWL800,000.00** for the Bid Security that shall be Refundable at the end of the bid validity period plus another **ZWL60, 000.00** that shall be non-refundable for cash bid bond establishment fee in line with Part 1V 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)



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

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 submits 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.

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 Regulation and to confirm that the Bid is administratively compliant in terms of section 28(2) of the Regulation.
2. Technical evaluation to determine their substantial responsiveness to the specifications in the Statement of Requirements;
3. Financial evaluation and comparison to determine the evaluated Commission rate charged to determine the lowest evaluated Bid.

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



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

Evaluation criteria

1. Eligibility and Qualification Criteria

Evaluation Parameter	Compliant /Non - Compliant
Suppliers must be registered with the Procurement Regulatory Authority of Zimbabwe (PRAZ) - Category SA003 for auctioneering services and proof of registration must be submitted with the bid.	
Submit NSSA registration certificate	
A valid tax clearance certificate (ITF 263)	
A copy of CR 14, CR6, a Certificate of Incorporation or equivalent documents.	
Declaration of any Litigation. It must be from Bidder's Attorney/Legal Practitioner on company letter head and signed for. If any, Details of Litigation should be specified and how this may affect the contract.	
Bidders must confirm in writing the following on their Company letter head and signed for: • to have the legal capacity to enter into a contract; • not have had business activities suspended and not be the subject of legal proceedings for any of these circumstances • Not owing ZIMRA any proceeds from any Auctioneering service rendered	



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

2. Administrative compliance

Evaluation Parameter	Compliant /Non - Compliant
Bid validity of 90 days	
Bid security of ZWL800,000.00	
Signed Bid Submission Sheet in this Part;	
The Statement of Requirements in Part 2	
A copy of your company profile	
Submit VAT certificate or Proof of registration for VAT.	
At least three (3) reference letters showing bidders' direct experience in the successful provision of similar quality of the required services	

Commission

Bidder must state Percentage (%) Commission rate on Gross Proceeds.

Award of Contract

The lowest evaluated bid, after the 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 the 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.



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

Bidders must bid for the entire Lot, as the tender will be awarded per lot. The award of one Lot must not be conditional to the award of other lots. In order to spread risk of interrupted delivery due to industrial action or such other causes, it is intended that compliant bidders be limited to no more than one (1) Lot each. The tender will be awarded per lot.

NB: In the event of a tie, a raffle will be conducted in order to select the winning Bidder per Lot in the presence of an Independent observer (Auditor General).

Right to Reject

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

Corrupt Practices

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 has 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 debarment and other sanctions under section 74 (1) of the Regulations; and
3. Any conflict of interest on the part of the Bidder must be declared.



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

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 Price Schedule and Statement of Methodology, Work Plan and Schedule together with any other documents requested in Part 1. Any variation from the Statement of Requirements should be indicated in the Statement of Methodology, Work Plan and Schedule, otherwise you commit to complying fully with these Requirements.

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 should 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 perform the services listed in the Statement of Requirements to the indicated specifications and standards, 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.



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

Bid Authorised by:

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



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

Part 2: Statement of Requirements

The following specific requirements for the Non-Consulting Services to be procured complement, supplement, or amend the provisions in the Bidding Procedures. Whenever there is a conflict, the provisions set out below prevail over those in the Bidding Procedures.

Subject	Requirement
Services to be performed	Auctioneering services for ZIMRA obsolete and redundant assets.
Auction venues	ZIMRA will provide auction venues. <u>Region 1</u> • Harare • Kariba, Chirundu Border post • Nyamapanda <u>Region 2</u> • Victoria Falls • Mhlahlandela Bulawayo • Plumtree <u>Region 3</u> • Gweru and Kwekwe • Masvingo, Chiredzi • Mutare <u>Beitbridge</u> Beitbridge Border post
Duration of contract	2 years -auctions to be done as and when needed, normally done quarterly per station.
Experience	Bidders must have two (2) years' experience in the successful provision of similar services



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

Security	Bid must state security measures to be implemented after being handed over auction items.
Commission	State % commission rate on Gross Proceeds
Supervision of performance	ZIMRA Administration division shall supervise and certify that the work has been done to satisfaction.
Auction venue	ZIMRA shall provide venue for the Auctions



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

Part 3: Contract

CONTRACT AGREEMENT

{For completion with the authorised representative of the Procuring Entity following Notification of Contract Award.}

Procurement Reference:

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

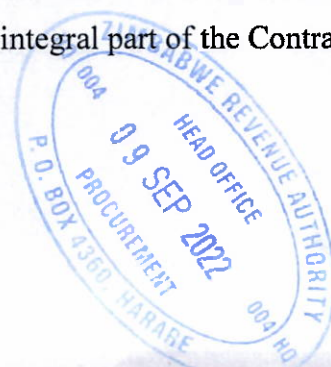
BETWEEN

- (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 Services, viz., *[insert brief description of Services]* and has accepted a Bid by the Contractor for the performance of those Services in the sum of *[insert Contract Price in words and figures, expressed in the Contract currency]* (hereinafter called “the Contract Price”).

THE PROCURING ENTITY AND THE CONTRACTOR AGREE AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively 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;

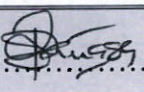
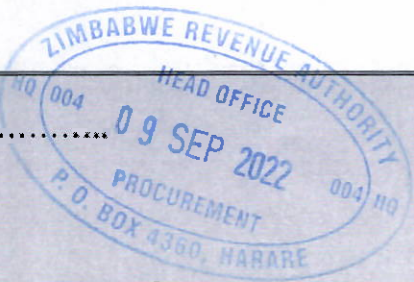


**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

- (b) Special Conditions of Contract;
 - (c) General Conditions of Contract;
 - (d) Schedule of Requirements;
 - (e) The Contractor's Bid Submission Sheet, List of Services and Price Schedule and Statement of Methodology, Work Plan and Schedule;
 - (f) The Procuring Entity's Notification of Contract Award;
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 for 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 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 for the performance of the 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:	R.S. CHIRUMASA	
In the capacity of:	[Title or other appropriate designation] Commissioner General	

**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

For and on behalf of the Contractor

Signed:

Name:

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



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

General Conditions of Contract

Any resulting contract is subject to the Zimbabwe General Conditions of Contract (GCC) for the Procurement of Non-Consulting Services (copy available on the Authority's website) except where modified by the Special Conditions below.

Special Conditions of Contract

Procurement Reference Number: NCB 50/2022

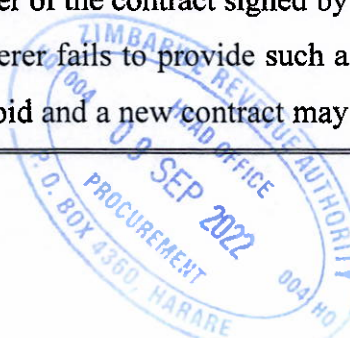
The clause numbers given in the first column correspond with the relevant clause number of the General Conditions of Contract.

GCC reference	Special Conditions
GCC 3.6 and 8.1	Authorised representatives: 1. The authorised representative of the Procuring Entity is <i>[names and contact details, including address for delivery of notices]</i> . 2. The authorised representative of the Contractor is <i>{names and contact details, including address for delivery of notices}</i> .
GCC 7.4	Ineligible countries: Nationals of the following countries are ineligible to be a Contractor or Sub-Contractor under this Contract. <i>Non Zimbabwean Nationals</i>
GCC 18.1	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



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

GCC reference	Special Conditions
	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.
GCC 19.1	Commencement of Services: The date or period of time for commencement of services is <i>from Contract Signature</i>
GCC 20.1	Completion of Services: The period within which the Services are required to be performed is two (2) years
GCC 22.2	Contract price: Costs specifically excluded from the Contract price are : <i>N/A</i>
GCC 22.3	Terms of Payment: The structure of payments shall be: Contracts with suppliers will be signed and paid in Real Time Gross Settlement (ZWL\$) On Acceptance: The percentage (%) of gross proceeds shall be paid to the Auctioneer within thirty (30) days after the date of the acceptance certificate for the respective delivery issued by the Procuring Entity.
GCC 30.1	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.
GCC 35.1	Performance security: The successful tenderer will be requested to provide a guarantee of USD\$4 000.00 payable at the prevailing interbank rate on the date of payment endorsed by a registered Commercial Bank located in Zimbabwe acceptable to ZIMRA when countersigning the contract. The performance guarantee must be delivered within 14 days after receipt by the tenderer of the contract signed by the last part of to the contract. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

GCC reference	Special Conditions
	be drawn up and sent to the tenderer which has submitted the next most economically advantageous, compliant tender.



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

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]



**BIDDING DOCUMENT FOR THE PROVISION OF AUCTIONEERING SERVICES
FOR OBSOLETE AND REDUNDANT ASSETS – 2 YEAR CONTRACT**
Procurement Reference Number: ZIMRA NCB50/2022

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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