

**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS OF AT 1.KENMAUR (LUPANE), 2.KAMATIVI (HWANGE) AND 3.SUSAMOYA. (MUTOKO) FOR ZIM-DIGITALISATION PROJECT .**

**PROCUREMENT REFERENCE No: BAZ/COMP/DOM/04/2021**

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**BROADCASTING AUTHORITY OF ZIMBABWE**



**DOMESTIC COMPETITIVE BIDDING  
FOR THE  
SUPPLY, DELIVERY AND INSTALLATION OF 60000BTU  
UNDERCEILING AIR CONDITIONERS  
PROCUREMENT REFERENCE NO:  
BAZ/COMP/DOM/04/2021**

**PUBLICATION DATE: 29 OCTOBER 2021**

**CLOSING DATE:: FRIDAY, 03 DECEMBER 2021, AT 10:00  
AM**

**VENUE: BROADCASTING AUTHORITY OF ZIMBABWE  
27 BOSCOBEL WEST DRIVE, HIGHLANDS, HARARE**

**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS OF AT 1.KENMAUR (LUPANE), 2.KAMATIVI (HWANGE) AND 3.SUSAMOYA. (MUTOKO) FOR ZIM-DIGITALISATION PROJECT .**

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# **BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS**

**PROCUREMENT REFERENCE NO: BAZ/COMP/DOM/04/2021**

**PART 1 BIDDING PROCEDURES**

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## **PART 1: BIDDING PROCEDURES**

### **References:**

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

**Procurement Reference Number: BAZ/COMP/DOM/04/2021**

### **Preparation of Bids**

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

1. the Bid Submission Sheet in this Part;
2. the Statement of Requirements in Part 2;
3. a copy of every document necessary to demonstrate eligibility in terms of section 28 (1) of the Regulations;

### **THE FOLLOWING MANDATORY DOCUMENTS ARE REQUIRED WHEN RESPONDING TO THIS TENDER DOCUMENT:**

1. Copy of Company profile
2. Copy of CR 14 (List of Directors) or equivalent in your country,
3. Copy of Certificate of Incorporation or equivalent in your country
4. Copy of Current tax clearance if it is a Zimbabwean company
5. Copy of Valid NSSA Registration or receipt for Zimbabwean Companies.
6. Supplier Registration number certificate that you are registered with the Procurement Regulatory Authority of Zimbabwe in the category of air conditioners and refrigerator maintenance services—(Service Category S/A/001)
7. State payment terms of which BAZ may consider payment after delivery.
8. Signed bid declaration form stating you are not solvent, conflicted and debarred from participating in tendering process in Zimbabwe
9. Attach copy of manufacture dealership or principal or a letter of undertaking if you the original equipment manufacture
10. Your bid validity should be at least 60 days from date of tender submission ( you must indicate this in your bid)
11. Your price should be Delivery Duty Paid, Kenmaur, Lupane, Susamoya ( Mutoko) and Kamativi ( Hwange)
12. A bid security or bid securing declaration letter or form stating you are not conflicted, insolvent and you are not de-barred.
13. At least three (3) references of similar contracts.
14. State delivery period of which BAZ considers at most 4 works after contract signing for all sites

# **BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS**

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## **PART 1 BIDDING PROCEDURES**

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

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

### **Number of bids allowed**

No Bidder may submit more than one bid, either individually or as a joint venture partner in another Bid, except as a subcontractor. **The procurement is divided into three (3) lots, only one (1) bid should be submitted. Bidders are allowed to bid for any or all of the three (3) lots.** 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 up to 12<sup>th</sup> of **November 2021** and should be sent to

**CHIEF EXECUTIVE OFFICER(A)  
27 BOSCOBEL DRIVE WEST  
HIGHLANDS  
HARARE**

**EMAIL: [matthias@baz.co.zw](mailto:matthias@baz.co.zw) OR [procurement@baz.co.zw](mailto:procurement@baz.co.zw)**

### **Validity of Bids**

The minimum period that the Bidder's bid must remain valid is **sixty (60) days** from the deadline for the submission of bids.

### **Submission of Bids**

Bids must be submitted in writing in a sealed envelope to the address below, no later than the date and time of the deadline below. It is the Bidder's responsibility to ensure that they receive a receipt confirming submission of their Bid with 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. The Bidder must prepare one original of the documents comprising the Bid and clearly mark it "ORIGINAL." In addition, state the number of copies of the Bid, which must be clearly marked "COPY." 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.

# BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS

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## PART 1 BIDDING PROCEDURES

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**Date of deadline:** 03 December 2021 **Deadline Time:** 1000hrs

**Submission address:** 27 Boscobel Drive West, Highlands, Harare

**Means of acceptance:** Sealed bids marked with the tender number and closing date and time to be deposited in the Tender Box at the Broadcasting Authority of Zimbabwe reception. To the attention of ;, The Accounting Officer, 27 Boscobel, west drive, Highlands, Harare

### **Bid opening**

**One (1)** representative for each bidder may witness the opening of bids, which will take place at the submission address immediately following the deadline.

### **Withdrawal, amendment or modification of Bids**

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

### **Delivery Requirements**

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

### **Bid Prices and Discounts**

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

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

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

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

### **Bid Security**

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# **BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS**

**PROCUREMENT REFERENCE NO: BAZ/COMP/DOM/04/2021**

## **PART 1 BIDDING PROCEDURES**

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The Bidder must include:

A “Bid-Securing Declaration” using the form included in Part 2.

Any bid not accompanied by a Bid Security or Bid Securing Declaration, where this is a requirement of bidding, will be rejected by the Procuring Entity as non-responsive.

The Bid Security or Bid- Securing Declaration 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 or Bid-Securing Declaration 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 Regulations and to confirm that the Bid is administratively compliant in terms of section 28 (2) of the Regulations.
2. Technical evaluation to determine substantial responsiveness to the specifications in the Statement of Requirements;
3. Financial evaluation and comparison to determine the evaluated price of bids and to determine the lowest evaluated bid.

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

### **Evaluation criteria**

The Procuring Entity’s evaluation of a Bid will take into account, in addition to the Bid Price, the following criteria and methodologies.

- (a) **Delivery schedule:** The specified Goods are required to be delivered by the date indicated in the Delivery Schedule in Part 2. Bids offering delivery after the date shall be treated as non-responsive.
- (b) **Deviation in payment schedule:** The payment schedule is stated in the Special Conditions of Contract (SCC) in Part 3. A Bidder may propose a deviation from the schedule and if the deviation is considered acceptable to the Procuring Entity, the Bid will be evaluated by calculating interest earned for any earlier payments involved in the terms outlined in the Bid as compared with those stipulated in the SCC, at the rate of interest indicated by the Reserve Bank of Zimbabwe on the closing date for submission of bids.

### **Eligibility and Qualification Criteria**

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

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

# **BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS**

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## **PART 1 BIDDING PROCEDURES**

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7. have been registered with the Authority as a Supplier and have paid the applicable Supplier Registration Fee set out in Part III of the Fifth Schedule to the Regulations.

Participation in this bidding procedure is restricted to Zimbabwean bidders and Certificate of Incorporation must be attached.

### **Origin of Goods**

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

### **Technical Criteria**

The Technical Specifications Sheet details the minimum specification of the goods required. The goods offered must meet this specification, but no credit will be given for exceeding the specification.

### **Currency**

Bids should be priced in **United States Dollars, payments will be made in Zimbabwean Dollars at RBZ prevailing interbank auction rate of the day OR Zimbabwean dollars only**

### **Award of Contract**

The lowest evaluated bid, after application of any additional evaluation criteria, including any margin of preference, which is substantially responsive to the requirements of this bidding document will be recommended for award of contract. The proposed award of contract will be by issue of a Notification of Contract Award in terms of section 55 of the Act which will be effective until signature of the contract documents in accordance with Part 3: Contract. Unsuccessful Bidders will receive the Notification of Contract Award and, if they consider they have suffered prejudice from the process, they may within 14 days of receiving this Notification, submit to the Procuring Entity a Challenge in terms of section 73 of the Act, subject to payment of the applicable fee set out in section 44 of and the Third Schedule to the Regulations.

### **Right to Reject**

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

### **Corrupt Practices**

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

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

**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS**

**PROCUREMENT REFERENCE NO: BAZ/COMP/DOM/04/2021**

**PART 1 BIDDING PROCEDURES**

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**Bid Submission Sheet**

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

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

Procurement Reference Number:

Subject of Procurement:

Name of Bidder:

Bidder’s Reference Number:

Date of Bid:

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

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

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

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

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

**Bid Authorised by:**

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



**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION  
OF 60000BTU AIR CONDITIONERS**

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**PART 1 BIDDING PROCEDURES**

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**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION  
OF 60000BTU AIR CONDITIONERS**

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**PART 2 STATEMENT OF REQUIREMENTS**

**PART 2: STATEMENT OF REQUIREMENTS**

<b>NAME OF BIDDER:</b>	
<b>BIDDER'S REFERENCE NUMBER:</b>	
<b>PLACE OF DELIVERY &amp; INSTALLATION</b>	Kenmaur (Lupane), Kamativi (Hwange) & Susamoya. (Mutoko)

**LIST OF GOODS AND PRICE SCHEDULE**

**LOT 1 Kenmaur (Lupane)**

**Currency of Bid: .....**

Item No <sup>1</sup>	Description of Goods	Quantity <sup>2</sup>	Unit Price <sup>3</sup> [to be provided by the Bidder]	Total Price <sup>4</sup> [to be provided by the Bidder]
1.	Supply, Delivery , Installation And Commissioning Of 60000 Btu Underceiling Air conditioners;			
	Other transport / administrative costs			
	<b>Total Before VAT</b>			
	14.5% VAT			
	<b>Total</b>			

**LOT 2 Kamativi (Hwange)**

**Currency of Bid: .....**

Item No <sup>1</sup>	Description of Goods	Quantity <sup>2</sup>	Unit Price <sup>3</sup> [to be provided by the Bidder]	Total Price <sup>4</sup> [to be provided by the Bidder]
1.	Supply, Delivery , Installation And Commissioning Of 60000 Btu Underceiling Air conditioners;			
	Other transport / administrative costs			
	<b>Total Before VAT</b>			
	14.5% VAT			
	<b>Total</b>			

**LOT 3 Susamoya. (Mutoko)**

**Currency of Bid: .....**

Item No <sup>1</sup>	Description of Goods	Quantity <sup>2</sup>	Unit Price <sup>3</sup> [to be provided by the Bidder]	Total Price <sup>4</sup> [to be provided by the Bidder]
1.	Supply, Delivery , Installation And Commissioning Of 60000 Btu Underceiling Air conditioners;			
	Other transport / administrative costs			
	<b>Total Before VAT</b>			
	VAT			
	<b>Total</b>			

Note 1: Lots and packages should be shown as separate items.

Note 2: The description or quantity must indicate the unit of measure where relevant.

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**PART 2 STATEMENT OF REQUIREMENTS**

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Note 3: Unit and total prices must be for delivery through to the final destination stated in Part 1.

Note 4: Include any additional costs, such as installation or commissioning.

The price to be quoted in the Price Schedule must be the total price of the bid, excluding any discounts offered.

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**PART 2 STATEMENT OF REQUIREMENTS**

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## **Delivery Schedule**

Name of Bidder:

Bidder's Reference Number:

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

<b>Item No</b>	<b>Description of Goods</b>	<b>Quantity</b>	<b>Delivery Date Required by Procuring Entity and applicable INCOTERM</b>	<b>Bidder's offered Delivery period</b>
			<i>[Completed by Procuring Entity]</i>	<i>{to be provided by the Bidder}</i>
1	60000 BTU UNDERCEILING AIRCONDITIONERS; FOR Kenmaur (Lupane), Kamativi (Hwange) & Susamoya. (Mutoko)	3	Delivery Duty Paid Harare 4 WEEKS	

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

The Project Site for delivery of the goods is **Kenmaur (Lupane), Kamativi (Hwange) & Susamoya. (Mutoko)** the final destination:

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**PART 2 STATEMENT OF REQUIREMENTS**

## Technical Specification and Compliance Sheet

Name of Bidder:

Bidder's Reference Number:

*The Goods and Related Services must comply with following Technical Specifications and Standards:*

*[Columns a and b are completed by the Procuring Entity. Column c must be completed by the Bidder to indicate the full specification of the items offered and their compliance with the specification required (in Column b)]*

<i>a</i>	<i>b</i>	<i>c</i>																																																													
<b>Item No</b>	<b>Item description and full technical Specification required (including applicable standards)</b>	<b>{Confirm full specification of items offered by Bidder <u>and</u> compliance of items to detail in column b}</b>																																																													
<b>1</b>	<table border="1"> <thead> <tr> <th align="left">Aspect</th> <th align="left">Required Specification</th> </tr> </thead> <tbody> <tr> <td>Make</td> <td>Under-ceiling fixed speed cassette</td> </tr> <tr> <td>Nominal Capacity</td> <td>55k</td> </tr> <tr> <td rowspan="2">Performance Rating</td> <td>Cooling (kW)</td> <td>15.0</td> </tr> <tr> <td>Cooling Btu/h</td> <td>51000</td> </tr> <tr> <td>EER</td> <td>Cooling (W/W)</td> <td>2.50</td> </tr> <tr> <td>COP</td> <td>Cooling (W/W)</td> <td>2.90</td> </tr> <tr> <td>Indoor fan motor</td> <td>Quantity</td> <td>2</td> </tr> <tr> <td>Indoor air flow (High/Medium/Low)</td> <td>m3/h</td> <td>2300/1800/1600</td> </tr> <tr> <td>Indoor noise level (High/Medium/Low)</td> <td>dB(a)</td> <td>55/51/48</td> </tr> <tr> <td rowspan="2">Indoor Unit</td> <td>Dimension (WxDxH)</td> <td>1650x675x235</td> </tr> <tr> <td>Net Weight (kg)</td> <td>39</td> </tr> <tr> <td>Design Pressure</td> <td>MPa</td> <td>4.2/1.5</td> </tr> <tr> <td>Temperature Range</td> <td>Cooling (degrees C)</td> <td>17-32</td> </tr> <tr> <td>Max. Input Consumption</td> <td>(W)</td> <td>7500</td> </tr> <tr> <td>Max. Input Current</td> <td>(A)</td> <td>12.6</td> </tr> <tr> <td>Outdoor fan motor</td> <td>Quantity</td> <td>2</td> </tr> <tr> <td>Outdoor Noise Level (Sound Pressure)</td> <td>dB(A)</td> <td>63</td> </tr> <tr> <td>Outdoor Max. Air flow</td> <td>M3/h</td> <td>6500</td> </tr> <tr> <td>Outdoor Unit</td> <td>Dimension (WxDxH) mm</td> <td>Must not exceed 900x340x1167</td> </tr> <tr> <td>Refrigerant</td> <td>Type</td> <td>R410A</td> </tr> <tr> <td>Compressor Capacity</td> <td>Btu/h</td> <td>at least 55957</td> </tr> </tbody> </table>	Aspect	Required Specification	Make	Under-ceiling fixed speed cassette	Nominal Capacity	55k	Performance Rating	Cooling (kW)	15.0	Cooling Btu/h	51000	EER	Cooling (W/W)	2.50	COP	Cooling (W/W)	2.90	Indoor fan motor	Quantity	2	Indoor air flow (High/Medium/Low)	m3/h	2300/1800/1600	Indoor noise level (High/Medium/Low)	dB(a)	55/51/48	Indoor Unit	Dimension (WxDxH)	1650x675x235	Net Weight (kg)	39	Design Pressure	MPa	4.2/1.5	Temperature Range	Cooling (degrees C)	17-32	Max. Input Consumption	(W)	7500	Max. Input Current	(A)	12.6	Outdoor fan motor	Quantity	2	Outdoor Noise Level (Sound Pressure)	dB(A)	63	Outdoor Max. Air flow	M3/h	6500	Outdoor Unit	Dimension (WxDxH) mm	Must not exceed 900x340x1167	Refrigerant	Type	R410A	Compressor Capacity	Btu/h	at least 55957	
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The detailed technical evaluation will examine the technical specification of the items offered in column c and determine whether this meets the minimum specification in column b. Bidders must complete column c or their tender will be rejected. **Bidders are required to include technical literature to positively support the details provided in column c.**

**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION  
OF 60000BTU AIR CONDITIONERS**

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**PART 2 STATEMENT OF REQUIREMENTS**

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**Declaration by the Accounting Officer**

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

.....

**M. CHAKANYUKA**

**CHIEF EXECUTIVE OFFICER (A)**

**BROADCASTING AUTHORITY OF ZIMBABWE**

**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION OF 60000BTU AIR CONDITIONERS**

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**PART 2 STATEMENT OF REQUIREMENTS**

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**Bid-Securing Declaration**

*{The Bidder must fill in this Form in accordance with the instructions indicated, where it has been stated in the Bidding Procedures that a Bid-Securing Declaration is a requirement of bidding}.*

Procurement Reference number:

Date: .....[date (in day, month and year format)]

Bidder's Reference Number:

To: *{full name of Procuring Entity}*

We, the undersigned, declare that:

We understand that, according to the terms and conditions of your bidding documents, bids must be supported by a Bid-Securing Declaration.

We accept that we may be debarred from bidding for any contract with a Procuring Entity in Zimbabwe for a period of time to be determined by the Authority, if we are in breach of our obligation(s) under the bidding conditions, because:

- (a) we have withdrawn our Bid during the period of Bid validity; or
- (b) having been notified of the acceptance of our Bid by the Procuring Entity during the period of bid validity, we fail or refuse to execute the Contract.

We understand this Bid Securing Declaration will expire if we are not the successful Bidder, either when we receive your notification to us of the name of the successful Bidder, or twenty-eight days after the expiration of our Bid, whichever is the earlier.

**Signed** ..... **Name:** .....

**In capacity of:** ..... **Date:** .....(DD/MM/YY)

**Duly authorised for and on behalf of:**

**Company** .....

**Address:** .....

**Corporate Seal (where appropriate)**

*{Note: In case of a Joint Venture, the Bid Securing Declaration must be in the name of all the partners to the Joint Venture that submits the Bid.}*

**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND INSTALLATION  
OF 60000BTU AIR CONDITIONERS**

**PROCUREMENT REFERENCE NO: BAZ/COMP/DOM/04/2021**

**PART 3      CONTRACT**

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**PART 3 CONTRACT**



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**PART 3 CONTRACT**

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## **Contract Agreement**

### **Procurement Reference:**

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

BETWEEN

- (1) Broadcasting Authority of Zimbabwe, a *corporation incorporated under the laws of Zimbabwe* and having its principal place of business at 27 Boscobel Drive West, Highlands, Harare (hereinafter called “the Procuring Entity”), and
- (2) *[insert name of Contractor]*, a corporation incorporated under the laws of *[insert: country of Contractor]* and having its principal place of business at *[insert full postal address of Contractor]* (hereinafter called “the Contractor”).

WHEREAS the Procuring Entity invited Bids for certain Goods and ancillary services, viz., Supply and Installation of 60000BTU Air Conditioners and has accepted a Bid by the Contractor for the supply of those Goods and Services in the sum of *[insert Contract Price in words and figures, expressed in the Contract currency]* (hereinafter called “the Contract Price”).

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are assigned to them in the General and Special Conditions of Contract referred to below.
2. The following documents shall constitute the Contract between the Procuring Entity and the Contractor, and each shall be read and construed as an integral part of the Contract:
  - (a) This Contract Agreement;
  - (b) Special Conditions of Contract;
  - (c) General Conditions of Contract;
  - (d) Technical Requirements (including Schedule of Requirements and Technical Specifications);
  - (e) The Contractor’s Bid, original Price Schedules and Delivery Schedule;
  - (f) The Procuring Entity’s Notification of Contract Award;
3. This Contract Agreement shall prevail over all other Contract Documents. In the event of any discrepancy or inconsistency within the Contract Documents, then the documents shall prevail in the order listed above.
4. In consideration of the payments to be made by the Procuring Entity to the Contractor as mentioned below, the Contractor hereby agrees with the Procuring Entity to provide

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the Goods and Services and to remedy any defects in them in conformity with the Contract.

5. The Procuring Entity hereby agrees to pay the Contractor in consideration of the provision of the Goods and Services and the remedying of any defects in them, the Contract Price or such other sum as may become payable under the Contract at the times and in the manner prescribed by the Contract.

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

**For and on behalf of the Procuring Entity**

Signed: .....

Name:

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

**For and on behalf of the Contractor**

Signed: .....

Name:

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

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**General Conditions of Contract**

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

**Special Conditions of Contract**

Procurement Reference Number: .....

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

<b>GCC reference</b>	<b>Special Conditions</b>
<b>GCC 7.5</b>	<b>Eligible Countries:</b> All countries are eligible.
<b>GCC 8.1</b>	<b>Notices:</b> Any notice shall be sent to the following addresses:  <i>Chief Executive Officer</i>  <i>Broadcasting Authority of Zimbabwe</i>  <i>27 Boscobel Drive West</i>  <i>Highlands</i>  <i>Harare</i>  For the Procuring Entity, the address shall be as given in the Contract document and the contact shall be <i>[state name of contact and the location where he/she can be found]</i> .  For the Contractor, the address shall be as given in the Bid and the contact shall be <i>{state name of contact}</i>
<b>GCC 19.1</b>	<b>Liquidated Damages:</b> Liquidated Damages in terms of section 88 of the Act shall apply. <i>The rate of liquidated damages shall be 0.05% of the contract price per week up to 10%. Thereafter the contract shall be subject to cancellation</i>

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GCC reference	Special Conditions
GCC 21.2	<p><b>Packing, Marking and Documentation:</b> The goods shall meet the following special packing requirements in addition to the general requirements stated in GCC clause 21.1 Suitable Packaging.</p> <p>The documents to be furnished by the Contractor are:</p> <ol style="list-style-type: none"> <li>1. A negotiable bill of lading when the goods are coming by sea</li> <li>2. An airway bill, when the goods are coming by Air</li> <li>3. A road consignment note, when the goods are coming by road</li> <li>4. Insurance certificate,</li> </ol> <p><b>For Imported Goods:</b></p> <p>Upon shipment, the Contractor shall notify the Procuring Entity and the insurance company in writing of the full details of the shipment. In the event of Goods sent by airfreight, the Contractor shall notify the Procuring Entity a minimum of forty-eight (48) hours ahead of dispatch, the name of the carrier, the flight number, the expected time of arrival, and the waybill number. The Contractor shall email and then send by courier the following documents to the Procuring Entity, with a copy to the insurance company:</p> <ol style="list-style-type: none"> <li>(i) one original and two copies of the Contractor’s invoice, showing the Procuring Entity as the consignee; the Contract number, Goods description, quantity, unit price, and total amount. Invoices must be signed in original;</li> <li>(ii) one original and two copies of the negotiable, clean, on-board through bill of lading marked “freight prepaid” and showing Procuring Entity as the consignee and Notify Party as stated in the Contract, with delivery through to final destination as per the Schedule of Requirements and two copies of non-negotiable bill of lading, road consignment note, truck or air waybill, or multimodal transport document, marked “freight prepaid” and showing delivery through to final destination as per the Schedule of Requirements;</li> <li>(iii) two copies of the packing list identifying contents of each package;</li> <li>(iv) copy of the Insurance Certificate, showing the Procuring Entity as the beneficiary;</li> <li>(v) one original of the manufacturer’s or Contractor’s Warranty Certificate covering all items supplied;</li> <li>(vi) original copy of the Certificate of Inspection furnished to the Contractor by the nominated inspection agency and six copies <i>in line with CBCA Programme</i>.</li> </ol> <p><b>For Goods from within Zimbabwe</b></p> <p>Upon or before delivery of the Goods, the Contractor shall notify the Procuring Entity in writing and deliver the following documents to the Procuring Entity:</p> <ol style="list-style-type: none"> <li>(i) one original and two copies of the Contractor’s invoice, showing the Procuring Entity, the Contract number, Goods’ description, quantity, unit price, and total amount. Invoices must be signed in original;</li> </ol>
	<p style="text-align: center;"><i>Page 20 of 22</i></p> <ol style="list-style-type: none"> <li>(ii) two copies of delivery note, road consignment note, truck or air waybill, or multimodal transport document showing Procuring Entity as the consignee and delivery through to final destination as stated in the Contract;</li> </ol>

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<b>GCC reference</b>	<b>Special Conditions</b>
<b>GCC 22.1</b>	<b>Insurance:</b> The Goods shall be insured <i>in accordance with the specified Incoterms (Delivered Duty Paid)</i> .
<b>GCC 24.1</b>	<b>Performance security:</b> The Contractor shall provide a performance security of <i>ten (10) per cent</i> of the Contract Price. The performance security shall be denominated in the currency of the Contract and issued by a Bank located in Zimbabwe or a foreign Bank through correspondence with a Bank located in Zimbabwe or from another financial institution acceptable to the Procuring Entity. The format shall be based on the template following the Special Conditions of Contract in this Part.
<b>GCC 25.1</b>	<b>Warranty:</b> The period of the warranty shall be 12 months.
<b>GCC 25.6</b>	<b>Failure to remedy a defect:</b> The period allowed to the Contractor to remedy a defect during the period of the Warranty shall be 30 days.
<b>GCC 29.1</b>	<b>Price adjustments:</b> Prices shall be fixed for the duration of the contract unless agreed by both parties in writing.
<b>GCC 30.1</b>	<b>Terms of Payment:</b> The structure of payments shall be:  The structure of payments shall be:  (i)30 days after receipt of the Goods and upon submission of the documents specified in GCC Clause 13. Payment will be made in <b>Zimbabwean Dollars at prevailing auction rate</b> .
<b>GCC 31.1</b>	<b>Contract Administration Fee:</b> The Contract Administration Fee set out in Part V of the Fifth Schedule of the Regulations is due upon the signing of the Contract and the applicable Fee is \$ 1750.00

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**Bank Guarantee for Performance Security**

*[Delete page if no Performance Security is required in the SCC]*

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

Contract No:

Date:

To:

[Name and address of Procuring Entity]

**PERFORMANCE GUARANTEES No:**

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

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

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

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

Signature

Signature

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