



NOTICE TO BIDDERS

**RESPONSES ON REQUESTS FOR CLARIFICATION BY BIDDERS FOR:
PROVISION OF MULTIDISCIPLINARY ENGINEERING CONSULTANCY SERVICES
TO THE NATIONAL HOUSING ENTERPRISE (NHE) FOR A PERIOD OF THREE (3)
YEARS - CS/RP/NHE-03/23/24**

The due date to seek clarifications in terms of ITC 2.1 (instruction to consultants under the bid data sheet in the bidding document) is on Tuesday, 30 April 2024.

In terms of the procurement rules, clarification should be given to the bidder who request for clarification within three working days and communicate the clarification to other bidders to whom a bidding document has been provided.

However, NHE set up does not allow for the tracing of all bidders who downloaded the bidding documents, and therefore this notice is issued to communicate the clarifications to all bidders who submitted their requests for clarification and all other potential bidders.

#	REQUEST FOR CLARIFICATION	CLARIFICATION
1	<p>5) Experience in region Consultant must provide at least three supporting or reference letters from different local authority of the similar projects (architectural services) executed during the last three (3) years within the zone of interest.</p> <p>Very few architects will be able to provide this as we have been through a number of economically challenging years. Can this be from private clients as well or can the requirement be waived or reduced.</p> <p>Since you need 100% for the technical evaluation there will be no point in submitting if this remains a requirement</p>	<p>Bidders are advised to present whatever supporting evidence at hand.</p> <p>The method of selection is Quality alone Based Selection (QBS) hence the minimum technical score of 100 points.</p>
2	<p>At the bottom of page 57 of the ToR under 7 – Scope of Work, reference is made to "<i>Detailed Survey of project site location</i>". Can you please confirm whether reference is made to topographical surveying only or Cadastral Surveying as well where the services of a registered Professional Land Surveyor is required?</p>	<p>The site is already surveyed and pegged (Cadastral Surveying already done), hence this survey only includes topographical surveying or the study of the site’s existing conditions and potential obstacles to make informed decisions about the construction or development project.</p>

3 3.1	The bid calls for Multidisciplinary Engineering Consultancy Services, however Section 5.2A of the Bidding Data Sheet & Section 8B of the TOR calls for Civil Engineers & a QS as the main qualification criteria, could you kindly advise if this is correct?	Multidisciplinary services refer to a combination of various engineering disciplines such as civil, structural, mechanical, electrical etc. However, there is a sperate bid for Quantity Surveying and any bidder who fail to include QS information for this bid will not be penalized. Other engineering disciplines will be considered as substitutes.
3.2	Section 5.2A of the Bidding Data Sheet calls for bidders to submit proof of office location, could you kindly advise if the Certificate of Fitness shall suffice as proof of this and if not, kindly advise on what should be submitted?	Any proof such as title deeds confirming ownership, lease/rental agreements of office space and or any other proof can be used. This should however be complemented by fitness certificates as indicated in the bidding document. Fitness certificates alone will be considered as stated.
3.3	Section 5.2A of the Bidding Data Sheet, Consultants Office Location consists of a total of 10 points. Kindly advise how these points shall be allocated if a consultant has multiple office locations with 3 years fitness certificates for each office and or perhaps 1 office with 3 years fitness certificates & the other offices with only 1- or 2-years fitness certificates?	The minimum requirement is three (3) fitness certificates for each of the three years and that will be the basis for assessment.
4	<p>We hereby request clarification with regards to 8(A)(i), Technical Proposals, on page 59, the part that says:</p> <p>"• Proof of valid Membership with Professional bodies (ACEN/ECN good standings) governing your profession in Namibia."</p> <p>Is there any reason a voluntary club like ACEN is listed in this bid document, and not other similar voluntary clubs like the Namibia Chamber of Consulting Engineering Firms, and why must companies submit good standings from the club?</p> <p>Kindly be advised that ACEN is a voluntary association. It does not have a legal mandate in form of any law or Act of Parliament to "govern" the engineering profession in Namibia, but a few willing companies subscribe simply on a voluntary basis as a privately-run club under the freedom of association. Only the Engineering Council of Namibia (ECN) has this exclusive mandate in terms of the Engineering Profession Act.</p> <p>Therefore, it is very important for clients, particularly state-owned entities, to only include in bidding documents those requirements as pertains to the ECN, and not any other body that does not have legal authority over the profession.</p> <p>We thus hereby request the NHE to amend the ACEN good standing requirement, as it is not a lawful requirement.</p>	<p>We are aware of the roles of the institutions referred to in the bidding document and ECN being a regulatory authority and the association to ACEN being voluntary. We are also cognizant of the fact that not all consultants and their professionals are affiliated to ACEN, but some are affiliated to other professional bodies, some of them that are not based in Namibia.</p> <p>The reason for combining the criteria is to assess whether you're in good standing with the ECN (which is mandatory) and to determine if you are affiliated to any other professional body such as ACEN or any other (which is voluntary).</p> <p>During our evaluation, emphasis is placed more on the regulatory authority good standing status and documentation and not necessarily the professional body.</p> <p>For example, if you have ECN document and do not have ACEN registration or you are affiliated to another body which is not ACEN, you will still be allocated your full score. But if you do not provide</p>

		<p>ECN documentation but only ACEN or any other professional body, you will be penalised for that.</p> <p>Registration to ACEN or any other professional body supplements the ECN good standing criteria, and it is only secondary to the primary requirement of ECN.</p>
5 5.1	<p>Instructions to Consultants – Bidding Data Sheet, 5.2 (a) (iii), requires a Quantity Surveyor (QS) amongst key professional staff, since this is an Engineering Bid can we assign a QS as a subconsultant or a freelancing Q. And also, can this Quantity Surveyor submit a separate bid CS/RP/NHE-04/23/24 without conflicting interest.</p>	<p>Yes, the QS can be a subconsultant or independent specialist of which their CVs must be submitted. For more information, please refer to clarification in 3.1 above</p>
5.2	<p>BDS 5.2 (a) (iii), Professional Registration/Membership. Please note that only ECN is the statutory governing body that requires registration and good standing for engineering practices in Namibia, ACEN is a voluntary organization and cannot be used as a pre-request in evaluating bids.</p>	<p>Please refer to clarification in 4 above.</p>
6 6.1	<p>The request is for multi-disciplinary Engineering Consulting Services, however the evaluation considers only the following key personnel:</p> <ul style="list-style-type: none"> a. Lead/Civil Engineer b. The Design Engineer / Civil Engineer 	<p>Please refer to clarification in 3.1 above.</p>
6.2	<p>or a multidisciplinary engineering RFP, we were expecting to have consideration for Electrical and Mechanical Engineers, is the RFP only for Civil / Engineers as both key personnel require only Civil Engineering degrees?</p>	<p>Please refer to clarification in 3.1 above.</p>
6.3	<p>The Design Engineer / Civil Engineer requires eight (8) years of experience while the Team Leader / Civil Engineer requires five (5) years of experience, is this correct?</p>	<p>Kindly distinct between team leader experience and design experience</p>
6.4	<p>An RFP for Quantity Surveyor (QS) is also running; however, the engineering RFP also requires a QS. Additionally, this position required a Civil Engineering or QS degree.</p>	<p>Please refer to clarification in 3.1 above.</p>
6.5	<p>The above leads us to conclude that this RFP is for Civil Engineering services rather than multidisciplinary engineering services.</p>	<p>Please refer to clarification in 3.1 above.</p>
6.6	<p>The specific experience of the Consultant is not clearly highlighted given that the requirements of key personnel are limited to civil engineering. We were of the opinion that the specific experience might be related to housing construction and/or renovation designs and construction supervision, and also for the design and supervision of municipal services for NHE houses and/or infrastructure (design and supervision of sewer reticulation, water reticulation, electrical reticulation (MV and LV), roads access facilities construction).</p>	<p>Please refer to clarification in 3.1 above.</p> <p>Also note that the evaluation of proposals will be aligned to the requirements stipulated in the bidding document.</p> <p>Bidders are advised to align their proposals to the requirements.</p>

6.7	The minimum technical score St required to pass is 100 points. Please advise as this may not be realistic given that 5.2(a) (ii) Adequacy of the proposed methodology and work plan and (iv) Suitability of the transfer of knowledge (training) program are subjective and cannot be scored based on a factual submission such as the rest of items under 5.2(a) example number of projects, number reference letters, membership certificate etc	Please refer to clarification in 1 above.
7 7.1	Should the technical proposal include Electrical Engineering experts or just Civil Engineering?	Multi-disciplinary engineering means all engineering fields mainly (Civil, Electrical, Mechanical and Structural) Please refer to clarification in 3.1 above.
7.2	Should we provide a Quantity Surveying expert for this tender (Multidisciplinary Engineering Consulting Services-CS/RP/NHE-03/23/24)) regardless of the separate tender for Quantity Surveying Services (CS/RP/NHE-04/23/24).	No Quantity surveying is stand alone in its own tender. Please refer to clarification in 3.1 above.
8 8.1	Appendix p49 and Section 8.a) ii refers: Can it be confirmed that fees will be charged in accordance with the Gazetted fees and not in accordance with the remuneration rates as given in the Appendix?	Affirmed
8.2	Financial Proposal Section 8.a) ii paragraph 4 refers: Does the "Fees for Services" mean the percentage fees of construction value as per Gazetted fees?	This means a fee for each particular service rendered.
8.3	Financial Proposal Section 8.a) ii refers: Due to the scope of the work being unknown at bid stage, the Financial Proposal will contain rates only for the items as specified and not a fixed fee or lump sum for the work overall. Will this be acceptable?	Affirmed
8.4	Special Conditions of Contract Clause 8.2 refers: Can Dispute Resolution be carried out by Mediation first, following that Adjudication by an Adjudicator appointed by the Engineering Professions Association of Namibia and failing that, then Arbitration only? So instead of FIDIC based in Switzerland we use the EPA based in Windhoek, Namibia?	Please note that FIDIC is used as an example I this part. However, NHE take note of your observation, and this will be a point for consideration at contract signing stage.