



**NATIONAL HOUSING ENTERPRISE**  
**PROCUREMENT MANAGEMENT UNIT**  
**STAGE ONE OF TWO-STAGE BIDDING PROCESS**  
**BIDDING DOCUMENT 1 OF 2 FOR PROCUREMENT OF**  
**NHE HOUSING DEVELOPMENT (TURNKEY)**  
**(CONSTRUCTION OF NHE NATIONAL CAPITAL PROJECTS FOR A PERIOD OF**  
**THREE (3) YEARS (TURNKEY)**

**PROCUREMENT REFERENCE NO: W/ONB/NHE-04/24/25**

**ISSUED ON:**

**18 OCTOBER 2024**

**CLOSING DATE:**

**06 DECEMBER 2024 @ 10H00 AM**

**COST: N\$ 300.00**

(Documents downloaded will be subject to the payment of this amount on submission of bids – Payments to be made by electronic funds transfer (EFT) only, to the account number indicated in the bidding document. Proof of payment should be attached to bid at submission, no late payments will be accepted.)

<b>Name of Bidder</b>		
<b>Contact Person</b>		
<b>E-mail Address</b>		
<b>Postal Address</b>		
<b>Physical Address</b>		
<b>Contact Number</b>	Work:	Mobile:
<b>VAT Registration No.</b>		

**National Housing Enterprise**  
7 Gen. Murtala Muhammed Ave, Eros, Windhoek, NAMIBIA  
Tel: 061 2927111, Fax: 061 222 941,  
[procurement@nhe.com.na](mailto:procurement@nhe.com.na)  
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## STAGE ONE

Documents downloaded will be subject to the payment of **N\$ 300.00** on submission of bids  
Payments should be made by electronic funds transfer (EFT) only, to the following account number:

Name of Account:

**NHE Creditors Account, Standard Bank Namibia, Main Branch,**

Account No.

**043208290,**

**Branch Code 082372**

Proof of payment should be attached to the bid document at submission. No late payments will be accepted. Bids without proof of payment will not be considered for evaluation.

(Please clearly indicate name of bidder and the procurement reference number on proof of payment. Name indicated should correspond with information of bid document submitted.)

### Mandatory documents to be read out at bid opening

In terms of section 50(4) of the Public Procurement Act, 2015 (Act No. 15 of 2015) as amended,

*“at a bid opening session, the name of the bidder, the total amount of each bid, any discount or alternative offered, the presence or absence of any bid security if required, and the documents referred to in section 50(2), are read out and recorded, and a copy of the record is made available to any bidder on request.”*

Kindly place the following mandatory documents after this page for ease of reference at bid opening:

#	Mandatory Document	Checklist by Bidder before submission	Checklist by NHE at bid opening
1	Valid certified copy of Company Registration documents		
2	An original or certified copy of a valid certificate of good standing with the Receiver of Revenue		
3	A valid certificate of good standing with the Social Security Commission or,  in the case where a company has no employees, confirmation letter from the Social Security Commission		
4	Affirmative action compliance: - Certified copy of certificate, or - Certified copy exemption, or - Certified copy of proof.		
5	Completed Undertaking in terms of section 138 of the Labour Act		
6			

The National Housing Enterprise will apply margins of preferences to this bid when evaluating bids for exclusive preference, in line with the provisions of the Code of Good Practice issued in terms of section 71 and 72 of the Public Procurement Act, 2015 (Act No. 15 of 2015) as amended.

# Standard Bidding Document

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## **PART 1 – Bidding Procedures**

# Section I - Instructions to Bidders

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## Section I - Instructions to Bidders

### A. General

#### 1. Scope of Bid

- 1.1 The Public Entity as defined<sup>1</sup> in Section II “Bidding Data Sheet” (**BDS**) also referred to herein as Employer invites bids for the construction of Works, as **described in the BDS** and Section VII, “Special Conditions of Contract” (SCC).

The name and identification number of the Contract are **provided in the BDS and the SCC**.

- 1.2 The successful Bidder shall be expected to complete the Works by the Intended Completion Period **specified in the BDS**.

- 1.3 Throughout these bidding documents, the terms:

- (a) the term “in writing” means communicated in written form (e.g., by mail, e-mail, fax,) with proof of receipt.
- (b) if the context so requires, “singular” means “plural” and vice versa.
- (c) “day” means calendar day unless otherwise stated; and

#### 2. Source of Fund

- 2.1 The Works shall be financed by the Public Entity’s own budgetary allocation, **unless otherwise stated in the BDS**.

#### 3. Public Entities Related to Bidding Documents

- 3.1 The public entities related to these bidding documents are the Public Entity, acting as procurement entity (Purchaser).

#### 4. Fraud and Corruption

- 4.1 The Government of the Republic of Namibia requires that bidders/suppliers/contractors, participating in procurement in Namibia, observe the highest standard of ethics during the procurement process and execution of contracts.

- 4.2 The Employer will reject a proposal for award if it determines that the Bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive, or obstructive practices in competing for the contract in question.

For the purposes of this Sub-Clause:



- (i) “corrupt practice” is the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence improperly the actions of another party.
- (ii) “fraudulent practice” is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation.
- (iii) “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party.
- (iv) “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to influence improperly the actions of a party.
- (v) “obstructive practice” is deliberately destroying, falsifying, altering, or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede an investigation into allegations of a corrupt, fraudulent, coercive, or collusive practice; and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation.

4.3. Bidders, suppliers and public officials shall also be aware of the provisions stated in section 67 and 68 of the Public Procurement Act, 2015 which can be consulted on the website of the Procurement Policy Unit (PPU) : [www.mof.gov.na/procurement-policy-unit](http://www.mof.gov.na/procurement-policy-unit)

## 5. Eligible Bidders

- 5.1 A Bidder may be a natural person, private entity, or government-owned entity or any combination of them in the form of a joint venture, under an existing agreement, or with the intent to constitute a legally enforceable joint venture. All partners shall be jointly and severally liable for the execution of the Contract in accordance with the Contract terms.
- 5.2 A Bidder shall not have a conflict of interest. All Bidders found to have a conflict of interest shall be disqualified. A Bidder may be considered to have a conflict of interest with one or more parties in this bidding process, if:
1. they have a controlling partner in common; or
  2. they receive or have received any direct or indirect subsidy from any of them; or

## 6. Qualifications of Bidders

3. they have the same legal representative for purposes of this bid; or
  4. they have a relationship with each other, directly or through common third parties, that puts them in a position to have access to information about or influence on the Bid of another Bidder, or influence the decisions of the Employer regarding this bidding process; or
  5. a Bidder participates in more than one bid in this bidding process. Participation by a Bidder in more than one Bid will result in the disqualification of all Bids in which the party is involved. However, this does not limit the inclusion of the same subcontractor in more than one bid: or
  6. a Bidder or any of its affiliates participated as a consultant in the preparation of the design or technical specifications of the contract that is the subject of the Bid; or
  7. a Bidder, or any of its affiliates has been hired (or is proposed to be hired) by the Employer as Engineer for the contract.
- 5.3 (a) A bidder that is under a declaration of ineligibility by the Government of Namibia in accordance with applicable laws at the date of the deadline for bid submission and thereafter shall be disqualified.
- (b) Bids from contractors appearing on the ineligibility lists of African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank Group and World Bank Group shall be rejected.
- 5.4 Government-owned enterprises in the Republic of Namibia shall be eligible only if they can establish that they are legally and financially autonomous and operate under commercial law, and that they are not a dependent agency of the Government.
- 6.1 All bidders shall provide in Section III, a preliminary description of the proposed work method and schedule, including drawings and charts, as necessary.

- 6.2 Bidders shall include the information and documents listed hereunder with their bids, unless otherwise **stated in the BDS**. The non-submission of the documents by the Bidder within the prescribed period may lead to the rejection of its bid.
- (a) copies of original documents defining the constitution or legal status, place of registration, and principal place of business of the Bidder.
  - (b) total monetary value of construction works performed for each of the last five years.
  - (c) experience in works of a similar nature and size for each of the last five years or as otherwise **stated in the BDS**; and clients who may be contacted for further information on those contracts.
  - (d) major items of construction equipment proposed to carry out the Contract.
  - (e) qualifications and experience of key site personnel and technical personnel proposed for the contract.
  - (f) report on the financial standing of the Bidder for the last three years, such as certified copies of Financial Statements/Audited Accounts as filed at the Registrar of Companies.
  - (g) evidence of adequacy of working capital for this Contract (access to line(s) of credit and availability of other financial resources).
  - (h) authority to seek references from the Bidder's bankers.
  - (i) information regarding any litigation, current or during the last five years, in which the Bidder was/is involved, the parties concerned, the issues involved, the disputed amounts, and awards.
  - (j) proposals for subcontracting components of the Works amounting to more than 10 percent of the Contract Price.

6.3 To qualify for award of the Contract, bidders shall meet the following minimum qualifying criteria:

- (a) a minimum average annual financial amount of construction work over the period **specified in the BDS**.
- (b) experience as prime contractor in the construction of a minimum number of works of a nature and complexity equivalent to the Works over a period as **specified in the BDS** (To comply with this requirement, works cited should be at least 70 percent complete).
- (c) proposals for the timely acquisition (own, lease, hire, etc.) of the essential equipment **listed in the BDS**.
- (d) a Contract Manager/Supervisor with five years' experience in works of an equivalent nature and volume, including no less than three years as Manager or as otherwise **specified in the BDS**.
- (e) liquid assets and/or credit facilities, net of other contractual commitments and exclusive of any advance payments which may be made under the Contract, of no less than the amount **specified in the BDS**.

A consistent history of litigation or arbitration awards against the Applicant or any partner of a Joint Venture may result in disqualification.

## B. Contents of Bidding Document

### 7. Sections of Bidding Document

7.1 The Bidding Document consists of all the Sections indicated below and should be read in conjunction with any Addenda issued in accordance with ITB 10.

Section I - Instructions to Bidders (ITB)

Section II - Bidding Data Sheet

Section III - Bidding Forms

Section IV - Evaluation Criteria

Section V - Employer's Requirements

Section VI - General Conditions of Contract (GCC)

Section VII - Special Conditions of Contract (SCC)

Section VIII - Contract Forms

7.2 The Invitation for Bids issued by the Employer is not part of the Bidding Document.

- |   |  |
|---|--|
| <b>8. Clarification of Bidding Document</b> | <p>8.1 A prospective Bidder requiring any clarification of the Bidding Document shall contact the Employer in writing at the Employer’s address <b>indicated in the BDS</b>.</p> <p>The Employer will respond in writing to any request for clarification, provided that such request is received 14 days prior to the deadline for submission of bids.</p> <p>Should the Employer deem it necessary to amend the Bidding Document as a result of a request for clarification, it shall do so following the procedure under ITB 10.</p>  |
| <b>9. Site visit/Pre-bid meeting</b>        | <p>9.1 Bidders, at the Bidders’ own responsibility and risk, are encouraged to visit and examine the Site of Works and its surroundings and obtain all information that may be necessary for preparing their Bids and entering into a contract for construction of the Works. The costs of visiting the Site shall be at the Bidders’ own expense.</p> <p>9.2 The Bidder or its designated representative is invited to attend a pre-bid meeting, as <b>provided for in the BDS</b>. The purpose of the pre-bid meeting will be to clarify issues and to answer questions on any matter that may be raised at that stage.</p> <p>Non-attendance at the pre-bid meeting will not be a cause for disqualification of a bidder.</p> |
| <b>10. Amendment of Bidding Document</b>    | <p>10.1 At any time prior to the deadline for submission of bids, the Employer may amend the Bidding Document by issuing addenda and extend the deadline for submission of bids, if needed.</p>  |

### C. Preparation of Bids

- |   |   |
|---|---|
| <b>11. Cost of Bidding</b>              | <p>11.1 The Bidder shall bear all costs associated with the preparation and submission of its Bid, and the Employer shall in no case be responsible or liable for those costs irrespective of the outcome of the bidding process.</p>   |
| <b>12. Language of Bid</b>              | <p>12.1 The Bid, supporting documents as well as all correspondence relating to the bid exchanged by the Bidder and the Employer shall be in English Language.</p>  |
| <b>13. Documents Comprising the Bid</b> | <p>13.1 The Bid shall comprise the following:</p> <ul style="list-style-type: none"> <li>(a) Bid submission Form (in the format indicated in Section III).</li> <li>(b) Qualification information and documentary evidence establishing the Bidder’s qualifications to perform the contract.</li> </ul> |

(c) completed Activity Schedule.

**(d) The following documentary evidence is required and compulsory. Failure to submit will result in disqualification.**

- i. have a Valid Certified Copy of Company Registration Certificate / Founding Statement.
- ii. have a Valid Original or Certified Copy of Good Standing Tax Certificate.
- iii. have an Original / Certified Copy of Valid Good Standing Social Security Certificate.
- iv. have a Valid Certified Copy of Affirmative Action Compliance Certificate, proof from Employment Equity Commissioner that bidder is not a relevant employer, or exemption issued in terms of Section 42 of the Affirmative Action Act, 1998.
- v. completion of the Written Undertaking as Contemplated in Section 138(2) of the Labour Act, 2007.
- vi. an undertaking on the part of the Bidder that the salaries and wages payable to its personnel in respect of this proposal are compliant to the relevant laws, Remuneration Order, and Award, where applicable and that it will abide to sub-clause 4.6 of the General conditions of Contract if it is awarded the contract or part thereof.
- vii. **other documentation as required in the BDS.**

**14. Bid Submission Form and Schedules**

14.1 The Bid Submission Form, Schedules, and all documents listed under ITB 13.1 shall be prepared using the relevant forms, if so provided.

**15. Alternative Proposal**

15.1 Alternative Technical Proposals and completion dates if allowed shall be indicated in Section V- Specifications. The evaluation methodologies for their consideration shall be given in Section III.

**16. Bid Prices and Discounts**

16.1 The Contract shall be for the whole Works, as described in ITB Sub-Clause 1.1, based on the priced Activity Schedule submitted by the Bidder.

16.2 Bidders shall fill in rates and prices for all items of the Works described in the priced Activity Schedule. Items for which no rate or price is entered by Bidders, shall not be paid for by the Public Entity when executed and shall be deemed covered by the other rates and prices in the Activity Schedule. Corrections, if any, shall be made by crossing out, initialling, dating and rewriting.

	<p>16.3 All duties, taxes, and other levies payable by the Contractor under the Contract, or for any other cause, as of the date 14 days prior to the deadline for submission of bids, shall be included in the rates, prices, and total Bid price submitted by Bidders.</p> <p>16.4 The price to be quoted in the Bid Submission Form shall be the total price of bid after any discount offered.</p> <p>The discount if any and the conditions of its application shall be indicated separately.</p>
<p><b>17. Currencies of Bid and Payment</b></p>	<p>17.1 The bid price and rates shall be in Namibian Dollars and fixed for the duration of the contract unless otherwise <b>specified in the BDS</b>.</p> <p>17.2 Unless otherwise <b>specified in BDS</b> interim payment for Plant and Material on site is applicable as per GCC 39.7.</p>
<p><b>18. Documents Comprising the Technical Proposal</b></p>	<p>18.1 The Bidder shall furnish a Technical Proposal including a statement of work methods, equipment, personnel, schedule and any other information as stipulated in the Bidder Qualification Form (section IV), in sufficient details to demonstrate the adequacy of the Bidders' proposal to meet the work requirements and the completion time.</p>
<p><b>19. Period of Validity of Bids</b></p>	<p>19.1 Bids shall remain valid for a period <b>specified in the BDS</b>. The Bid Validity period should not exceed 180 days.</p> <p>19.2 In exceptional circumstances, prior to expiry of the original bid validity period, the Employer may request that the bidders extend the period of validity for a specified additional period. The request and the responses thereto shall be made in writing.</p>
<p><b>20. Bid Security/Bid Securing Declaration</b></p>	<p>20.1 The Bidder shall furnish either a subscription to a Bid Securing Declaration or a Bid Security in its original form with its bid as part of its bid, if so, <b>required in the BDS</b>.</p> <p>20.2 Bid Security shall be in the form of a Bank Guarantee from a local commercial bank as per the format contained in section IV and shall be valid for a period of 30 days beyond the validity period of the bid or beyond any period of extension.</p> <p>20.3 Any bid not accompanied by an enforceable and substantially compliant Bid Security or a subscription to a Bid Securing Declaration in the Bid Submission Form, if required in accordance with ITB 20.1, shall be rejected by the Employer as non-responsive.</p> <p>20.4 Bid Security shall be forfeited, or the Bid Securing declaration exercised for non-compliance on the part of the Bidder for</p>

## 21. Format and Signing of Bid

reasons mentioned in the Bid Security format contained in Section III or the Bid Surety Declaration contained as Appendix to the Bid Submission Form.

21.1 The Bidder shall prepare one original of the documents comprising the bid as described in ITB 13.1 and clearly mark it "ORIGINAL". In addition, the Bidder shall submit the number of copies **as specified in the BDS**, clearly mark with the label "COPY." In the event of any discrepancy between the original and the copies, the original shall prevail.

21.2 The original and all copies of the bid shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Bidder.

## D. Submission and Opening of Bids

## 22. Sealing and Marking of Bids

22.1 Bidders may always submit their bids by mail or by hand. Procedures for submission, sealing and marking are as follows:

(a) Bidders submitting bids by mail or by hand shall enclose the original and each copy of the Bid, including alternative bids, if permitted in accordance with ITB 15, in separate sealed envelopes, duly marking the envelopes as "ORIGINAL", "ALTERNATIVE" and "COPY." These envelopes containing the original and the copies shall then be enclosed in one single envelope. The rest of the procedure shall be in accordance with ITB sub-Clauses 22.2.

22.2 The inner and outer envelopes shall:

- (a) bear the name and address of the Bidder.
- (b) be addressed to the Employer as indicated in ITB 22.1.
- (c) bear the specific identification of this bidding process indicated in accordance with ITB 1.1.
- (d) bear a warning not to open before the time and date for bid opening.

## 23. Deadline for Submission of Bids

23.1 Bids shall be delivered to the Employer at the address and no later than the time and date **specified in the BDS**.

The Employer may, at its discretion, extend the deadline for the submission of bids by amending the Bidding Document in accordance with ITB 10.

## 24. Late Bids

24.1 Late bids shall not be considered. They will be returned unopened



**25. Withdrawal, Substitution, and Modification of Bids**

25.1 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 on the Bid submission Form or any extension thereof.

**26. Bid Opening**

26.1 The Employer shall open the bids at the time place and address **specified in the BDS** in the presence of Bidders` designated representatives who choose to attend.

26.2 The bidders' names, the Bid Prices, the total amount of each bid, any discounts, any alternative bid, bid modifications and withdrawals, the presence or absence of bid security, and such other details as the Employer may consider appropriate, will be announced, and recorded by the Employer at the opening.

**E. Evaluation and Comparison of Bids**

**27. Confidentiality**

27.1 Information relating to the examination, evaluation, comparison, and post-qualification of bids and recommendation of contract award, shall not be disclosed to Bidders or any other person not officially concerned with such process.

27.2 Any attempt by a Bidder to influence the Employer in the evaluation of the bids or Contract award decisions may result in the rejection of its bid.

**28. Clarification of Bids**

28.1 To assist in the examination, evaluation, and comparison of the bids, and qualification of the Bidders, the Employer may, at its discretion, ask any Bidder for a clarification of its bid. No change in the prices or substance of the bid shall be sought, offered, or permitted, except to confirm the correction of arithmetical errors discovered by the Employer in the evaluation of the bids, in accordance with ITB 31.

**29. Determination of Responsiveness**

29.1 The Employer's determination of a bid's responsiveness is to be based on the contents of the bid itself, as defined in ITB13.

29.2 A substantially responsive bid is one that meets the requirements of the Bidding Document without material deviation, reservation, or omission.

29.3 The Employer shall examine the technical aspects of the bid submitted in accordance with ITB 18, Technical Proposal, in particular, to confirm that all requirements of Section V (Employer's Requirements) have been met without any material deviation, reservation or omission.

29.4 If a bid is not substantially responsive to the requirements of the Bidding Document, it shall be rejected by the Employer and

- may not subsequently be made responsive by correction of the material deviation, reservation, or omission.
- 30. Nonconformities, Errors, and Omissions**
- 30.1 Provided that a bid is substantially responsive, the Employer may waive any non-material non-conformity in the bid, request that the Bidder submit the necessary information or documentation, to rectify nonmaterial nonconformities in the bid related to documentation requirements but not related to any aspect of the price of the bid; and shall rectify quantifiable nonmaterial nonconformities related to the Bid Price.
- 31. Correction of Arithmetical Errors**
- 31.1 Provided that the bid is substantially responsive, the Employer shall correct arithmetical errors on the following basis:
- (a) only for unit price contracts, if there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected, unless in the opinion of the Employer there is an obvious misplacement of the decimal point in the unit price, in which case the total price as quoted shall govern and the unit price shall be corrected.
  - (b) if there is an error in a total corresponding to the addition or subtraction of subtotals, the subtotals shall prevail, and the total shall be corrected.
  - (c) if there is a discrepancy between words and figures, the amount in words shall prevail, unless the amount expressed in words is related to an arithmetic error, in which case the amount in figures shall prevail subject to (a) and (b) above.
- 32. Margin of Preference**
- 32.1 **Unless otherwise specified in the BDS**, Margin of preference shall apply.
- 33. Evaluation of Bids**
- 33.1 The Employer shall use the criteria and methodology defined in this clause and no other evaluation criteria or methodologies shall be permitted.
- 33.2 To evaluate a bid, the Employer shall consider the following:
- (a) the bid price, excluding Provisional Sums and the provision, if any, for contingencies in the Summary Bill of Quantities for admeasurement contracts or Schedule of Prices for lump sum contracts, but including Daywork items, where priced competitively; and
  - (b) price adjustment for correction of arithmetic errors, discounts, non-conformities, due to the supplementary

criteria as defined in Section III, and Margin of Preference, if applicable.

33.3 If this Bidding Document allows Bidders to quote separate prices for different contracts, and to award multiple contracts to a single Bidder, the methodology to determine the lowest evaluated price of the contract combinations, including any discount offered in the Bid Submission Form, is specified in Section III (Evaluation and Qualification Criteria).

33.4 If the bid for an admeasurement contract, which results in the lowest Evaluated Bid Price, is seriously unbalanced, front loaded or substantially below updated estimates or if any item in the Priced Activity Schedule is front loaded or contains an erroneous amount in the opinion of the Employer, the Employer may after clarification require the Bidder to produce detailed price analysis for any or all items that the amount of the performance security be increased at the expense of the Bidder.

**34. Comparison of Bids**

34.1 The Employer shall compare all substantially responsive bids in accordance with ITB 33 to determine the lowest evaluated bid.

**35. Qualification of the Bidder**

35.1 The Employer shall determine to its satisfaction whether the Bidder that is selected as having submitted the lowest evaluated substantially responsive bid meets the qualifying criteria.

**36. Employer's Right to Accept Any Bid, and to Reject Any or All Bids**

36.1 The Employer reserves the right to accept or reject any bid, and to annul the bidding process and reject all bids at any time prior to contract award, without thereby incurring any liability to Bidders.

## **F. Award of Contract**

**37. Award Criteria**

37.1 Subject to ITB 36.1, the Employer shall award the Contract to the Bidder whose offer has been determined to be the lowest evaluated bid and is substantially responsive to the Bidding Document, provided further that the Bidder is determined to be qualified to perform the Contract satisfactorily.

**38. Notification of Award**

38.1 Prior to the expiration of the period of bid validity, the Employer shall, for contract amount above the prescribed threshold of N\$ 2 M, notify the selected bidder of the proposed award and accordingly notify unsuccessful bidders. Subject to Challenge, the Employer shall notify the selected Bidder, in writing, by a Notification of award for award of contract. The Notification of award shall specify the sum that the Employer will pay the Contractor in consideration of the execution and completion of the Works (hereinafter and in

the Conditions of Contract and Contract Forms called “the Contract Price”) and the requirement for the Contractor to remedy any defects therein as prescribed by the Contract. Within seven days from the issue of notification of award, the Purchaser shall publish on the Public Procurement Portal ([www.mof.gov.na/procurement-policy-unit](http://www.mof.gov.na/procurement-policy-unit)) and the Purchaser’s website, the results of the Bidding Process identifying the bid and lot numbers and the following information:

(i) name of the successful Bidder, and the Price it offered, as well as the duration and summary scope of the contract awarded; and

(ii) an executive summary of the Bid Evaluation Report.

38.2 Until a formal contract is prepared and executed, the notification of award shall constitute a binding Contract.

#### 39. Signing of Contract

39.1 Promptly upon issue of notification of award, the Employer shall send to the successful Bidder the Contract Agreement.

39.2 Within thirty (30) days of receipt of the Contract Agreement, the successful Bidder shall sign, date, and return it to the Employer.

#### 40. Performance Security

40.1 Within thirty (30) days of the receipt of the notification of award from the Employer, the successful Bidder shall furnish the Performance Security in accordance with the conditions of contract, using for that purpose the Performance Security Form included in Section VIII (Contract Forms).

40.2 Failure of the successful Bidder to submit the above-mentioned Performance Security or to sign the Contract Agreement within the prescribed delay shall constitute sufficient grounds for the annulment of the award and forfeiture of the bid security.

#### 41. Advance Payment and Security

41.1 The Public Entity shall provide an Advance Payment on the Contract Price as stipulated in the GCC, subject to a maximum amount, **as stated in the BDS**. The Advance Payment shall be guaranteed by a security as per the format contained in Section VIII.

#### 42. Plant and Materials on site

42.1 Unless otherwise **specified in BDS** interim payment for Plant and Material on site is applicable as per GCC 39.7.

**43. Debriefing**

43.1 The Purchaser shall promptly attend to all debriefing for the contract made in writing and within 30 days from the date of the publication of the award or date the unsuccessful bidders are informed about the award.

## Section II. Bidding Data Sheet (BDS)

The following specific data for the works to be procured shall complement, supplement, or amend the provisions in the Instructions to Bidders (ITB). Whenever there is a conflict, the provisions herein shall prevail over those in ITB.

<b>A. General</b>	
<b>ITB 1.1</b>	<p>The Public Entity is: <b>National Housing Enterprise</b></p> <p>The Works are: <b>NHE HOUSING DEVELOPMENT (TURNKEY) (CONSTRUCTION OF NHE NATIONAL CAPITAL PROJECTS FOR A PERIOD OF THREE (3) YEARS (TURNKEY)</b></p> <p>Reference number of Contract: <b>W/ONB/NHE-04/24/25</b></p>
<b>ITB 1.2</b>	<p>The Intended Completion period is: <b>Will be determined at stage two</b></p>
<b>ITB 2.1</b>	<p>The Funding Agency is: <b>National Housing Enterprise</b></p>
<b>ITB 5.3</b>	<p>A list of firms debarred from participating in Public Procurement in Namibia is available at <a href="http://www.mof.gov.na/procurement-policy-unit">http://www.mof.gov.na/procurement-policy-unit</a>.</p> <p>A list of firms debarred by World Bank is available at <a href="http://www.worldbank.org/debarr">http://www.worldbank.org/debarr</a></p>
<b>ITB 5.3 (a)</b>	<p>Bidders are requested to complete a self-declaration form.</p> <p>A bidder that is under a declaration of ineligibility by the Government of Namibia in accordance with applicable laws at the date of the deadline for bid submission and thereafter shall be disqualified.</p>
<b>ITB 5.3 (b)</b>	<p>Bids from contractors appearing on the ineligibility lists of African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank Group and World Bank Group shall be rejected.</p> <p>Bidders should submit a statement on past and present declaration of ineligibility, if any, by any local/international agency or any termination of contract for unsuccessful completion of assignment, giving adequate details to enable a fair assessment.</p>
<b>ITB 6.2 (a)</b>	<p>Certified copies of original documents defining the constitution or legal status, place of registration, and principal place of business of the Bidder</p>

<b>ITB 6.2 (c)</b>	<p>Five (5) years' experience in works of a similar nature and size and clients who may be contacted for further information on those contracts.</p> <p>This should be construction of houses or residential projects or building works of similar nature and same complexity (a large number of housing units constructed under one/same project) with a combined value of not less than N\$ 20 million.</p> <p>The criteria should be substantiated by documentary evidence in the form of award letters, completion certificates, reference letters, or any other documentary proof.</p> <p>Information of contactable clients should be provided.</p>
<b>ITB 6.2 (e)</b>	<p>Qualifications and experience of key site personnel and technical personnel proposed for the contract.</p> <p>At least two (2) must be listed with detailed CVs attached, of which one should be an electrician with a valid wireman license and relevant qualifications.</p> <p>Proposed personnel must work for the Bidder or provide letter of intent once Bidder is awarded the contract (proof must be attached).</p> <p>Detailed Organogram/ similar layout must be provided by bidders</p>
<b>ITB 6.2 (g)</b>	<p>Evidence that bidder is able to raise adequate working capital of not less than N\$ 20 million at any time as it may be required during stage two of the bidding process. (100% of N\$ 20 million)</p> <p>Proof of access to line(s) of credit and/or availability of any other financial resources must be provided.</p> <p>Such proof should have been issued after the invitation date.</p> <p>Bank letters issued specifically for this bid should be in original form and must be signed and stamped by an authorised person.</p> <p>Copies of other proof not submitted in original must be certified.</p> <p><u>Letter of intent will not be accepted. Bidder must demonstrate to have funds available if they happen to be the successful bidder.</u></p> <p><u>Recent bank statements indicating available funds will be considered.</u></p> <p><u>Bank letters confirming the available funds should clearly state a balance at/on hand at time of issue.</u></p> <p>Proof of building materials suppliers accounts will be considered and must combined with financial resources to fulfil the requirement</p>
<b>ITB 6.2 (h)</b>	<p>Authority to seek references from the Bidder's bankers.</p>
<b>ITB 6.2 (i)</b>	<p>Bidder shall complete and submit a comprehensive list of all past and current litigation, arbitration, mediation, or any other dispute resolution solutions involved in the past 5 years.</p>

	<p>Information regarding any litigation, current or during the last five years, in which the Bidder was/is involved, the parties concerned, the issues involved, the disputed amounts, and awards.</p> <p>A consistent history of litigation or arbitration awards against the Bidder or any partner of a Joint Venture may result in disqualification.</p>
<b>ITB 6.2 (j)</b>	Proposals for subcontracting components of the works amounting to more than 10 percent of the contract price (only if any components will be subcontracted)
<b>ITB 6.3 (b)</b>	<p>Experience as Prime Contractor in the construction of <u>one or more</u> house/residential construction or building works project with size and value of not less than N\$ 20 million. This should be a project of similar nature and same complexity (a large number of housing units constructed under the same project, and this should be three or more housing units per project).</p> <ol style="list-style-type: none"> <li>i. The project must have been completed within the last five (5) years.</li> <li>ii. Projects will be assessed individually and not combined. At least one of the Projects mentioned must meet the required criteria.</li> <li>iii. <u>Bidders must submit reference letters, award letters or any other documentary proof referring to the completed project and its value.</u></li> <li>iv. <u>Bidders must submit certificates of practical completion as supporting documents of the letters mentioned in (iii) above.</u></li> <li>v. <u>Value of the project must be indicated on one of these attachments or confirmed separately. Payments certificates may be submitted to proof the project value.</u></li> <li>vi. Clients and consultants (principal agents) will be contacted for confirmation and further information on the projects listed.</li> <li>vii. Please note that the project referenced or used for evaluation should have been completed at date when the bid is submitted.</li> </ol> <p>Bidders are required to identify one (1) projects and list them on the forms provided in Table 4.</p> <p>If the referenced project does not meet the requirements, NHE will have the prerogative to choose another project listed in the information submitted. Please note that physical inspection will be carried out to assess only the cited/listed/evaluated projects that meets requirements and consultation will be held with principal agents and clients.</p> <ol style="list-style-type: none"> <li>i. The inspection of projects will be scored and failure to physically proof what has been presented by the bidder might result in disqualification.</li> </ol>
<b>ITB 6.3 (c)</b>	<p>Proposals for the timely acquisition (own, lease, hire, etc.) of the essential equipment required for performance of the contract such as:</p> <ol style="list-style-type: none"> <li>i. Concrete mixers and/or concrete supply plans.</li> <li>ii. Small tools (wheelbarrows, spades, etc.); and/or</li> <li>iii. Any other equipment not listed.</li> </ol>



	<p>List of equipment must be provided with proof of ownership.</p> <p>Lease or renting is allowed and proof of agreements or recent accounts confirmations with rental hires must be provided. (Proof must not be older than 12 months)</p>
<b>ITB 6.3 (d)</b>	<p>Contract Manager/Project Manager/Site Agent/Foremen with five years' experience in works of an equivalent nature and volume, including no less than three years as Manager.</p> <p>Detailed CV of qualifications, job history and experience is required.</p> <p>Certified copies of qualifications in construction related disciplines or equivalent must be provided.</p> <p>Proposed personnel must work for the Bidder or provide letter of intent once Bidder is awarded the contract (proof must be attached).</p> <p>The listed person/s must be based on site full time and will be the point of contact for all instructions by designated NHE site representative. Any replacement of the cited person/s must be communicated in writing and relevant documentation as required above should be submitted to NHE Project Manager.</p> <p>Non-adherence to this requirement will result in a breach of contract.</p>
<b>B. Bidding Documents</b>	
<b>ITB 8.1</b>	<p>The Public Entity's address for clarification is:  <b>7 General Murtala Mohammed Avenue, Eros in Windhoek</b>  <a href="mailto:procurement@nhe.com.na">procurement@nhe.com.na</a></p> <p>Deadline to seek clarification is:  <b>Friday, 15 November 2024</b></p>
<b>ITB 9.2</b>	<p>A pre-bid meeting has been scheduled for:  <b>Wednesday, 06 November at 10h00 am</b>  <b>NHE Head Office, Lecture Hall Eros, Windhoek,</b>  Pre bid meeting is not compulsory, but attendance is highly recommended.  Non-attendance will not be a cause for disqualification.</p>
<b>C. Preparation of Bids</b>	
<b>ITB 13.1</b>	<p>The Bid shall comprise the following: <b>The following documentary evidence is required and compulsory:</b></p> <ol style="list-style-type: none"> <li>1. Bid Submission Form, (in accordance with the format indicated in Section III), duly completed, and stating full names of Contractor's representative. Attach certified copy of identity document (ID) or certified copy of a valid passport <b><u>of representative.</u></b></li> </ol>

2. Qualification information and documentary evidence establishing the Bidder's qualifications to perform the contract.
3. Duly/Fully completed and signed Schedule of Rates including Summary of Construction Cost.

4. **Mandatory Legal Requirements: (Failure to submit will result in disqualification)**

For the bid to meet the mandatory requirements, the bidder must submit the following documents as outlined in section 50 of the Act:

- (a) an original or certified copy of a valid certificate of good standing with the Receiver of Revenue.
- (b) a valid certificate of good standing with the Social Security Commission or,  
in the case where a company has no employees, confirmation letter from the Social Security Commission.
- (c) as required by the Affirmative Action (Employment) Act, 1998 (Act No. 29 of 1998) -
  - (i) a certified copy of a valid affirmative action compliance certificate issued under section 41 of that Act.
  - (ii) a certified copy of an exemption issued under section 42 of that Act, or
  - (iii) a certified copy of proof from the Employment Equity Commissioner that the bidder or supplier is not a relevant employer as defined in that Act.
- (d) a written undertaking as contemplated in section 138(2) of the Labour Act, 2007(Act No. 11 of 2007), and
- (e) a certified copy of a valid –
  - (i) certificate of business registration for an entity incorporated or registered under the company or close corporation laws of Namibia.
  - (ii) certificate of registration of a co-operative registered under the laws regulating co-operatives in Namibia.
  - (iii) document serving as evidence of registration as a trust and the trust deed for a trust registered under the laws regulating trusts in Namibia, or
  - (iv) partnership agreement in the case of a partnership, a valid joint venture agreement in the case of a joint venture or a valid agreement in case of other similar arrangements, but a bidder or supplier who is a sole proprietor only needs to comply with the provisions of paragraph (a) to (d).
- (f) Bid Securing Declaration form must be fully completed and signed (in accordance with the format indicated in Section III).

	<p>5. Bidders are advised to observe the following:</p> <ol style="list-style-type: none"> <li>i. Bidding document must be submitted in <b>original with one extra copy.</b></li> <li>ii. Bidding document must be <b>fully signed and initialled on every page.</b></li> <li>iii. Authorisation to sign bids on behalf of the Bidder as stated in ITB 21. 2..</li> <li>iv. an undertaking on the part of the Bidder that the salaries and wages payable to its personnel in respect of this proposal are compliant to the relevant laws, Remuneration Order, and Award, where applicable and that it will abide to sub-clause 4.6 of the General conditions of Contract if it is awarded the contract or part thereof. (separate letter from bidder)</li> <li>v. Certificate of Bidder’s Visit to Site must be fully completed and signed. (compulsory)</li> <li>vi. Completion of Eligibility Self-Declaration Form.ITB5.3(a)</li> </ol>
<b>ITB 15.1</b>	<b>N/A</b> – Alternative proposals will not be considered. Alternative materials and/or methods proposals should be submitted after award of the contract in accordance with GCC/SCC 37
<b>ITB 17.1</b>	<p>The Contract is not subject to price adjustment in accordance with GCC Clause 44.</p> <p>The price shall be in Namibian Dollars, and it shall be a <b>Fixed Price Contract</b> for the duration of the contract.</p>
<b>ITB 17.2</b>	Interim Payment for Plant and Material on site <b>is not</b> applicable.
<b>ITB 19.1</b>	The Bid shall be valid for 180 days after the deadline set for the submission of bid, the deadline being counted as day one of the validity period.
<b>ITB 20.1</b>	<p>The Bidder shall subscribe to a Bid Securing Declaration (on the form provided or in the format indicated in Section III)</p> <p><b>(Any Bid not accompanied by a subscription shall be rejected and regarded as non-responsive)</b></p>
<b>D. Submission and Opening of Bids</b>	
<b>ITB 21.1</b>	<p>The number of copies of the Bid to be completed and returned shall be: <b>One (1) original and one (1) copy. They should be clearly marked “ORIGINAL” &amp; “COPY”</b></p> <p><b>Relevant pages shall be signed, and all other pages shall be initialled. Failure to sign in accordance with this requirement will result in bid being rejected as non-responsive</b></p>

<p><b>ITB 21.2</b></p>	<p>a) This authorization shall consist of written confirmation and shall be attached to the bid. It may include –</p> <ul style="list-style-type: none"> <li>(i) a delegation of power by resolution of the Board of a company; or</li> <li>(ii) from the CEO, himself holding power from the Board; or</li> <li>(iii) from a Director being a shareholder of a company; or</li> <li>(iv) through a Power of Attorney.</li> </ul> <p>The name and position held by each person signing the authorization must be typed or printed below the signature.</p> <p>b) In the case of Bids submitted by an existing or intended JV an undertaking signed by all parties –</p> <ul style="list-style-type: none"> <li>(i) stating that all parties shall be jointly and severally liable, if so, required in accordance with ITB 5.1; and</li> <li>(ii) nominating a Representative who shall have the authority to conduct all business for and on behalf of all the parties of the JV during the bidding process and, in the event the JV is awarded the Contract, during contract execution.</li> </ul> <p>The name and capacity of each person signing the authorisation must be typed or printed below the signature.</p> <p><b>Note: The power of Attorney or other written authorization to sign may be for a determined period or limited to a specific purpose.</b></p>
<p><b>ITB 23.1</b></p>	<p>The Employer’s address for the purpose of bid submission is:  <b>7 General Murtala Mohammed Avenue, Eros in Windhoek</b>          Attention: <b>Noreen Siyanga</b> (Head: Procurement Management Unit)  <u><b>The deadline for submission of bids shall be:</b></u>  <u><b>Friday, 06 December 2024 @ 10:00 am</b></u></p>
<p><b>ITB 26.1</b></p>	<p>The bid opening shall take place at:  <b>7 General Murtala Mohammed Avenue, Eros in Windhoek</b>  <b>NHE Head Office (Lecture Hall)</b>          Date and time: <b>Friday, 06 December 2024 at 10:15 am</b></p>
<p><b>E. Evaluation and Comparison of Bids</b></p>	
<p><b>ITB 29</b></p>	<p>NHE’s determination of a bid’s responsiveness is to be based on the contents of the bid itself, as defined in ITB13.</p> <p>A bidder will be responsive if the bidder fully comply with all the bid requirements and whose past performance, reputation and financial capability is deemed acceptable by NHE.</p>
<p><b>ITB 32</b></p>	<p>Margin of preference <b>shall apply during stage two of the bidding process.</b></p> <p>The maximum cumulative allowable margin of preference applicable to exclusive preferences for price evaluation purposes is 10%.</p>

	A bidder must complete and sign the declaration in respect of exclusive preference included in this document above, outlining the preferences the bidder qualifies for and the grounds for such qualifications.
<b>ITB 33</b>	<b>The bid will be evaluated in terms of the criteria and procedures outlined in the ITB, the Bidding Data Sheet and Section IV – Evaluation Criteria</b>
<b>ITB 36</b>	<p><b><u>NHE reserves the right to reject any bid under the following conditions:</u></b></p> <p>a) i. Bidders who are currently contracted/employed by NHE or engaged in any other on-going projects of a similar nature (housing construction, repairs and maintenance, renovations, extension, and upgrades etc.), and not yet completed at bid submission date. If such project is at 80% completion level, the bidder might be considered.</p> <p>b) Where multiple projects are to be awarded at the same time to one contractor.</p> <p>c) Bidders who have been employed/contracted by NHE in the last ten (10) years and whose past performance, reputation and financial capability is deemed unacceptable by NHE.</p>
<b>F. Award of Contract</b>	
<b>ITB 37</b>	NHE at its discretion, may, whenever possible, award the contract to multiple contractors who meet all the requirements and are substantially responsive.
<b>ITB 37.1</b>	The award of contract shall be based upon information and documentary proof provided together with the bidding document. Deviation or material changes to such without the prior approval of the employer will be considered a fundamental breach of contract and may result in termination in terms of GCC 57
<b>ITB 39</b>	<p>Upon award, the successful bidder will be provided with the contract agreement, accompanied by a KYC (Know Your Client) Form which must be completed by the successful bidder and submitted together with the Contract Agreement within thirty (30) days of receipt.</p> <p>The NHE is an accountable institution in terms of the Financial Intelligence Act, 2012 (Act No. 13 of 2012) as amended (FIA).</p> <p>The KYC Form is a set requirement by FIA and NHE is liable for the identity verification of all business parties and verification of the origin of money received in order to refrain from engaging in any money laundering transaction and to prevent the receipt of any proceeds from unlawful activities.</p> <p>Bidders are required to disclose the origin of funds to be used for the execution of the procurement, by either submitting any documentary proof or by completing the source of funds declaration form in this document.</p>

<b>ITB 40.1</b>	<p>The Standard Form of Performance Security acceptable to the Public Entity shall be <b>“a Bank Guarantee”</b>.</p> <p>The Bank guarantee shall be <b>10%</b> of the contract price inclusive of provisional sums and contingencies sum and VAT.</p>
<b>ITB 41.1</b>	This clause shall be deleted. <b>There shall be no advance payment.</b>
<b>ITB 42.1</b>	Interim Payment for Plant and Material on site <b>is not</b> applicable.

## Section III – Bidding Forms

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## Form – Bid Submission

*The Bidder must prepare the Bid Submission Form on stationery with its letterhead clearly showing the Bidder's complete name and address.*

Date: \_\_\_\_\_

Bidder's Reference No.: \_\_\_\_\_

Procurement Reference No: \_\_\_\_\_

To: The Accounting Office  
National Housing Enterprise

We, the undersigned, declare that:

- (a) We have examined and have no reservations to the Bidding Documents, including Addenda issued in accordance with Instructions to Bidders (ITB).
- (b) We offer to execute in conformity with the Bidding Documents the following Works:  
\_\_\_\_\_.
- (c) The total price of our Bid, offered is (expressed in words and figures):  
\_\_\_\_\_  
\_\_\_\_\_.
- (d) Prompt payment discounts are as offered in the Bidding Forms.
- (e) Our bid shall be valid for a period of \_\_\_\_\_ [insert validity period as specified in ITB 19.1.] days from the date fixed for the bid submission deadline in accordance with the Bidding Documents, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.
- (f) We hereby confirm that we have read and understood the content of the Bid Securing Declaration attached hereto and subscribe fully to the terms and conditions contained therein, if required. We understand that non-compliance to the conditions mentioned may lead to disqualification.
- (g) If our bid is accepted, we commit to obtain a Performance Security and a Preference Security (if applicable) in accordance with the Bidding Document.
- (h) We, including any subcontractors or suppliers for any part of the contract, do not have any conflict of interest in accordance with ITB 5.2.
- (i) We are not participating, as a Bidder in more than one bid in this bidding process other than alternative offers submitted in accordance with ITB 15.
- (j) Our firm, its affiliates, or subsidiaries, including any Subcontractors or Suppliers for any part of the contract, has not been declared ineligible under the laws of Namibia.
- (k) We are not a government owned entity / We are a government owned entity but meet the requirements of ITB 5.4.



- (l) We understand that this bid, together with your written acceptance thereof included in your notification of award, shall constitute a binding contract between us, until a formal contract is prepared and executed.
- (m) We understand that you are not bound to accept the lowest evaluated bid or any other bid that you may receive; and
- (n) If awarded the contract, the person named below shall act as Contractor's Representative: *(Provide certified copy of identity document (ID) or certified copy of a valid passport of representative, including Evidence of signatory authorized to sign the bid)*

Name of Representative:	.....
In the capacity of:	.....
Signed:	.....
	Duly authorized to Sign the Bid for and on behalf of:
Name of Bidder:	.....
Physical Address:	.....
	.....
Postal Address:	.....
	.....
Tel no. (Office):	.....
Cell:	.....
email:	.....
Date:	.....
Seal of Company	.....

**Form – Self Declaration****SELF-DECLARATION**

Procurement Reference No: \_\_\_\_\_

Title: \_\_\_\_\_

I/We the undersigned declare that:

1. I / we are not blacklisted by the Government of Namibia in accordance with applicable laws at the date of the deadline for bid submission.
2. I/ we are not blacklisted by African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development, Inter-American Development Bank Group and World Bank Group.
3. I/ we will submit a statement on past and present declaration of ineligibility, if any, by any local/international agency or any termination of contract for unsuccessful completion of assignment, giving adequate details to enable a fair assessment.
4. I/ we will inform the contracting authority, without delay, of any situation constituting a conflict of interest or could give rise to a conflict of interest.
5. I/ we have not sought, attempted to obtain, or accept any advantage, financial or in kind, to or from any party whatsoever, constituting an illegal or corrupt practice, either directly or indirectly, as an incentive or reward relating to the award of the contract.

Declared at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_

Signature (of duly authorised officer): \_\_\_\_\_

Full Name and Designation: \_\_\_\_\_

## Form – Bid Securing Declaration

### BID SECURING DECLARATION

(Section 45 of Act) (Regulation 37(1)(b) and 37(5))

Date: \_\_\_\_\_

Procurement Ref No.: \_\_\_\_\_

To: The Accounting Office  
National Housing Enterprise

I/We\* understand that in terms of section 45 of the Act a public entity must include in the bidding document the requirement for a declaration as an alternative form of bid security.

I/We\* accept that under section 45 of the Act, I/we\* may be suspended or disqualified in the event of

- (a) **a modification or withdrawal of a bid after the deadline for submission of bids during the period of validity.**
- (b) **refusal by a bidder to accept a correction of an error appearing on the face of a bid.**
- (c) **failure to sign a procurement contract in accordance with the terms and conditions set forth in the bidding document, should I/We\* be successful bidder, or**
- (d) **failure to provide security for the performance of the procurement contract if required to do so by the bidding document.**

I/We\* understand this bid securing declaration ceases to be valid if I am/We are\* not the successful Bidder

Signed: \_\_\_\_\_  
[insert signature of person whose name and capacity are shown]

Capacity of: \_\_\_\_\_  
[indicate legal capacity of person(s) signing the Bid Securing Declaration]

Name: \_\_\_\_\_  
[insert complete name of person signing the Bid Securing Declaration]

Duly authorized to sign the bid for and on behalf of: [insert complete name of Bidder]

Dated on \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Corporate Seal (where appropriate)

[Note\*: In case of a joint venture, the bid securing declaration must be in the name of all partners to the joint venture that submits the bid.]

**\*delete if not applicable / appropriate**

## Form – Written Undertaking



Republic Of Namibia

**Ministry of Labour, Industrial Relations, and Employment Creation**

Written undertaking in terms of section 138 of the Labour Act, 2015 and section 50(2)(D) of the Public Procurement Act, 2015

### 1. EMPLOYERS DETAILS

Company Trade Name: \_\_\_\_\_

Registration Number: \_\_\_\_\_

Vat Number: \_\_\_\_\_

Industry/Sector: \_\_\_\_\_

Place of Business: \_\_\_\_\_

Physical Address: \_\_\_\_\_

Tell No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

Email Address: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Full name of Owner/Accounting Officer: \_\_\_\_\_

\_\_\_\_\_  
 Email Address: \_\_\_\_\_

### 2. PROCUREMENT DETAILS

Procurement Reference No.: \_\_\_\_\_

Procurement Description: \_\_\_\_\_

\_\_\_\_\_

Anticipated Contract Duration: \_\_\_\_\_

Location where work will be done, good/services will be delivered: \_\_\_\_\_

### 3. UNDERTAKING

I \_\_\_\_\_ [insert full name], owner/representative

of \_\_\_\_\_ [insert full name of company]

hereby undertake in writing that my company will at all relevant times comply fully with the relevant provisions of the Labour Act and the Terms and Conditions of Collective Agreements as applicable.

I am fully aware that failure to abide to such shall lead to the action as stipulated in section 138 of the labour Act, 2007, which include but not limited to the cancellation of the contract/licence/grant/permit or concession.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Seal:** \_\_\_\_\_

*Please take note:*

1. A labour inspector may conduct unannounced inspections to assess the level of compliance
2. This undertaking must be displayed at the workplace where it will be readily accessible and visible by the employees rendering service(s) in relations to the goods and services being procured under this contract.

## Declaration Forms – Exclusive Preference

### DECLARATION IN RESPECT OF EXCLUSIVE PREFERENCE

**Paragraph 9(3) and Annexure 6 of the Code of Good Practice on Preferences Referred to in Section 71 and 72 of Public Procurement Act, 2015**

***Bidder must tick the appropriate box to indicate the category under which it has made a declaration.***

#### 1. Manufacturer

CATEGORIES OF BIDDERS		DOCUMENTARY EVIDENCE (to be submitted with the bid / all the documents required must be submitted)	TICK	
1	Manufacturer	- Cost structure for Value Added Calculation in Annexure 1, and as certified by an Accountant (please refer to code of good practice for above stated annexures)	Yes	
			No	

If yes, please complete the part below, including the cost structure form. The form maybe reproduced, but it should be in the same format or reflect the whole information on it.

#### Manufacture's Declaration in Terms of Paragraph 9(3) and Annexure 6 of the Code of Good Practice

I/We hereby declare that the manufactured goods meet the local content as determined in Annexure 1 of Code of good practice, as per the cost structure for Value Added Calculation.

The Local Value-Added amounts to: N\$\_\_\_\_\_

**NB: The cost structure reflecting the above amount must be attached to the bid for reference.** (See last attachment)

#### 2. Micro, Small and Medium Enterprises

CATEGORIES OF BIDDERS		DOCUMENTARY EVIDENCE (to be submitted with the bid / all the documents required must be submitted)	TICK	
2	Micro, Small and Medium Enterprise	- certified copy of SME registration certificate	Yes	
			No	

If yes, percentage indicating Namibian MSME ownership	
---	--

#### 3. Women Owned Enterprise

CATEGORIES OF BIDDERS		DOCUMENTARY EVIDENCE (to be submitted with the bid / all the documents required must be submitted)	TICK	
3	Women owned enterprise	- Certified copy of identity documents (IDs) of all stakeholders - Certified copy of: founding statement and/or company registration indicating ownership structure and/or copy of shareholder certificate	Yes	
			No	

If yes, percentage equity owned by Namibian women	
---	--

#### 4. Youth Owned Enterprise

CATEGORIES OF BIDDERS		DOCUMENTARY EVIDENCE (to be submitted with the bid / all the documents required must be submitted)	TICK	
4	Youth owned enterprise	<ul style="list-style-type: none"> <li>- Certified copy of identity documents (IDs) of all stakeholders</li> <li>- Certified copy of founding statement/company registration indicating ownership structure/ copy of shareholder certificate</li> </ul>	Yes	
			No	

If yes, percentage equity owned by Namibian youths	
--	--

#### 5. Previously Disadvantaged Person owned Enterprise

CATEGORIES OF BIDDERS		DOCUMENTARY EVIDENCE (to be submitted with the bid / all the documents required must be submitted)	TICK	
5	Previously Disadvantaged Person owned enterprise	<ul style="list-style-type: none"> <li>- Certified copy of identity documents (IDs) of all stakeholders</li> <li>- Certified copy of founding statement/company registration indicating ownership structure/ copy of shareholder certificate</li> </ul>	Yes	
			No	

If yes, percentage equity owned by previously disadvantaged Namibians	
---	--

#### 6. Suppliers Providing Environmental Protection

CATEGORIES OF BIDDERS		DOCUMENTARY EVIDENCE (to be submitted with the bid / all the documents required must be submitted)	TICK	
6	Suppliers providing environmental protection	<ul style="list-style-type: none"> <li>- Evidence that the bidder promotes the protection of the environment, maintain ecosystems and sustainable use of natural resources</li> </ul>	Yes	
			No	

If yes, bidder must provide evidence or elaborate on any initiatives to protect the environment, maintain ecosystems and the sustainable use of natural resources.

#### 7. Suppliers Providing Employment to Namibians

CATEGORIES OF BIDDERS		DOCUMENTARY EVIDENCE (to be submitted with the bid / all the documents required must be submitted)	TICK	
7	Suppliers providing employment to Namibians	<ul style="list-style-type: none"> <li>- Declaration that the bidder employs 50% or more Namibian citizens</li> <li>- Certified copies of Namibian citizens employed by the bidder</li> </ul>	Yes	
			No	

If yes, kindly provide an organogram indicating the total number of employees. In addition, provide a list of all Namibians with proof of identifications.

**ANNEXURE 1**  
**COST STRUCTURE FOR VALUE ADDED CALCULATION**  
(Paragraph 1)

	Product 1	Product 2
	N\$	N\$
<b>Raw Materials, Accessories and Components</b>		
• Imported (CIF)		
• Local (Value Added Tax and Excise Duty Fee)		
• Local (Cost, Insurance, Freight)		
<b>Labour Cost</b>		
• Direct Labour		
• Clerical Wages		
• Salaries to Management		
<b>Utilities</b>		
• Electricity		
• Water		
• Telephone		
<b>Depreciation</b>		
<b>Interest on Loans</b>		
<b>Rent</b>		
<b>Other (please specify)</b>		
<b>TOTAL COST</b>		
<b>COST OF IMPORTED INPUTS</b>		
LOCAL VALUE ADDED		
<b>% LOCAL VALUE ADDED</b>		

$$\text{Local Value Added} = \frac{\text{Total Cost} - \text{Cost of imported inputs}}{\text{Total Cost}} \times 100$$

**NB! The cost structure must be certified by an Accountant.**

This form maybe reproduced, but it should be in the same format or reflect the whole information on it.

I/We\* hereby declare that the information provided above outlines the preferences that I/We\* qualifies for, and that the information provided is correct

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Dated on \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_



## Qualification Information

*The information to be filled in by **bidders** in the following pages and Forms thereafter shall be used for purposes of post-qualification or for verification of prequalification as provided for in ITB Clause 6. Attach additional pages as necessary. Pertinent sections of attached documents should be translated into English.*

### 1. Individual Bidders or Individual Members of Joint Ventures

(a) Constitution or legal status of Bidder..... [attach copy]

Place of registration.....

Principal place of business.....

Evidence of signatory authorized to sign the bid (if applicable): [attach]

(b) Five (5) years' experience in works of a similar nature and size.

This should be construction of houses or residential projects or building works of similar nature and same complexity (a large number of housing units constructed under one/same project) with a combined value of not less than N\$ 20 million.

The criteria should be substantiated by documentary evidence in the form of award letters, completion certificates, reference letters, or any other documentary proof.

Information of contactable clients should be provided.

(c) Experience as Prime Contractor in the construction of one or more house/residential construction or building works project with size and value of not less than N\$ 20 million. This should be a project of similar nature and same complexity (a large number of housing units constructed under the same project, and this should be three or more housing units per project).

- The project must have been completed within the last five (5) years.
- Projects will be assessed individually and not combined. At least one of the Projects mentioned must meet the required criteria.
- Bidders must submit reference letters, award letters or any other documentary proof referring to the completed project and its value.
- Bidders must submit certificates of practical completion as supporting documents of the letters mentioned in (iii) above.
- Value of the project must be indicated on one of these attachments or confirmed separately. Payments certificates may be submitted to proof the project value.
- Clients and consultants (principal agents) will be contacted for confirmation and further information on the projects listed.
- Please note that the project referenced or used for evaluation should have been completed at date when the bid is submitted.
- Bidders are required to identify one (1) projects and list them on the forms provided in Table 4.

- If the referenced project does not meet the requirements, NHE will have the prerogative to choose another project listed in the information submitted.
- Please note that physical inspection will be carried out to assess only the cited/listed/evaluated projects that meets requirements and consultation will be held with principal agents and clients.
- The inspection of projects will be scored and failure to physically proof what has been presented by the bidder might result in disqualification.

(d) Proposals for the timely acquisition (own, lease, hire, etc.) of the essential equipment required for performance of the contract such as:

- Concrete mixers and/or concrete supply plans
- Small tools (wheelbarrows, spades, etc.)
- Any other equipment not listed

List of equipment must be provided with proof of ownership.

Lease or renting is also allowed and proof of agreements or recent accounts confirmations with rental hires must be provided. (proof must not be older than 12 months)

(e) Contract Manager/Project Manager/Site Agent/Foremen with five years' experience in works of an equivalent nature and volume, including no less than three years as Manager.

Detailed CV of qualifications, job history and experience is required.

Certified copies of qualifications in construction related disciplines or equivalent must be provided.

Proposed personnel must work for the Bidder or provide letter of intent once Bidder is awarded the contract (proof must be attached).

The listed person/s must be based on site full time and will be the point of contact for all instructions by designated NHE site representative. Any replacement of the cited person/s must be communicated in writing and relevant documentation as required above should be submitted to NHE Project Manager.

Non-adherence to this requirement will result in a breach of contract.

(f) Qualifications and experience of key site personnel and technical personnel proposed for the contract.

At least two (2) must be listed with detailed CVs attached, of which one should be an electrician with a valid wireman license and relevant qualifications.

Proposed personnel must work for the Bidder or provide letter of intent once Bidder is awarded the contract (proof must be attached).

Detailed Organogram/ similar layout must be provided by bidders.

(g) Evidence that bidder is able to raise adequate working capital of not less than N\$ 20 million at any time as it may be required during stage two of the bidding process. (100% of N\$ 20 million)

Proof of access to line(s) of credit and/or availability of any other financial resources must be provided. Such proof should have been issued after the invitation date.

Bank letters issued specifically for this bid should be in original form and must be signed and stamped by an authorised person. Copies of other proof not submitted in original must be certified.

Letter of intent will not be accepted. Bidder must demonstrate to have funds available if they happen to be the successful bidder.

Recent bank statements indicating available funds will be considered.

Bank letters confirming the available funds should clearly state a balance at/on hand at time of issue.

Source of Funding	Type of Funding	Amount

To be substantiated by proof, term sheets, financing agreements, etc.

- (a) Bidder must demonstrate proof of building material suppliers accounts and/or cash accounts, together with good standing reference to demonstrate favourable trading history. Such proof should not be older than 6 months from date of advert.

Proof of cash accounts are accepted provided that the Bidder proves to have financial means to utilise and service the account.

- (b) Bidder shall complete and submit a comprehensive list of all past and current litigation, arbitration, mediation, or any other dispute resolution solutions involved in the past 5 years.

Each Bidder or member of a JV must fill in this form.

Past and Current Litigation, Arbitration, Mediation, etc.			
<input type="checkbox"/> No pending litigation <input type="checkbox"/> Pending litigation			
Year	Matter in Dispute	Value of Claim in N\$ Equivalent	Value of Pending Claim as a Percentage of Net Worth

## 2. Additional Requirements

Bidders should provide any additional information requested in the bidding document

## Template – Current Contract Commitments / Work in Progress

Each Bidder and each member of a JV should provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

Name of Contract	Employer, contact name/ address/tel/fax/ e-Mail	Value of outstanding work (current N\$ equivalent)	Estimated completion date	Average monthly invoicing over last six months (N\$/month)
1.				
2.				
3.				
4.				
5.				
etc.				

## Template – General Construction Experience

Each Bidder or member of a JV must fill in this form.

General Construction Experience				
Starting Month Year	Ending Month Year	Years	Contract Identification and Name Name and Address of Employer Brief Description of the Works Executed by the Bidder	Role of Bidder

## Template – Similar Construction Experience

Fill in one (1) form for each contract.

Contract of Similar Size and Nature			
Contract No . . . . . of . . . . . ..	Contract Identification		
Award Date		Completion Date	
Role in Contract	Contractor	Management Contractor	Subcontractor
Total Contract Amount	N\$		
If partner in a JV or subcontractor, specify participation of total contract amount	Percent of Total	Amount	
Employer's Name Address Telephone/Fax Number E-mail			
Description of the similarity			
a) similarity based on the physical size, complexity, methods, technology, or other characteristics as described in Section IX, Technical Specifications.			
b) similarity based on the location within a environmentally sensitive area.			

## Template – Construction Equipment

The Bidder shall provide adequate information to demonstrate clearly that it has the capability to meet the requirements for the key equipment listed in Section III, Evaluation and Qualification Criteria. A separate Form shall be prepared for each item of equipment listed, or for alternative equipment proposed by the Bidder.

Item of equipment		
Equipment information	Name of manufacturer	Model and power rating
	Capacity	Year of manufacture
Current status	Current location	
	Details of current commitments	
Source	Indicate source of the equipment <input type="checkbox"/> Owned <input type="checkbox"/> Rented <input type="checkbox"/> Leased <input type="checkbox"/> Specially manufactured	

Omit the following information for equipment owned by the Bidder.

Owner	Name of owner	
	Address of owner	
	Telephone	Contact name and title
	Fax	Telex
Agreements	Details of rental / lease / manufacture agreements specific to the project	

## Template – Project Management Organisation

I (We) set out below details of the Project Management Organization, together with identification and Curriculum Vitae (“CV”) for each key member for each of the construction phases for all the Lots that we are bidding for.

[At a minimum, CVs must be provided for the personnel/subcontractors that would be responsible for the following key positions and tasks, using the forms provided for that purpose:

Project/Contract Management

Site/Construction Management

Equipment/Plant Management

Environmental and Social Compliance

Health and Safety Compliance

Where one of the Bidder’s staff members or subcontractors would be responsible for more than one of these positions or tasks, his/her CV must clearly demonstrate the ability to perform each of the allocated positions or tasks.

In addition, the Bidder shall provide information on all supervisory and skilled staff as well as on subcontracted components of the Works.

The names of operators, semi-skilled and unskilled staff are not required, but the numbers planned for each position must be inserted.

For all positions the nationalities of proposed staff members must be indicated. For operators, semi-skilled and unskilled staff the numbers of proposed staff members per nationality must be shown.

For staff members and sub-contractors to be recruited, bidders must supply information on their recruitment strategy. Bidders are encouraged to, as far as possible, recruit labor and sub-contractors from the region where the Works will be executed.



## Template – CV's of Key Personnel

Name of Bidder
----------------

Position		
Personnel information	Name	Date of birth
	Professional qualifications <i>(attach certified copies of qualifications)</i>	
Present employment	Name of employer	
	Address of employer	
	Telephone	Contact (manager / personnel officer)
	Fax	E-mail
	Job title	Years with present employer

Summarize professional experience over the last 20 years, in reverse chronological order. Indicate technical and managerial experience relevant to the project.

From	To	Company / Project / Position / Relevant technical and management experience

## Template – JV Information Sheet

Each member of a JV or an association must fill in this form.

JV / Specialist Subcontractor Information	
Bidder's legal name	
JV Partner's or Subcontractor's legal name	
JV Partner's or Subcontractor's country of constitution	
JV Partner's or Subcontractor's year of constitution	
JV Partner's or Subcontractor's legal address in country of constitution	
JV Partner's or Subcontractor's authorized representative information (name, address, telephone numbers, fax numbers, e-mail address)	
<p>Attached are copies of the following original documents:</p> <p><input type="checkbox"/> 1. Articles of incorporation or constitution of the legal entity named above</p> <p><input type="checkbox"/> 2. Authorization to represent the firm named above.</p>	

## Section IV – Evaluation Criteria

### Evaluation Criteria

This Section complements the Instructions to Bidders. It contains the criteria that NHE will use to evaluate a bid and determine whether a Bidder has the required qualifications. The Criteria hereunder are derived from the ITB and BDS. No other criteria but those indicated here shall be used during evaluation.

### Evaluation Methodology

Evaluation will be conducted by a Bid Evaluation Committee (BEC) appointed in accordance with the Procurement Act and Regulations and evaluated in accordance with the criteria stated here below and in tables 1, 2,3 and 4 in four phases.

#### **Phase 1: Evaluation of Administrative and Legal Compliance**

##### Legal Compliance – ITB 13.1(4)

In terms of section 50(2), bidders will be assessed for having submitted documents as stipulated in that section, failing which the bidder or supplier must be disqualified.

As per **TABLE 1**, only the bidders who score a **Yes** for by providing all the required (mandatory) documents and satisfy the formal documentary evidence as stipulated ITB 13.1(4), ITB 20.1 and providing proof of payment will be considered for further evaluation.

##### Administrative Compliance – ITB 13.1 (all paragraphs excluding paragraph 4)

Administrative compliance will be assessed based on a Yes or No, and the aim of this criteria is the collection of administrative information that will eventually form part of the contract at award. Bidders will not be disqualified by scoring a No at this stage as per **TABLE 2**.

#### **Phase 2: Evaluation of Technical Compliance**

Bidders will be assessed against the Technical Evaluation criteria as stated in **TABLE 3**.

The eligibility criteria will be assessed based on the scoring matrix. Only the bidders who obtain **80%** for all criteria and satisfy the formal documentary evidence, will be considered to participate in stage two of the bidding process. At the end of stage one, all bidders who are substantially non-responsive will be rejected.

NHE will only invite bidders whose bids have not been rejected to submit final bids with prices in the second stage.

#### **Phase 3: Completed Projects Reference Form**

Bidders will be assessed against the criteria as stated in **TABLE 4**.

The eligibility criteria will be assessed based on the scoring matrix. Only the bidders who score **80%** for all criteria and satisfy the formal documentary evidence as, will proceed to the next stage of the bidding process. Submission

## **Margin of Preference**

Bidders are required to submit any relevant information on margin of preference during stage one because the requirements are closely linked to mandatory documentation. This information will be applied at price evaluation in stage two.

In terms of the Code of Good Practice on Preferences, margin of preference means a percentage of price preference given to a bidder who meets the specified criteria as determined.

This code of good practice aims to promote, facilitate, and strengthen measures to implement the empowerment and industrialization policies of the Government by providing a framework for the application of preferences and reservations under the Act without compromising standards of goods, works and services and value for the money, grant exclusive preference to categories of local suppliers through reservations of certain procurement of goods and, works and services.

The maximum cumulative allowable margins of preferences applicable to exclusive preference for price evaluation purposes is 10%.

A bidder must complete and sign the declaration in respect of exclusive preference included in this document above, outlining the preferences the bidder qualifies for and the grounds for such qualifications.

Margins of preferences will be applied, as per Annexure 6 of the Code of Good Practice, as follows on the total cost in the price schedule:

### MARGIN OF PREFERENCES WHEN EVALUATING BIDS FOR EXCLUSIVE PREFERENCE

CATEGORIES OF BIDDERS	DEFINITION / CRITERIA (in terms of code of good practice on preferences)	MARGIN OF PREFERENCE	DOCUMENTARY EVIDENCE (to be submitted with the bid / all the documents required must be submitted)
Manufacturer	means a person or company that is involved in the physical or chemical transformation of materials or components into new products whether or not – a) the transformation is through work- i) performed by a power-driven machine or by hand, ii) done in a home or factory, or b) the new products are sold on wholesale or retail basis	2%	- certificate of registration from a registering authority
			- declaration by the bidder that the manufactured goods meet the local content as determined in Annexure 6 as per the cost structure for Value Added Calculation in Annexure 1, and as certified by an Accountant - (please refer to code of good practice for above stated annexures)
Micro, Small and Medium Enterprise	means an enterprise that has a valid micro, small and medium enterprise certificate issued by the Ministry responsible for trade, whose minimum equity is 51% owned by Namibians	1%	- certified copy of SME registration certificate
			- declaration indicating the percentage of Namibian MSME ownership (kindly use structure of form)
Women owned enterprise	a bidder who is a woman or whose minimum equity is 51% owned by Namibian women	1%	- certified copy of identity documents (IDs) of all stakeholders
			- certified copy of: founding statement and/or company registration indicating ownership structure and/or copy of shareholder certificates
			- declaration indicating the percentage of Namibian female ownership
Youth owned enterprise	“youth” means a young person aged from 16 to 35 years old as defined in section 1 of the National Youth Council Act, 2009 (Act No.3 of 2009) a bidder who is a youth or whose minimum equity is 51% owned by Namibian youths	2%	- certified copy of identity documents (IDs) of all shareholders
			- certified copy of founding statement/company registration indicating ownership structure/ copy of shareholder certificate
			- declaration indicating the percentage of Namibian youth ownership
Previously Disadvantaged Person owned enterprise	means persons contemplated in Article 23(2) of the Namibian Constitution and includes – a) women; and	2%	- certified copy of identity documents (IDs) of all shareholders
			- certified copy of founding statement/company registration indicating ownership structure/ copy of shareholder certificates

	b) persons with any disability as defined in the National Disability Act, 2004 (Act No. 26 of 2004) a bidder who is a PDP or whose minimum equity is 51% owned by Namibian PDPs		- declaration indicating the percentage of Namibian PDP ownership
persons within Namibia who have been socially, economically, or educationally disadvantaged by past discriminatory laws or practices as contemplated in Article 23(2) of the Namibian Constitution			
Suppliers providing environmental protection	a bidder that promotes the protection of the environment, maintain ecosystems and sustainable use of natural resources as specified by the public entity in the bidding document	1%	- declaration by the bidder that the latter deals with environmental protection
Suppliers providing employment to Namibians	a bidder who employs 50% or more Namibian citizens	1%	- declaration that the bidder employs 50% or more Namibian citizens
			- certified copies of Namibian citizens employed by the bidder
<b>TOTAL</b>		<b>10%</b>	

## Phase 1: Evaluation of Administrative and Legal Compliance

**TABLE 1: Mandatory Legal Compliance**

DOCUMENT DESCRIPTION		YES/NO
1	<b>Electronic Funds Transfer (EFT) Proof of Payment</b>	
2	Bid Securing Declaration; ITB 13.1(4)(f) and ITB 20.1 (On form provided or company letterhead in the same format of the form)	
3	Company Registration Information A certified copy of valid registration certificate or relevant documentation as outlined in ITB 13.1(4)(e)	
4	an original or certified copy of a valid certificate of good standing with the Receiver of Revenue; ITB 13.1(4)(a)	
5	a valid certificate of good standing with the Social Security Commission or, in the case where a company has no employees, confirmation letter from the Social Security Commission; ITB 13.1(4)(b)	
6	Affirmative action compliance: - Certified copy of certificate, or - Certified copy exemption, or Certified copy of proof.; ITB 13.1(4)(c)	
7	Completed Undertaking in terms of section 138 of the Labour Act; ITB 13.1(4)(d) (On form provided or company letterhead in the same format of the form)	

**TABLE 2: Administrative Compliance**

DOCUMENT DESCRIPTION		YES/NO
1	Fully Completed Bid Submission Form; ITB 13.1(1), (On form provided or company letterhead in the same format of the form)  Attached certified copy of identity document (ID) or certified copy of a valid passport of representative & evidence of signatory authorized to sign the bid	
2	Qualification information and documentary evidence establishing the Bidder's qualifications to perform the contract; ITB 13.1(2)  (All information to be completed on forms provided or presented on separate stationery in the same format of the forms. Company profiles with relevant information are acceptable)	
3	Authorisation to sign bids on behalf of the Bidder (Power of attorney / Written authorization) as stated in ITB 21.2.  (Company letterhead and own format)	
4	Bidding Document submitted in original & copy and fully signed & initialed; ITB 13.1(5)(i) and (ii)	
5	An undertaking on the part of the Bidder that the salaries and wages payable to its personnel in respect of this proposal are compliant to the relevant laws, Remuneration Order, and Award, where applicable and that it will abide to sub-clause 4.6 of the General conditions of Contract if it is awarded the contract or part thereof; ITB 13.1(5)(iv)  (separate letter from bidder) (Company letterhead and format)	
6	Completed Self Declaration Form in respect of eligibility criteria: ITB 5.3(a) & ITB 13.1(5)(vi)	
7	Margin of preference declarations outlining the preferences the bidder qualifies for and the grounds for such qualifications: ITB 32	



## PHASE 2: TABLE 3: Evaluation of Technical Compliance

(All Documents must be certified copies or original where indicated)

(Bidder must score a minimum of 80% to proceed to the next stage of evaluation)

#	Description	Source of Verification	Scoring Notes		Weight
1	<p>Five (5) years' experience in works of a similar nature and size and clients who may be contacted for further information on those contracts.</p> <p>This should be construction of houses or residential projects or building works of similar nature and same complexity (a large number of housing units constructed under one/same project) with a combined value of not less than N\$ 20 million.</p> <p>The criteria should be substantiated by documentary evidence in the form of award letters, completion certificates, reference letters, or any other documentary proof.</p> <p>Information of contactable clients should be provided.</p> <p><b>(ITB 6.2(c))</b></p>	<ul style="list-style-type: none"> <li>Bidder must provide evidence to proof experience in works of a similar nature and size</li> <li>Bidder must provide contact information of clients and consultants to be contacted for further information on those contracts.</li> <li>The information provided at this stage should be the construction of houses or residential projects or building works of similar nature and same complexity (a large number of housing units constructed).</li> </ul>	Works of similar nature and size for 5 (five) years or more	10%	<b>10%</b>
			Works of similar nature and size for 4 (four) years	7.5%	
			Works of similar nature and size for 3 (three) years	5%	
			Works of similar nature and size for 2 (two) years	2.5%	
			Works of similar nature and size 1 (one) year	1%	
			No evidence of works of similar nature and size	0%	
2	<p>Experience as Prime Contractor in the construction of one or more house/residential construction or building works project with size and value of not less than N\$ 20 million.</p> <p>i. The project must have been completed within the last five (5) years.</p> <p>ii. Projects will be assessed individually and not combined.</p> <p>iii. Bidders must submit certificates of practical completion as supporting documents of the letters mentioned in (iii) above.</p> <p>iv. Value of the project must be indicated on one of these attachments or confirmed separately. Payments certificates may be submitted to proof the project value.</p>	<ul style="list-style-type: none"> <li>This should be a project of similar nature and same complexity (a large number of housing units constructed under the same project, and this should be three or more housing units per project).</li> <li>At least one of the Projects mentioned must meet the required criteria.</li> <li>Bidders must submit reference letters, award letters or any other documentary proof referring to the completed project and its value</li> <li>Please note that physical inspection will be carried out to assess only the cited/listed/evaluated</li> </ul>	Experience as prime contractor in works of N\$20mil or more	30%	<b>30%</b>
			Experience as prime contractor in works below N\$20mil but not less than 50% of N\$20mil.	15%	
			Experience as prime contractor in works below 50% of N\$20mil	5%	
			No experience as Prime Contractor	0%	

	<p>v. Clients and consultants (principal agents) will be contacted for confirmation and further information on the projects listed.</p> <p>vi. Please note that the project referenced or used for evaluation will be inspected and should have been completed at date when the bid is submitted.</p> <p><b>(ITB 6.3 (b))</b></p>	<p>projects that meets requirements and consultation will be held with principal agents and clients.</p> <ul style="list-style-type: none"> <li>The inspection of projects will be scored and failure to physically proof what has been presented by the bidder might result in disqualification.</li> </ul>			
3	<p>Construction equipment proposed to carry out the contract/project.</p> <p>List must be provided with proof of ownership.</p> <p>Lease or renting is allowed and proof of agreements or recent accounts confirmations with tool/plant/machinery/equipment hires must be provided. (proof must not be older than 12 months)</p> <p><b>(ITB 6.2(d) &amp; ITB 6.3(c))</b></p>	<p>Proposals for the timely acquisition (own, lease, hire, etc.) of the essential equipment required for performance of the contract such as:</p> <ul style="list-style-type: none"> <li>Concrete mixers and/or concrete supply plans</li> <li>Small tools (wheelbarrows, spades, etc.)</li> <li>Any other equipment not listed</li> </ul>	<p>List of plant attached + proof of ownership/lease of at least 3 or more of the plant mentioned.</p>	10%	<b>10%</b>
			<p>List of plant attached + proof of ownership/lease of at least 2 of the plant mentioned.</p>	7.5%	
			<p>List of plant attached + proof of ownership/lease of at least 1 of the plant mentioned.</p>	5%	
			<p>No proof provided</p>	0%	
4	<p>Contract Manager/Project Manager/Site Agent/Foremen with five years' experience in works of an equivalent nature and volume, including no less than three years as Manager.</p> <p>Detailed CV of qualifications, job history and experience is required.</p>	<ul style="list-style-type: none"> <li>Position of Project/Contract Manager/Site Agent /Foreman must be indicated either in the bidding document or on the CV.</li> <li>CV of Project/Contract Manager/Site Agent</li> </ul>	<p>CV, 5 years and more relevant experience (works + management) &amp; qualifications (must be attached) + must work for bidder or letter of intent</p>	20%	<b>20%</b>

	<p>Certified copies of qualifications in construction related disciplines or equivalent must be provided.</p> <p>Proposed personnel must work for the Bidder or provide letter of intent once Bidder is awarded the contract (proof must be attached).</p> <p>The listed person/s must be based on site full time and will be the point of contact for all instructions by designated NHE site representative. Any replacement of the cited person/s must be communicated in writing and relevant documentation as required above should be submitted to NHE Project Manager.</p> <p>Non-adherence to this requirement will result in a breach of contract.</p> <p><b>(ITB 6.3(d))</b></p>	<p>/Foreman must be provided.</p> <ul style="list-style-type: none"> <li>• Experience of Project/Contract Manager/Site Agent /Foreman must be of relevance to the current nature of bid.</li> <li>• Project/Contract Manager/Site Agent/Foreman must indicate 3 or more years' experience in Managerial/Supervisory position.</li> <li>• Must work for bidder or there must be proof on intend to do so.</li> </ul>	<p>CV, 4 years relevant experience (works + management) &amp; maybe no qualifications + must work for bidder or letter of intent</p>	15%	
			<p>CV, 3 years' experience (works + management) &amp; qualifications (must be attached) + must work for bidder or letter of intent</p>	10%	
			<p>2 years or below</p>	0%	
5	<p>Qualifications and experience of key site personnel and technical personnel proposed for the contract.</p> <p>At least two (2) must be listed with detailed CVs attached, of which one should be an electrician with a valid wireman license and relevant qualifications.</p> <p>Proposed personnel must work for the Bidder or provide letter of intent once Bidder is awarded the contract (proof must be attached).</p> <p>Detailed Organogram/ similar layout must be provided by bidders</p> <p><b>(ITB 6.2(e))</b></p>	<ul style="list-style-type: none"> <li>• Detailed Organogram/ similar layout must be provided by bidders.</li> <li>• Key site personnel must have relevant experience and qualifications relating to the nature of the tender.</li> <li>• At least two other CVs other than that of the one mentioned in criteria no.4 must be provided.</li> <li>• Must work for bidder or there must be proof on intend to do so.</li> <li>• Examples of such key personnel are – Foreman, Plumber, Electrician,</li> <li>• Engineer, QS, Bricklayer, Safety Officer, Carpenter etc.</li> </ul>	<p>Key personnel include all three builder, plumber and electrician</p> <p>Detailed CV and relevant qualifications</p>	15%	<b>15%</b>
			<p>Key personnel include only 2 Detailed CV and relevant qualifications</p>	10%	
			<p>Key personnel include only 1</p>	5%	
			<p>None of the above.</p>	0%	
7	<p>Evidence of adequacy of working capital for this contract (access to line(s) of credit and availability of other financial resources of not less than N\$20 million</p> <p>Proof of building materials suppliers accounts will be considered and must be combined with financial</p>	<ul style="list-style-type: none"> <li>• Bidder must demonstrate access, or availability of, financial resources such as cash, liquid assets, unencumbered real assets, lines of credit, financing partners, and other financial means,</li> </ul>	<p>Financial resources of N\$20mil or more</p>	15%	<b>15%</b>
			<p>Financial resources below N\$20mil but not less than 50% of N\$20mil</p>	10%	

	resources to fulfil the requirement. <b>(ITB 6.2 (g))</b>	to meet financial obligations of at least N\$ 20mil	Financial resources below 50% of N\$20mil	5%	
			Anything below the above stated or no substantial proof of financial resources	0%	
	<b>TOTAL</b>				<b>100%</b>

### **Important Notes on Table.3 – Financial Resources**

(Bidder must demonstrate access, or availability of, financial resources such as cash, liquid assets, unencumbered real assets, lines of credit, financing partners, and other financial means, to meet financial obligations as stated in the requirements)

- No Letters of Intent will be accepted.
- All Letters from Financial Institutions must be original and properly stamped (all pages).
- All Letters from Financial Institutions must not be older than the date of the Bid Advert.
- All Letters from Financial Institutions must clearly indicate the Project Name.
- Letters from Financial Institutions indicating that they will provide guarantee is not relevant here, only relevant once the Bidder is successful.
- Bank Statements must be properly stamped (all pages), original and date must not be older than date of Bid Advert. Recent bank statements indicating available funds will be considered.
- Indications of Bank Overdraft Facilities – must be properly stamped (all pages), original and date must not be older than date of Bid Advert. This must also clearly indicate how much of the funds is still available to use for this Project. Bank letters confirming the available funds should clearly state a balance at/on hand at time of issue.
- Once a Financial Institution provides a letter to Bidder indicating funds, it must be approved already. Funds should be available at any time. Bidder must demonstrate to have funds available if they happen to be the successful bidder.
- Assets – We need proof of ownership (Bidder or owner) and need proof that there are no bonds, or any other debts allocated to this. Must be unencumbered. Valuations must also be attached not older than date of Bid Advert.
- Any documents in the name of the owner of the Bidder/Tenderer will also be accepted, but it must meet all the above-mentioned criteria in terms of the documents submitted. Should there be more than one owner/shareholder – documents submitted must be of the majority shareholder.

## Form – Completed Projects Reference

**Bidders must obtain a final score of 80% and above at this stage of evaluation to advance to the Final Stage of Pricing Comparison.**

### Important Notes

All Bidders who pass all the stages of Evaluation (Administrative and Legal, Technical as well as Financial Compliances), before proceeding to stage two of the procurement will be subjected to this evaluation process.

### Physical Verification of Identified Projects

Bidders are required to select one completed project that meets the requirements in Criteria 2 of Technical Compliance. This should be a project of similar nature and same complexity (a large number of housing units constructed under one/same project). If the referenced project does not meet the requirement and another project presented in bid does, the committee will consider that project for both evaluation and inspection.

NHE will only do physical verification on the project used for evaluation and site visits are compulsory and will be carried out by the Bid Evaluation Committee (BEC) members.

### Project No.1 – Project listed in Criteria 2 of Technical Compliance

House/residential construction or building works project with size and value equivalent to the bid amount or more.

### Reference Confirmation

Bidder must provide NHE with all the details of the projects and correct contact details of both the client and the consultant (principal agent) on the project. It is therefore of paramount importance that correct contact details for all projects forms part of your submission at all times. In instances where another project, other than the cited project is selected by BEC for evaluation, confirmation will be obtained, and reference check will be done accordingly.

NHE will directly contact the respective clients and consultants (principal agents) and their responses should be received on time. Failure to submit responses on time will result in a negative score to the bidder.

Listed clients and consultants (principal agents) will be required to give confirmation by completing the Completed Projects Reference Forms. Evaluation scores are allocated to the different criteria as stated on these forms.

Bidders are not allowed to complete these forms and /or influence this process in one or another way and should that be the case, bidders will be penalised.

Incorrect or insufficient information will result in the Bidder being disqualified from the evaluation process.

Each project must obtain a minimum score of 80% and physical verification will be done separately.

**Phase 3: TABLE 4: Completed Projects Reference Form****PROJECT NO.1****Project listed or selected for evaluation in Criteria 2 of Technical Compliance**

House/residential construction or building works project with size and value equivalent to the bid amount or more.

**Project Information**

<b>Type of Project / Description</b>	
<b>Start Date</b>	
<b>End Date</b>	
<b>Duration</b>	
<b>Budget</b>	
<b>Location of Project</b>	

Please note verification of project 1 is compulsory and inspections will be done by BEC members.

At time of physical verification, Bidders will be notified in advance, and it will be the responsibility of the Bidder to arrange with clients/occupants or any other person at the listed projects to enable NHE to have access to the project during inspections.

<b>Details</b>	<b>Scoring Criteria</b>	<b>Score</b>	<b>Weight</b>	<b>BEC Score</b>
<b>Workmanship</b>	Good	35%	35%	
	Average	17.5%		
	Bad	0%		
<b>Material Used</b>	Good	5%	5%	
	Average	2.5%		
	Bad	0%		
<b>TOTAL SCORE</b>			<b>40%</b>	

### Client Information

<b>Name of Client</b>	
<b>Position</b>	
<b>Contact Details (Office no)</b>	
<b>Contact Details (Cell phone no.)</b>	
<b>Contact Details (email address)</b>	

#### Evaluation of Project by Client:

NHE will directly contact the respective clients, and their responses should be received on time. Failure to submit responses on time will result in a negative score to the bidder.

Details	Scoring Criteria	Score	Weight	Client Score
<b>On Time Completion of Project</b>	Before / On time	10%	10%	
	Late	0%		
<b>Project Completed within Budget</b>	Within / Below Budget	5%	5%	
	Over Budget	0%		
<b>Workmanship</b>	Good	10%	10%	
	Average	5%		
	Bad	0%		
<b>Material Used</b>	As per specifications	5%	5%	
	Not as per specifications	0%		
<b>TOTAL SCORE</b>			30%	



### Consultant Information (Principal Agent)

<b>Name of Consultant (Principal Agent)</b>	
<b>Profession</b>	
<b>Contact Details (Office no)</b>	
<b>Contact Details (Cell phone no.)</b>	
<b>Contact Details (email address)</b>	

### Evaluation of Project by Consultant Information (Principal Agent):

NHE will directly contact the respective consultant (principal agent) and their responses should be received on time. Failure to submit responses on time will result in a negative score to the bidder.

Details	Scoring Criteria	Score	Weight	Consultant Score
<b>On Time Completion of Project</b>	Before / On time	10%	10%	
	Late	0%		
<b>Project Completed within Budget</b>	Within / Below Budget	5%	5%	
	Over Budget	0%		
<b>Workmanship</b>	Good	10%	10%	
	Average	5%		
	Bad	0%		
<b>Material Used</b>	As per specifications	5%	5%	
	Not as per specifications	0%		
<b>TOTAL SCORE</b>			30%	

<b>TOTAL SCORE OBTAINED BY BIDDER FOR PROJECT 1</b>	
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### END OF STAGE ONE

- *Kindly note that all terms and conditions in this bidding document will be applied to stage two of the bidding process.*
- *NHE will only invite bidders whose bids have not been rejected in stage one to submit final bids with prices in the second stage.*