

TENDERER'S NAME: .....

CLOSING DATE: **Friday, 12<sup>th</sup> March 2021 by 14:30**

PLACE: THE MANAGER  
MTC PROCUREMENT  
CORNER OF MOSE TJITENDERO & HAMUTENYA WANEHEPO NDADI  
STREET, OLYMPIA  
MOBILE TELECOMMUNICATIONS LIMITED (MTC) HEAD QUARTERS  
WINDHOEK



**TENDER NO: MTC03/21/O**

**SITES ACCESS ROADS REPAIR IN VARIOUS REGIONS FOR MTC**

MOBILE TELECOMMUNICATIONS LIMITED (MTC)  
EFFAISHE NGHIIDIPAA  
MANAGER PROCUREMENT  
WINDHOEK  
CNR MOSE TJITENDERO & HAMUTENYA WANEHEPO NDADI STREET  
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## A. CONDITIONS OF TENDER

### INVITATION TO TENDER

A.1.1 MTC hereby invites offers:

<b>CLIENT:</b>	<b>MOBILE TELECOMMUNICATIONS LIMITED (MTC)</b>
<b>TENDER DESCRIPTION:</b>	<b>Sites access roads repair in various regions for MTC</b>
<b>TENDER NUMBER:</b>	<b>MTC03/21/O</b>
<b>CLOSING DATE</b>	<b>Friday, 12<sup>th</sup> March 2021 by 14:30</b>
<b>ADDRESS TENDER TO:</b>	<b>MTC Procurement, Manager Procurement</b>
	<b>Cnr Mose Tjitendero &amp; Hamutenya Wanehepo Ndadi Street</b>
	<b>Olympia</b>
	<b>Windhoek, Namibia</b>
<b>ALL INQUIRIES:</b>	<b>Effaishe Nghiidipaa Manager Procurement Tel: +264 61 280 2019 Fax: +264 61 280 2057 Email: enghiidipaa@mtc.com.na</b>

### TENDER FORMAT

A.1.2 Tender documents must be in a sealed package as follows:

- A.1.2.1 One (1) hardcopy of Complete offer to be deposited in the tender box at MTC head Office in Olympia
- A.1.2.2 one (1) scanned electronic format OF **COMPLETE OFFER** to be uploaded on the MTC website

A.1.3 All documents must clearly be marked:

**TENDER NO: MTC03/21/O**

**“SITES ACCESS ROADS REPAIR IN VARIOUS REGIONS FOR MTC”**

**A.1.4 ALL TENDER DOCUMENTS MUST BE DEPOSITED INSIDE THE MTC TENDER BOX AT THE RECEPTION OF MTC HEAD OFFICES IN OLYMPIA, MOSE TJITENDERO AND HAMUTENYA WANAHEPO NDADI STREETS.**

**A.1.5 ALL SOFT COPIES MUST BE UPLOADED ON THE MTC WEBSITE**

## **DEFINITIONS**

A.1.6 In this Tender, unless the context clearly indicates the contrary, the following interpretation will apply to the terms stated below:

A.1.6.1 "MTC" shall mean Mobile Telecommunications Limited

A.1.6.2 "RFP" shall mean Request for Proposal (Tender)

A.1.7 This Request for Proposal is not a contract and does not create an obligation on MTC's part to purchase products / services from any company submitting a proposal. MTC reserves the right to reject any or all proposals in its sole and absolute discretion.

## **TENDER INVITATION**

A.1.8 MTC invites appropriately qualified companies to tender for sites access roads repair in various regions for Mobile Telecommunications limited (MTC) for a period of 2 years.

A.1.9 This tender document shall consist of the following Appendices:

A.1.9.1 Appendix A, BEE Scorecard: This scorecard is not to be filled out, but to show the various elements that the company should be accredited by the Namibia Preferential Procurement Council (NPPC). The Tenderer is required to approach the Namibia Preferential Procurement Council (NPPC), Telephone number 061 248 007, for accreditation and attach their accreditation certificate to the Tender response.

A.1.9.2 Appendix B, Non-Disclosure Agreement: This Non-Disclosure Agreement is to be completed by the Tenderer.

A.1.9.3 Appendix C – Questions template

## **GENERAL TENDER CONDITIONS**

A.1.10 All Tender Documents must be submitted before or on the closing date and time as indicated on the cover page and be deposited in the tender box at the entrance of MTC Headquarters, Olympia.

A.1.11 No late tenders will be considered.

A.1.12 Every Tender Document page must be initialed.

A.1.13 MTC is neither bound to accept the lowest of any Tender nor to assign any reason for acceptance or rejection of such Tender.

A.1.14 MTC reserves the right to change these dates and any other dates that may appear in this Tender. Such changes will be communicated as soon as they are made.

A.1.15 Notifications to companies will be in writing to the designated liaison person nominated by the firm (refer to paragraph A.1.36 below).

- A.1.16 From the submissions an evaluation will be performed highlighting a short list.
- A.1.17 If deemed necessary, negotiations may be entered into with the short listed candidates.
- A.1.18 Companies that wish to tender should examine this Tender carefully and review all instructions contained herein. Companies should follow the instructions so that MTC can easily evaluate and compare all proposals received.
- A.1.19 All prices must be in NAD and exclusive of all taxes.
- A.1.20 MTC in its sole and absolute discretion reserves the right to:
- A.1.20.1 Reject any or all proposals, whether or not these instructions are followed.
  - A.1.20.2 Reject any submissions not complying with the specified format.
  - A.1.20.3 Award the contract based solely on a proposal received without entering into any further discussions.
  - A.1.20.4 Short list candidates.
  - A.1.20.5 Not base the final decision solely on price.
- A.1.21 No correspondence will be entered into should MTC decide to reject any proposals or to withdraw the Tender.
- A.1.22 Each response must include a detailed discussion of each of the items below. Should responses not use the same heading and follow the same numbering as the Tender, MTC may automatically disqualify the company from the tender process.
- A.1.23 MTC will make its decision based on the quality of the information contained in the offers received and no opportunity will exist for any company to enhance such information after closing date and time of the Tender.
- A.1.24 It is important to clearly note down any assumptions made in the submitted offer so that each submitted offer may be evaluated fairly against all other offers received.
- A.1.25 This Tender outlines the requirements of MTC and the process to be followed by the prospective Tenderers in submitting an offer.
- A.1.26 Companies should provide a list of previous or current clients they served with similar projects. MTC reserves the right to contact any clients referenced.
- A.1.27 MTC reserves the right to exclude certain persons and legal entities in the event of poor performance; the Tender offering or attempting to offer any bribe, promised a bribe, or any other consideration to any MTC employee involved with this Tender or the tenderer has acted fraudulently and or in bad faith.
- A.1.28 Any restriction imposed upon any such Tenderer shall also apply to any other enterprise under the same or different name with which the person, firm or company is actively associated.

- A.1.29 MTC may accept any Tender in part or wholly with no obligation to explanation whatsoever.
- A.1.30 Tenderer shall be a Juristic Entity with valid Company Registration documents, in terms of the laws of the Republic of Namibia or country of origin. Tenderers who fail to prove that they are a juristic entity shall be disqualified.

## GENERAL EVALUATION CRITERIA

- A.1.31 Proposals will be evaluated by MTC using criteria in the Tender and as per the relevant questions asked. These categories are not necessarily listed in order of importance:
- A.1.31.1 Price competitiveness, including any price discount provided in the proposal.
  - A.1.31.2 Project completion schedules and lead times proposed.
  - A.1.31.3 Warrantee conditions and handling of claims.
  - A.1.31.4 Availability of references from other customers and reputation of tenderer.
  - A.1.31.5 Availability of infrastructure for after sales support, both local and international.
  - A.1.31.6 Compliance with local and international standards.
  - A.1.31.7 Certification and accreditations.
  - A.1.31.8 Value added to MTC.
  - A.1.31.9 The financial condition and trading record of the tenderer (Company profile, bank rating of tenderer etc.)
  - A.1.31.10 Tenderer degree of conformance to the Black Economic Empowerment Policy (A certificate from NPPC or any other recognised BEE accreditation agency should be submitted to prove the BEE credential):
    - Alternatively, shareholder names and certificates must be attached.
    - Small and medium enterprises (SME's) must submit their SME certificates issued by the Ministry of Trade and Industry.
- A.1.32 The Tenderer shall ensure that sufficient supporting documentation and information is supplied in his proposal to enable MTC to evaluate the proposal in respect of each of the abovementioned criteria.
- A.1.33 As per the Communications Regulatory Authority of Namibia: Regulations in respect of Type approval and Technical Standards for Telecommunications Equipment, published in the Government Gazette # 5659, General Notice # 22, the tenderer supplying equipment subjected to this regulation must ensure that all documentations required are obtained from the Regulator before importation. Failure to do so may lead to equipment being confiscated by Customs at the supplier's risk, and MTC hereby distances itself from any confiscated equipment.

## SUMMARY OF DEADLINES

ACTION	DUE DATE
TENDER DOCUMENTS AVAILABILITY:	01 <sup>st</sup> March , 2021
BRIEFING MEETING:	05 <sup>th</sup> March, 2021 @ 10h00 <a href="#">Click here to join the meeting</a>
SUBMISSION OF QUESTIONS:	09 <sup>th</sup> March, 2021
MTC RESPONSE TO QUESTIONS:	10 <sup>th</sup> March, 2021
TENDER CLOSING DATE:	12 <sup>th</sup> March, 2021; 14:30

## QUESTIONS & ANSWERS

- A.1.34 If required, companies may submit questions via email to the following e-mail address: tenders@mtc.com.na on or before 09<sup>th</sup> March 2021. Only questions submitted in the questions template as per Appendix C will responded to.
- A.1.35 All questions and answers thereto will be uploaded on the website by the 10<sup>th</sup> March 2021.
- A.1.36 Communication between MTC and prospective companies, for the duration of this Tender, must only be through Ms E. Nghiidipaa @ 061 280 2019 or enghiidipaa@mtc.com.na. No direct communication or contact with any other party at MTC is permissible. Any such breach may disqualify the company.

## TENDERER'S DESIGNATED LIASON

- A.1.37 Companies must select a single designated contact person, through whom all communications between MTC and the company will take place:

<b>CONTACT NAME:</b>	
<b>DESIGNATION:</b>	
<b>TELEPHONE:</b>	
<b>FAX:</b>	
<b>EMAIL:</b>	
<b>SIGNATURE:</b>	

**REFERENCE LIST (PREVIOUS COMPLETE PROJECTS)**

ITEM	COMPANY NAME	CONTACT PERSON	CONTACT DETAILS	YEAR SERVICE OF
1				
2				
3				
4				
5				

**SUCCESSFUL TENDERER’S PERFORMANCE MANAGEMENT**

- A.1.38 The successful Tenderer/s are subjected to annual performance reviews to be completed by the respective MTC representative or Procurement Officer responsible for the purchase. The review will be done at intervals to be decided upon by the Procurement department.
  
- A.1.39 The performance reviews will amongst others cover the following issues:
  - A.1.39.1 **Reliability:** How reliably do you follow through on your commitments to MTC?
  - A.1.39.2 **Cost:** How closely did your final total costs correspond to your expectations at the beginning of the transaction?
  - A.1.39.3 **Order Accuracy:** How well did the product/service delivered matched your order specifications and quantity?
  - A.1.39.4 **Delivery / Timeliness:** How satisfied is the appraiser about the timeliness of the product/service delivery?
  - A.1.39.5 **Quality:** How satisfied is the appraiser about the quality of the product/service provided by your company?
  - A.1.39.6 **Documentation Accuracy:** Does your company present its all and correct documents with its deliveries?
  - A.1.39.7 **Personnel:** How satisfied is the appraiser about the attitude, courtesy, and professionalism of your company's staff?
  - A.1.39.8 **Customer Support:** How satisfied is the appraiser about the customer support she/he received from your company?
  - A.1.39.9 **Responsiveness:** How responsive is your company to information requests, issues, or problems that arose in the course of the transaction?



## DECLARATION OF INTEREST FORM

Any deliberate omission in this declaration or the supplying of false information will be regarded in a serious light and may lead to an investigation and disqualification of the tender process.

Tenderer Name:

Tender #:

Description of Tender:

### RELATION TO MTC EMPLOYEES/ MANAGEMENT/ DIRECTORS

I herewith declare that I have/am related – i.e. spouse (also fiancé or boyfriend/ girlfriend), parent, child, any other relation with the following MTC Employee(s)/ Member(s) of Management/ Board of Directors:

\*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

### CONFIRMATION OF FACTUAL INFORMATION

I confirm by signing this declaration that, to the best of my knowledge, the statements made above are factual and accurate and that I have taken note of all the sections. \*

Full Name:

Signature:

Date:

\* Please initial in each box where applicable.

### TENDER PRICES

A.1.40 Tender prices shall be quoted in Namibian Dollar, the legal currency in use in the Republic of Namibia.

- A.1.41 No change in the submitted tender price shall be countenanced after receipt and before award of Tender.

## **VALIDITY OF TENDER AND ACCEPTANCE**

- A.1.42 The MTC is not bound to accept the lowest or any Tender nor to give any reason for the rejection of a Tender, nor shall they be responsible for or pay any expenses or losses which may be incurred by the Tenderer in the preparation and delivery of his Tender.
- A.1.43 Tenders remain open for acceptance for a period of ninety (90) days as from the closing date of the Tender.
- A.1.44 MTC reserves the right to ask for extension of the validity without any change in the prices.
- A.1.45 MTC shall not entertain price variations due to any currency fluctuations for the submitted offer during its validity period.
- A.1.46 After submission and before decision, no interviews dealing with the subject shall be answered by MTC. Tenderers may, however, be called upon to clarify aspects of their Tender at the discretion MTC, and supply further information requested and necessary to assess the Tenders.
- A.1.47 The successful Tenderer will be advised by the MTC to this effect by letter through the mail or by telegram or by fax and in such case the Post Office shall be regarded as the agent of the Tenderer and delivery of such acceptance to the Post Office shall be treated as delivery to the Tenderer.
- A.1.48 In the event that the Tenderer submits his proposal together with a technical partner whether local or foreign, MTC reserves the right to require that both the Tenderer and the Technical Partner conclude the Contract.
- A.1.49 The successful Tenderer shall provide at his own expense all the necessary revenue stamps for the Contract as required by Law in Namibia.
- A.1.50 After the signing of the Contract Documents by MTC and the successful Tenderer a duplicate copy shall be handed over to the latter.
- A.1.51 The MTC reserves the right to adjust arithmetical or other errors in the Tender. Any adjustments made to a Tender will be stated to the Tenderer prior to the acceptance of the Tender.

## **AMENDMENT OF TENDER DOCUMENTS**

- A.1.52 At any time prior to the last date of submission for offers, MTC may, for any reason, whether at its own initiative or in response to a clarification requested by a Tenderer, modify the documents by amendment.
- A.1.53 The amendment shall be notified to all the prospective Tenderers in writing and these shall be binding on them.
- A.1.54 MTC may extend the last date of submission required as a result of such amendment.

## **DETAILS CONFIDENTIAL**

- A.1.55 Tenderers shall treat all aspects pertaining to this tender as confidential and shall not disclose details to third parties except for bona fide tendering purposes.

## **LEGAL ASPECTS**

- A.1.56 Unless in special cases the MTC agrees to the contrary, the laws of the Republic of Namibia shall be applicable to each contract created by the acceptance of a tender and each Tenderer shall indicate a place in Namibia and specify it in his tender as his domicilium citandi et-executandi where any legal process may be served on him.
- A.1.57 Each Tenderer shall bind himself to accept the jurisdiction of the Courts of Law of the Republic of Namibia.
- A.1.58 Each foreign Tenderer shall state in his tender the name of his accredited agent in the Republic of Namibia in whom the necessary legal competence is vested and who has been duly appointed to sign any contract.
- A.1.59 A foreign company may tender on condition that, should it be informed by the MTC that its tender has been successful, it registers as a company and taxpaying entity in the Republic of Namibia prior to the signing of the Form of Agreement or within such extended time as may be allowed by the MTC.
- A.1.60 The Bidder should be an original equipment manufacturer (OEM) or authorized partner of OEM for supply of the equipment, licenses, solution implementation and maintenance support. Letter of confirmation from OEM must be submitted.
- A.1.61 The bidder is only allowed to submit one offer, either individually or in a partnership. Bidders submitting more than one offers will automatically be disqualified.
- A.1.62 One Bidder can bid only with one OEM and similarly one OEM can bid with only one Bidder. Letter of confirmation from the Bidder and OEM is required. Bidders with letters from the same OEM will automatically be disqualified.

## **DISQUALIFICATION OF TENDERERS**

- A.1.63 The offer of any Tenderer, which does not conform to the Conditions of this Tender and the instruction reflected in the Tender, may be disqualified at the discretion of the MTC.

## **NOTICE (S) TO TENDERS**

- A.1.64 Additional information and amendments to the tender documents will be conveyed to the Tenderers by the MTC or his agents, prior to the closing date of the tender, by means of Notices to Tenderers. Receipt thereof shall be acknowledged immediately to the sender by email and shall also be submitted together with the Tender Document with tender closure.

## **LANGUAGE**

- A.1.65 All offers shall be submitted in the English language.

## **ADDITIONAL CONDITIONS OF TENDER**

- A.1.66 **Good Standing in terms of the Social Security Commission Act**  
Tenderers shall provide Original certificates of good standing in terms of the Social Security Commission Act.
- A.1.67 **Good standing with Inland Revenue Office**  
Tenderers shall attach a valid Original Tax Good Standing Certificate.
- A.1.68 **Company Registration Certificate**  
Tenderers shall attach a valid copy of his/her Company Registration Certificate or proof of Defensive Name issued in terms of Section 7 of the Companies Act of 1973 (Act 61 of 1973) OR a Close Corporation Certificate issued in terms of Act 26 of 1988.
- A.1.69 **Letter of Intent**  
Letter of Intent to be provided by financial institution with the Tender to confirm that a Performance Guarantee will be issued after award of the Tender.
- A.1.70 **Shareholding**  
Tenderers shall attached shareholders certificates clearly indicating the shareholding structure of the company tendering

## **TERMS OF REFERENCE**

### **3 Technical specifications: Roads repairs**

#### **1) The Proposal:**

MTC Limited has numerous cell towers across the country in various types of terrain, and thus MTC looking for companies that will be able to implement solutions to repair the access roads at a fixed rate per meter.

Over the years MTC has developed solutions that have stood the test of time and weather elements, including recent rains across the country. While a variety of solutions could be utilized depending on the terrain and region, tenderers are encouraged to quote on the requested solutions only. Alternative solutions must be indicated separately

**2) The Solution**

The general solution is Concrete Strips with stone pitching in the middle of the road and on the sides.

Typical access road where solution would be deployed is shown here.

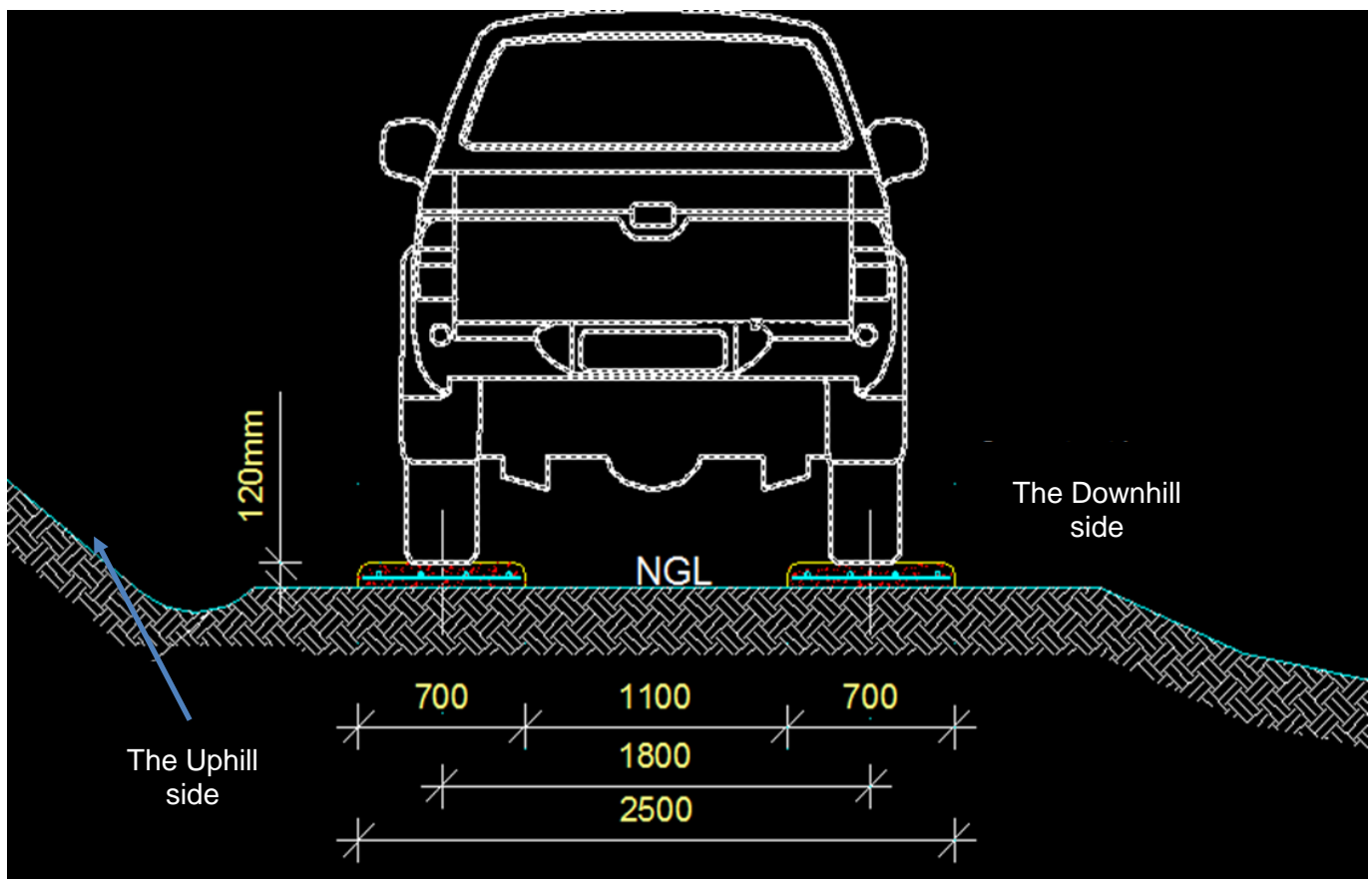


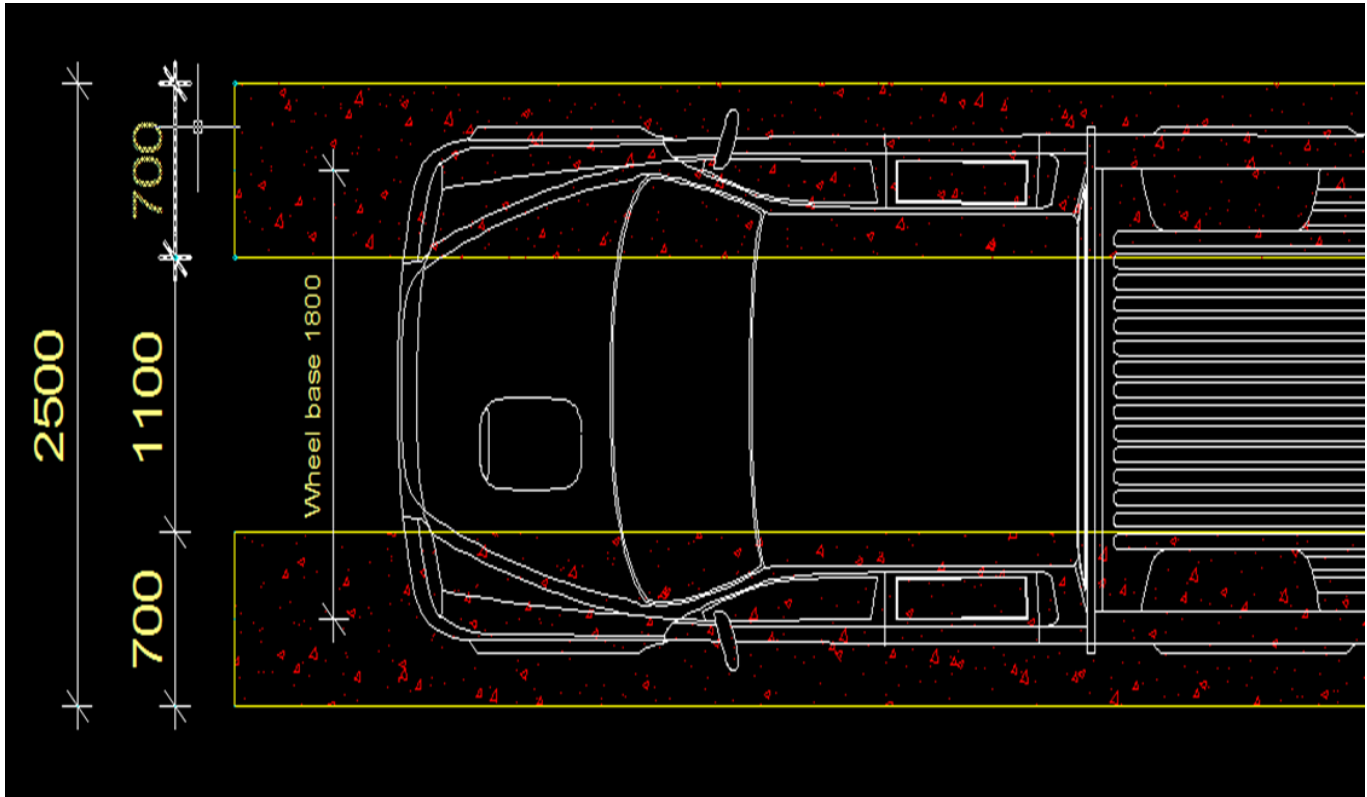
In some instances the road is quite rocky unlike in the picture above.





The following figures illustrate the solution:





### 3) The Pricing Schedule

Item Description	Quantity	Unit Price excl. VAT (Rate Only)
Typical Site Cost/m of solution Labour and Materials (included in cost)	Per meter	
Traveling per KM	Per KM	
Accommodation per person per night	Per night	
P&Gs per Site (Amount per Site)	Per site	

Notes:

- All tenders will participate in tender process at own cost. MTC will not reimburse any of the tenderers under any circumstances for any cost incurred whatsoever.
- By tendering MTC assumes that you are able to deliver good quality of work at sites anywhere in Namibia without limitations.
- The tenderers technical solution must be clearly illustrated to provide the following details based on a scenario of 100Meters road, typically rocky as indicated in the solution description:

1. Detailed interpretation of Solution – in your own description/words

2. Detailed methodology of technical solution for each site and terrain, water management and the strength of the concrete and target MPA value.
  3. Detailed methodology of project delivery giving all the components for clarity, from preparation, establishment till de-establishment.
  4. MTC prefers the tenderer to have undergone a Mountainous 4X4 driving training, proof of such must be attached to the tender response.
  5. Stakeholder management policy, identifying who are the most important of these members. Farm Owners, Conservancies, villagers, government, etc.
  6. The Responsibility matrix
  7. Occupational Health & Safety Policy
  8. Environmental management policy
- References of similar projects successfully implemented over the years must be provided no longer than 5 years ago.