



**MOBILE TELECOMMUNICATIONS LIMITED**

<b>TITLE OF TENDER</b>	REQUEST FOR PROPOSALS FOR ITIL/ISO CONSULTING SERVICES
<b>TENDER NO:</b>	MTC42/19/O
<b>DATE ISSUED:</b>	5 <sup>th</sup> November 2019
<b>CLOSING DATE:</b>	15 <sup>th</sup> November 2019, 14H30
<b>TENDERER NAME</b>	
<b>TOTAL TENDER AMOUNT (EXCL. VAT)</b>	

# CONTENT

<b>PART A – TENDER INVITATION.....</b>	<b>3</b>
<b>1. INVITATION TO TENDER .....</b>	<b>3</b>
<b>2. TENDER FORMAT .....</b>	<b>3</b>
<b>PART B – GENERAL TERMS AND CONDITIONS .....</b>	<b>4</b>
<b>3. TENDER CONDITIONS .....</b>	<b>4</b>
3.1 DEFINITIONS .....	4
3.2 TENDER INVITATION .....	4
3.3 GENERAL TENDER CONDITIONS.....	4
3.4 GENERAL EVALUATION CRITERIA.....	5
3.5 SUMMARY OF DEADLINES .....	6
3.6 QUESTIONS & ANSWERS .....	6
3.7 TENDERER’S DESIGNATED LIASON.....	6
3.8 REFERENCE LIST .....	7
3.9 SUCCESSFUL TENDERER’S PERFORMANCE MANAGEMENT .....	7
<b>4. DECLARATION OF INTEREST FORM .....</b>	<b>8</b>
<b>PART C – PROJECT SPECIFIC TERMS OF REFERENCE.....</b>	<b>9</b>
<b>1. Introduction and Schedule .....</b>	<b>10</b>
<b>2. Scope of Work .....</b>	<b>11</b>
<b>3. Submission Requirements .....</b>	<b>12</b>
<b>4. Evaluation and Selection Criteria .....</b>	<b>14</b>
<b>5. Contract Award.....</b>	<b>16</b>
<b>6. Terms and Conditions for Receipt of Proposals .....</b>	<b>16</b>

# PART A – TENDER INVITATION

---

## 1. INVITATION TO TENDER

MTC hereby invites offers:

CLIENT:	MOBILE TELECOMMUNICATIONS LIMITED (MTC)
TENDER DESCRIPTION:	<b>Request for Proposals for ITIL/ISO Consulting Services</b>
TENDER NUMBER:	MTC42/19/O
CLOSING DATE	15 <sup>th</sup> November 2019,14h30
TENDER PRICE:	Free
ADDRESS TENDER TO:	MTC Procurement, Manager Procurement
	Cnr Mose Tjitendero & Hamutenya Wanehepo Ndadi Street
	Olympia
	Windhoek, Namibia
ALL INQUIRIES:	Nghiidipaa Effaishe Manager Procurement Tel: +264 61 280 2019 Fax: +264 61 280 2057 Email: <a href="mailto:vmungonena@mtc.com.na">vmungonena@mtc.com.na</a>

## 2. TENDER FORMAT

2.1.1 Tender documents must be in a sealed package as follows:

- i. One (1) original, clearly marked "ORIGINAL"
- ii. One (1) soft copy in email or CD

2.1.2 All documents must clearly be marked:

"REQUEST FOR PROPOSALS FOR ITIL/ISO CONSULTING SERVICES" MTC42/19/O

---

**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.**

---

# PART B – GENERAL TERMS AND CONDITIONS

---

## 3. TENDER CONDITIONS

### 3.1 DEFINITIONS

- 3.1.1 In this Request for Proposal (Tender), unless the context clearly indicates the contrary, the following interpretation will apply to the terms stated below:
- ❖ “MTC” shall mean Mobile Telecommunications Limited
  - ❖ “RFP” shall mean Request for Proposal (Tender)
- 3.1.2 This Request for Proposal is not a contract, and does not create an obligation on MTC’s part to purchase services from any company submitting a proposal. MTC reserves the right to reject any or all proposals in its sole and absolute discretion

### 3.2 TENDER INVITATION

MTC hereby invites offers from all relevant quantified companies to submit detailed technical and financial proposals to provide **ITIL/ISO Consulting Service** to MTC.

- 3.2.1 This tender document shall consist of the following Appendices:
- 3.2.2 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 # 061 248 007 for accreditation and attach their accreditation certificate to the tender response.
- 3.2.3 Appendix B – Non Disclosure Agreement

### 3.3 GENERAL TENDER CONDITIONS

- 3.3.1 All tender documents must be submitted before or on the closing date and time as indicated on the cover page, should be returned and deposited in the tender box at the entrance of MTC Headquarters, Olympia No late tenders will be considered
- 3.3.2 Every tender document page must be initialled
- 3.3.3 MTC is neither bound to accept the lowest of any Tender nor to assign any reason for acceptance or rejection of such Tender
- 3.3.4 MTC reserves the right to change these dates and any other dates that may appear in this RFP. Such changes will be communicated as soon as they are made.
- 3.3.5 Notifications to companies will be in writing to the designated liaison person nominated by the firm.
- 3.3.6 From the submissions an evaluation will be performed highlighting a short list
- 3.3.7 If deemed necessary, negotiations may be entered into with the short listed candidates.
- 3.3.8 Companies that wish to tender should examine this RFP carefully and review all instructions contained herein. Companies should follow the instructions so that MTC can easily evaluate and compare all proposals received.
- 3.3.9 All prices must be in NAD and exclusive of all taxes

- 3.3.10 MTC in its sole and absolute discretion reserves the right to:
- 3.3.11 Reject any or all proposals, whether or not these instructions are followed
- 3.3.12 Reject any submissions not complying with the specified format
- 3.3.13 Award the contract based solely on a proposal received without entering into any further discussions.
- 3.3.14 Short list candidates
- 3.3.15 Not base the final decision solely on price.
- 3.3.16 No correspondence will be entered into should MTC decide to reject any proposals or to withdraw the RFP.
- 3.3.17 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 RFP. MTC may automatically disqualify the company from the tender process.
- 3.3.18 MTC will make its decision based on the quality of the information contained in the proposal and no opportunity will exist for any company to enhance such information after closing date and time of the tender.
- 3.3.19 It is important to clearly note down any assumptions made in the proposal so that each proposal may be evaluated fairly against all other submissions.
- 3.3.20 This RFP outlines the requirements of MTC and the process to be followed by the prospective Tenderers in submitting a response.
- 3.3.21 Companies should provide a list of previous or current clients they served with similar projects. MTC reserves the right to contact any clients referenced
- 3.3.22 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.
- 3.3.23 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.
- 3.3.24 MTC may accept any tender in part or wholly with no obligation to explanation whatsoever.

#### **3.4 GENERAL EVALUATION CRITERIA**

- 3.4.1 Proposals will be evaluated by MTC using criteria in the RFP and as per the relevant questions asked. These categories are not necessarily listed in order of importance:
  - Price competitiveness, including any price discount provided in the proposal.
  - Project completion schedules and lead times proposed.
  - Warrantee conditions and handling of claims.
  - Availability of references from other customers and reputation of tenderer.
  - Availability of infrastructure for after sales support, both local and international
  - Compliance with local and international standards.
  - Certification and accreditations
  - Value added to MTC
- 3.4.2 The financial condition and trading record of the tenderer (Company profile, Latest financial statements of tenderer etc)
- 3.4.3 Tenderer degree of conformance to the Black Economic Empowerment Policy (A certificate from NPPC 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.

- 3.4.4 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.
- 3.4.5 As per the Communications Regulatory Authority of Namibia: Regulations in respect of Type approval and Technical Standards for Telecommunications Equipment, gazetted in the Government Gazette # 5659, General Notice # 22, the tenderer supplying equipment subjected to this regulations 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.

**3.5 SUMMARY OF DEADLINES**

ACTION	DUE DATE
Tender documents availability	5 <sup>th</sup> November 2019
Submission of questions	8 <sup>th</sup> November 2019
MTC response to questions	11 <sup>th</sup> November 2019
Tender closing date	15 <sup>th</sup> November 2019,14h30

**3.6 QUESTIONS & ANSWERS**

- 3.6.1 If required, companies may submit questions via email to the following e-mail address: [tenders@mtc.com.na](mailto:tenders@mtc.com.na) on or before the **8<sup>th</sup> November 2019**.
- 3.6.2 All questions and answers thereto will be uploaded on the website by the **11<sup>th</sup> November 2019**.
- 3.6.3 Communication between MTC and prospective companies, for the duration of this RFP, must only be through **Mrs V. Mungonena @ 061 280 2134** or [vmungonena@mtc.com.na](mailto:vmungonena@mtc.com.na) No direct communication or contact with any other party at MTC is permissible. Any such breach may disqualify the company.

**3.7 TENDERER'S DESIGNATED LIASON**

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

Contact Name	
Designation	
Telephone	
Fax	
Email	
Signature	

### 3.8 REFERENCE LIST

Item	Company Name	Contact Person	Contact Details	Year of Service
1				
2				
3				
4				
5				

### 3.9 SUCCESSFUL TENDERER'S PERFORMANCE MANAGEMENT

3.9.1 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.

3.9.2 The performance reviews will amongst others cover the following issues:

- **RELIABILITY:** How reliably do you follow through on your commitments to MTC?
- **COST:** How closely did your final total costs correspond to your expectations at the beginning of the transaction?
- **ORDER ACCURACY:** How well did the product/service delivered matched your order specifications and quantity?
- **DELIVERY/TIMELINESS:** How satisfied is the appraiser about the timeliness of the product/service delivery?
- **QUALITY:** How satisfied is the appraiser about the quality of the product/service provided by your company?
- **DOCUMENTATION ACCURACY:** Does your company present its all and correct documents with its deliveries
- **PERSONNEL:** How satisfied is the appraiser about the attitude, courtesy, and professionalism of your company's staff?
- **CUSTOMER SUPPORT:** How satisfied is the appraiser about the customer support she/he received from your company?
- **RESPONSIVENESS:** How responsive is your company to information requests, issues, or problems that arose in the course of the transaction?

#### 4. 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.



# PART C – PROJECT SPECIFIC TERMS OF REFERENCE

---

	Page
<b>1. INVITATION TO TENDER .....</b>	<b>3</b>
<b>2. TENDER FORMAT .....</b>	<b>3</b>
<b>3. TENDER CONDITIONS .....</b>	<b>4</b>
<b>4. DECLARATION OF INTEREST FORM .....</b>	<b>8</b>
<b>1. Introduction and Schedule .....</b>	<b>10</b>
<b>2. Scope of Work .....</b>	<b>11</b>
<b>3. Submission Requirements .....</b>	<b>12</b>
<b>4. Evaluation and Selection Criteria.....</b>	<b>14</b>
<b>5. Contract Award .....</b>	<b>16</b>
<b>6. Terms and Conditions for Receipt of Proposals .....</b>	<b>16</b>

---

## 1. INTRODUCTION AND SCHEDULE

This Request for Proposal (RFP) document outlines the business requirements for Mobile Telecommunications Limited (MTC) in looking for a suitably experienced bidder to partner with in its endeavours to obtain ISO certifications on the standards listed section A, below.

### A. Background

The Mobile Telecommunication Company (hereafter referred to as "MTC") is a Namibian mobile communications operator founded in 1995. MTC's principal nature of business is to invest in and operate communications infrastructure in Namibia with intentions to offer complete solutions to its customer base. To date, MTC is the largest communications provider in Namibia with over two million active subscribers and a total of 807 active sites country wide.

MTC continuously upgrades and improves its Radio Access Network (RAN) by expanding its current coverage and capacity by building new sites and adding additional high speed data layers to existing radio sites (adding a 3rd generation layer (3G-UMTS) to existing 2nd generation (2G-GSM) sites; and 4th generation (4G-LTE) to existing 3rd generation (3G-UMTS) sites).

To continue supporting customers in the right manner, MTC uses relevant standard to demonstrate the ability to consistently provide products and services that meet customer and regulatory requirements. Given that background, MTC is preparing for an audit in order to obtain SOC 1 report and the following ISO certification:

1. ISO/IEC 27001:2013, Information technology - Information Security Management Systems;
2. ISO 9001:2015 Quality management systems;
3. ISO/DIS 22301 Security and resilience — Business continuity management systems;
4. ISO/IEC 20000-1:2018 Information technology — Service management;
5. ISO 45001:2018 Occupational health and safety management systems;
6. ISO 14001:2015 Environmental management systems;
7. ISO 31000:2018 Risk management;
8. SOC 1

whereas processes and services must follow the related framework for the certification being pursued.

### B. Objectives

This RFP seek to look for an ITIL 4 and ISO certification firm (hereafter referred to as Consultant) with proven experience in the ITIL framework, the above mentioned ISO standards requirements and process writing/policy documents for each related certification to be pursued.

---

MTC reserves the right to accept other than the lowest priced offer, and to reject any proposal that is not responsive to this request and may award contracts to multiple Consultant firms to deliver the service requirements.

### **C. Schedule**

The contract shall have a term of up to (3) years, under which the following phases must be completed:

- a) Phase 1 – Gap Analysis/assessment;
- b) Phase 2 – Process Writing and Gap Fixing;
- c) Phase 3 – apply for relevant ISO certifications.

Consultant with relevant experience and meeting the minimum qualifications set forth in **Section 5 .A** are encouraged to submit a proposal.

The successful bidder shall be required to execute a Non-Disclosure Agreement protecting MTC confidential information.

## **2. SCOPE OF WORK**

The Scope of Work is to be used as a general guide and is not intended to be a complete list of all work necessary to complete the required deliverable. The following are work tasks assumed necessary to complete ISO certification using ITIL 4 recommended processes.

### **A. Gap Analysis/assessment:**

1. Provide ISO 20000-1:2018 certification pre-assessment;
2. Provide ISO 22301 certification pre-assessment;
3. Provide ISO 27001:2013 certification pre-assessment;
4. Provide ISO 31000:2018 certification pre-assessment;
5. Provide ISO 14001:2015 certification pre-assessment;
6. Provide ISO 45001 certification pre-assessment;
7. Provide ISO 9001:2015 certification pre-assessment;
8. SOC 1 certification pre-assessment.

### **B. Process Writing and Gap Fixing:**

1. Provide consultation on best practice, process writing and Gap Fixing (to include but not limited to process, function, metrics and reporting);
2. Provide consultation on best practices for implementing the above mention ISOs in Telco Environment.

---

**C. Appoint a certifying body and apply for certification.****D. Deliverables:**

1. ISO interdependence matrix;
2. ISO Gap Analysis;
3. Revised Processes and Standard Operating Procedures;
4. Management Manuals;
5. Relevant policy documents;
6. Remediation plan, strategy and execution plan for the ISO certification;
7. Workforce and talent management plan;
8. On-going Training and Consulting services for ISO certification as required during the 3-year period.

**3. SUBMISSION REQUIREMENTS****A. Format**

For physical documents, bidders are required to bind the proposal with a spiral binding, or submit it in a three-ring binder. Please do not bind your proposal with a staple, glued binding, or anything similar. You may use tabs or other separators within the document.

For electronic documents, bidders are required to submit the document in the searchable pdf files.

If your response is lengthy, please include a Table of Contents.

**B. Content**

Bidders interested in responding to this RFP must submit the following information, in the order specified below:

**(i) Introduction and Executive Summary (up to 2 pages)**

Submit a letter of introduction and executive summary of the proposal. The letter must be signed by a person authorized by your firm to obligate your firm to perform the commitments contained in the proposal.

Submission of the letter will constitute a representation by your firm that your firm is willing and able to perform the commitments contained in the proposal.

---

**(ii) Statement of Minimum Qualifications (up to 2 pages)**

Describe how your firm meets the minimum qualifications as set forth in Section 4, A. Minimum Qualifications of this RFP. Include a list of specific projects, a brief description, and the start and end dates for all projects used to demonstrate that the bidder meets the minimum qualifications.

**(iii) Project Delivery Approach (up to 6 pages)**

Describe the services and activities that your firm proposes to provide to MTC. Include the following information:

- a. Overall scope of work tasks.
- b. Schedule, work breakdown structure, and ability to complete the project within MTC's required time frame.
- c. How your firm intend to meet the project schedule.
- d. How your firm report cost per milestone and status updates.
- e. How tasks are distributed with your team to meet project deliverables.
- f. Describe your firm process in choosing the right team members.

**(iv) Bidder's Qualifications (up to 4 pages)**

Provide information on your firm's background and qualifications which addresses the following:

- a. Name, address, and telephone number of a contact person.
- b. A brief description of your firm, as well as how any joint venture or association would be structured.
- c. A description of not more than two projects similar in size for each of the ISO standards and scope prepared by your firm including client, reference and telephone numbers, staff members who worked on each project, budget, schedule and project summary. Descriptions should be limited to one page for each project. If joint consultants or subconsultants are proposed provide the above information for each.

**(v) Team Qualifications (up to 2 pages)**

- a. Provide a list identifying: (1) each key person on the project team, (2) the project manager, (3) the role each will play in the project, and (4) a written assurance that the key individuals listed and identified will be performing the work and will not be substituted with other personnel or reassigned to another project without the MTC's prior approval.
- b. Provide lead auditor certification for each ISO standard.
- c. Provide ITIL certifications for each of the processes being considered for ISO certifications (see Scope of Work Section 2).

**(vi) References (up to 2 pages)**

---

Provide references for the lead consulting firm, lead project manager, and all sub consultants, including the name, address and telephone number of at least three (3) preferably other Telco.

Proposer must provide a minimum of two (2) references where they have completed a similar scope of work within the last five (5) years.

**(vii) Fee Proposal**

MTC intends to award this contract to the firm that it considers will provide the best overall program services. MTC reserves the right to accept other than the lowest priced offer and to reject any proposals that are not responsive to this request.

Please provide a fee proposal in a sealed envelope that includes the following:

- a. Total fee for each of the disciplines identified in the Scope of Work including the following scenarios:
  1. ISO 20000 (framework, process documentation design, implementation and training);
  2. ISO 27001 (framework, process documentation design, implementation and training);
  3. ISO 31000 (framework, process documentation design, implementation and training);
  4. ISO 22301 (framework, process documentation design, implementation and training);
  5. ISO 14001 (framework, process documentation design, implementation and training);
  6. ISO 45001 (framework, process documentation design, implementation and training);
  7. ISO 9001 (framework, process documentation design, implementation and training);
  8. Define the skill sets and cost for each the above scenarios.
  
- b. Hourly rates per classification for all team members. Hourly rates and itemized costs may be used to negotiate changes in the Scope of Work if necessary.

**4. EVALUATION AND SELECTION CRITERIA**

**A. Minimum Qualifications**

Contractor must meet all of the following minimum qualifications:

1. The bidder must have at least one team member with the following certifications:
  - a. ITIL Expert Level certification for implementing ISO 20000;

- 
- b. Certified Information Systems Security Professional (CISSP) certification for implementing ISO 27001;
  - c. Certified ISO 22301 Lead Implementer;
  - d. Certified ISO 31000 Lead Risk Manager;
  - e. Certified ISO 14001 Lead Implementer;
  - f. Certified ISO 45001 Lead Implementer;
  - g. Certified ISO 9001 Lead Implementer.
2. The bidder must have at least one team member with the Assessor ISO certifications being pursued.
  3. The bidder must have completed one (1) pre-certification in all the ISO standards certifications being pursued within the past seven (7) years.
  4. The bidder must have achieved at least one (1) certification in each of the ISO standards certifications being pursued within the past seven (7) years.

Any proposal that does not demonstrate that the bidder meets these minimum requirements by the deadline for submittal of proposals will be considered non-responsive and will not be eligible for award of the contract.

## **B. Selection Criteria**

The proposals will be evaluated by a selection committee comprised of parties with expertise in ITIL processes and ISO certifications. MTC intends to evaluate the proposals generally in accordance with the criteria itemized below. Up to three (3) firms with the highest scoring proposals may be interviewed by the committee to make the final selection.

### **1. Project Approach (15 points)**

- a. Understanding of the project and the tasks to be performed.
- b. Reasonableness of work schedule and fee proposal.
- c. Schedule is well planned out to meet the milestones.

### **2. Firm Qualifications (20 points)**

- a. Recent experience of staff assigned to the project and a description of the tasks, such as technical writing, interviews, assessments, remediation's, to be performed by each staff person.
- b. Professional qualifications, certifications.
- c. Workload, staff availability and accessibility.

---

### 3. Team Qualifications (40 points)

- a. Expertise of the firm and subconsultants in the fields necessary to complete the tasks; and
- b. Quality of recently completed projects, including adherence to schedules, deadlines and budgets; and
- c. Experience with similar projects; and
- d. Results of reference checks.
- e. Experience with other Telco Operators.

### 4. Oral Interview and Presentation (25 points)

Following the evaluation of the written proposals, up to three (3) bidders receiving the highest scores will be invited for an Oral interview and presentation. The interview will consist of standard questions to clarify items requested in the RFP. Instructions regarding the Oral Interview and presentation shall be provided at a later date to the invited firms. Only those lead staff members assigned to providing the services requested in this RFP should attend the Interview.

### 5. CONTRACT AWARD

Based on proposals received in this RFP, it is the intent of MTC to select the highest scoring and most responsive bidder for contract negotiations. The selection of any proposal shall not imply acceptance by MTC of all terms of the proposal, which may be subjected to further negotiations and approvals before MTC may be legally bound thereby. If a satisfactory contract cannot be negotiated in a reasonable time the MTC, in its sole discretion, may terminate negotiations with the highest ranked bidder and begin contract negotiations with the next highest ranked.

MTC has sole and absolute discretion over whether or not to select a bidder for contract negotiations.

There is no guarantee of a minimal amount of work or compensation for any of the bidder selected for contract negotiations.

### 6. TERMS AND CONDITIONS FOR RECEIPT OF PROPOSALS

#### A. Errors and Omissions in RFP

Bidders are responsible for reviewing all portions of this RFP. The bidders are to promptly notify MTC, in writing, if the bidder discovers any ambiguity, discrepancy, omission, or other error in the RFP. Any such notification should



---

be directed to MTC promptly after discovery, but in no event later than five working days prior to the date due date. Modifications and clarifications will be made by addenda as provided below.

**B. Objections to RFP Terms**

Should a bidder object on any ground to any provision or legal requirement set forth in this RFP, the bidder must provide written notice to MTC setting forth with specificity the grounds for the objection, not more than ten calendar days after the RFP is issued. The failure of a bidder to object in the manner set forth in this paragraph shall constitute a complete and irrevocable waiver of any such objection.

**C. Change Notices**

MTC may modify the RFP, prior to the proposal due date, by issuing Change Notices, which will be posted on the website. The bidder shall be responsible for ensuring that its proposal reflects any and all Change Notices issued by the MTC prior to the proposal due date regardless of when the proposal is submitted. Therefore, MTC recommends that the bidder consult the website frequently, including shortly before the proposal due date, to determine if the bidder has downloaded all Change Notices.

**D. Term of Proposal**

Submission of a proposal signifies that the proposed services and prices are valid for 120 calendar days from the proposal due date and that the quoted prices are genuine and not the result of collusion or any other anti-competitive activity.

**E. Revision of Proposal**

A bidder may revise a proposal on the bidder's own initiative at any time before the deadline for submission of proposals. The bidder must submit the revised proposal in the same manner as the original. A revised proposal must be received on or before the proposal due date.

In no case will a statement of intent to submit a revised proposal, or commencement of a revision process, extend the proposal due date for any bidder.

At any time during the proposal evaluation process, the MTC may require a bidder to provide oral or written clarification of its proposal. The MTC reserves the right to make an award without further clarifications of proposals received.

**F. Errors and Omissions in Proposal**

---

Failure by MTC to object to an error, omission, or deviation in the proposal will in no way modify the RFP or excuse the vendor from full compliance with the specifications of the RFP or any contract awarded pursuant to the RFP.

**G. Financial Responsibility**

MTC accepts no financial responsibility for any costs incurred by a bidder in responding to this RFP. Submissions of the RFP will become the property of MTC and may be used by MTC in any way deemed appropriate.

**H. Reservations of Rights by the MTC**

The issuance of this RFP does not constitute an agreement by MTC that any contract will actually be entered into by the MTC. The MTC expressly reserves the right at any time to:

1. Waive or correct any defect or informality in any response, proposal, or proposal procedure;
2. Reject any or all proposals at its sole discretion;
3. Reissue a Request for Proposals;
4. Prior to submission deadline for proposals, modify all or any portion of the selection procedures, including deadlines for accepting responses, the specifications or requirements for any materials, equipment or services to be provided under this RFP, or the requirements for contents or format of the proposals;
5. Procure any materials, equipment or services specified in this RFP by any other means; or
6. Determine that no project will be pursued and cancel this RFP without prior notice.

**I. No Waiver**

No waiver by MTC of any provision of this RFP shall be implied from any failure by the MTC to recognize or take action on account of any failure by a bidder to observe any provision of this RFP.

**J. MTC Intellectual Property**

MTC will not tolerate the unauthorized use of its intellectual property, including the MTC logo, designs, and copyrighted publications. All bidders, contractors, tenants, permittees, and others doing business with or at MTC (including subcontractors and subtenants) may not use the MTC intellectual property, or any intellectual property confusingly similar to the MTC intellectual property, without MTC prior written consent.

**K. Confidentiality Statement**

Strict adherence standards of confidentiality of information shall be maintained accordingly with applicable laws of the Republic of Namibia. All types of information and/or materials forming part of this RFP, despite their medium, method of communication and/or form, which will be provided by MTC to Contractors and/or acquired by such Contractor on behalf of MTC shall be deemed to be confidential information under applicable Namibian Laws. This RFP or any related material thereof may not be sent or forwarded to any third parties for the purposes of evaluation

---

without the express written consent of MTC. The bidder may not disclose any confidential information, irrespective of whether such confidential information has been disclosed and/or made available to the particular Contractor due to any mistake, negligence or intentional acts and/or omissions on the part of representatives or agents of MTC or third parties. Confidential information and materials shall not be disclosed unless required by law. Therefore, the bidder shall be required to take all necessary steps to ensure that confidentiality of information and/or materials is achieved as per applicable laws. The required obligations as stipulated above shall exist and survive even after the engagement has been terminated. Whilst submitting any confidential information and/or material to MTC, the bidder shall be required to state clearly and mark confidential information as such.