

**REQUEST FOR PROPOSALS FOR THE SELECTION OF A CONSULTANT FOR  
PROVISION OF LEGAL SERVICES TO ZIMRA FOR A PERIOD OF 5 YEARS  
PROCUREMENT REFERENCE No: ZIMRA RFP 04/2021**

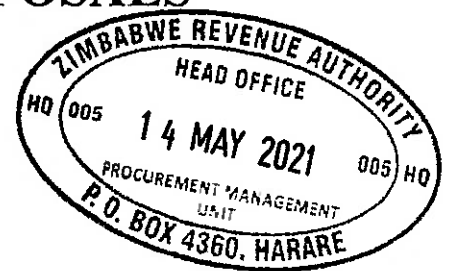
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# **Government of Zimbabwe**

**STANDARD**

**REQUEST FOR PROPOSALS**

**For the**



# **Selection of Consultancy Services**

**14 MAY 2021**

**REQUEST FOR PROPOSALS FOR THE SELECTION OF A CONSULTANT FOR  
PROVISION OF LEGAL SERVICES TO ZIMRA FOR A PERIOD OF 5 YEARS  
PROCUREMENT REFERENCE No: ZIMRA RFP 04/2021**

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**Procurement Reference No: ZIMRA RFP 04/2021**

**Procuring Entity: ZIMBABWE REVENUE AUTHORITY**

**Date of Issue: 14 MAY 2021**

**Date of submission: 11 JUNE 2021**



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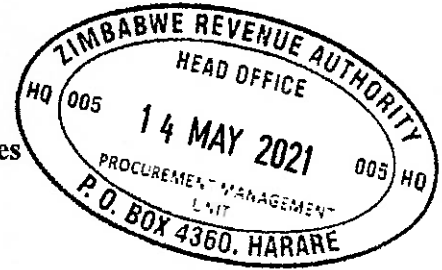
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**PART 1: REQUEST FOR PROPOSALS PROCEDURE**

**References:**

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

**Preparation of Proposals:**

Only bidders registered with the Procurement Regulatory Authority of Zimbabwe in terms of section 4 of the Regulations are eligible to participate.

You are requested to submit a Proposal to provide the legal services detailed in the Statement of Requirements by submitting separate technical and financial proposals, as detailed below. The standard forms contained within this Request for Proposals may be retyped for completion but the Consultant is responsible for their accurate reproduction.

You are advised to read carefully the complete Request for Proposals document, including the Special Conditions of Contract in Part 3, as well as the Contract Agreement and the General Conditions of Contract for Consultancy Services (available on the Authority's website or on request), before preparing your proposal. Part 3: Contract Agreement is provided not for completion at this stage but to enable Consultants to note the Contract terms they will enter into if their bid is successful.

**Number of bids allowed**

No Consultant may submit more than one bid, either individually or as a joint venture partner in another bid, except as a subcontractor. A conflict of interest will be deemed to arise if bids are received from more than one Consultancy owned, directly or indirectly, by the same person.

**Bidders are also required to submit the following documents for eligibility;**

1. Proof of registration with the Procurement Regulatory Authority of Zimbabwe.
2. a copy of your current and valid tax clearance certificate.
3. Company Profile.
4. Completed and signed bid securing Declaration Form.
5. Completed Bid Submission Sheet in this Part 1.
6. Completed Statement of Requirements in Part 2.
7. Bid validity form for a minimum period of 60 days.
8. A minimum of three (3) references (or reference letters) showing bidders' direct experience in the successful provision of similar services.
9. Letter of Good Standing from the Law Society of Zimbabwe.
10. Current Practising Certificates for all Legal Practitioners operating under the partnership.

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**PART 2: STATEMENT OF REQUIREMENTS**



**A: Terms of Reference**

**Background**

The Zimbabwe Revenue Authority (ZIMRA) wishes to engage consulting services relating to the Provision of Legal Services for a period of (5) five years. The performance of the law firms shall be reviewed annually.

ZIMRA now invites eligible Consulting Firms ("Consultants") to indicate their interest in providing the services. Interested Law Firms should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. The selection criteria are:

1. Prospective service providers for the provision of Legal Services shall be required to have the requisite experience in the following specialized areas of law:
  - a) Taxation law
  - b) Corporate law
  - c) Labour law
  - d) Civil law
  - e) Criminal law
  - f) Investment Law
2. Minimum qualification of LLB Degree for lawyers in the law firm tasked to manage the portfolio. Further the law firm should meet the following requirements:-
  - A. HARARE AND BULAWAYO
    - Minimum of 8 years' experience for the Senior Partner
    - Minimum of 3 years' experience for at least 2 other Partners
    - Minimum of 2 years' experience for the Associates
    - Should have a complement of at least 4 registered lawyers
    - Firm should have been incorporated for at least 8 years
  - B. MUTARE, GWERU AND MASVINGO
    - Minimum of 5 years' experience for the Partner
    - Minimum of 2 years' experience for the Associate(s)
    - Should have a complement of at least 2 registered lawyers
    - Firm should have been incorporated for at least 5 years
  - C. BEITBRIDGE, KARIBA, KAROI, CHIRUNDU, HWANGE AND VIC FALLS
    - Minimum of 4 years' experience for the Senior Partner
    - Minimum of 2 years' experience for the Associate(s)
    - Should have a complement of at least 2 registered lawyers
    - Firm should have been incorporated for at least 4 years
3. Bidders must show experience in providing progressive similar legal services to Government or State Owned Enterprises or Large Corporates in the last (5) five years.

**NB**

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- a) Bidders must disclose if they have done any legal work on behalf of ZIMRA in the last ten (10) years.
- b) **Bidders are encouraged to bid for towns in respect of which they have registered offices.**

The following documents should be submitted in support of the information provided:

1. Letter of Good Standing from the Law Society of Zimbabwe.
2. Current Practising Certificates for all legal practitioners who will be handling any cases in the portfolio.
3. Certificate of registration as a Legal Practitioner for all Legal Practitioners who will be handling any cases in the portfolio.

In addition to the above:

- i. ZIMRA may contact referees provided and/or visit the bidders' premises as part of evaluation and due diligence.
- ii. ZIMRA may invite law firms for presentations/interviews or demonstrations of their profiles, capacity and understanding of the project requirements.



4. Allocation of lots

Lot Number	City/town	NUMBER OF LAW FIRMS
1	Harare	5
2	Bulawayo	2
3	Masvingo	2
4	Mutare	2
5	Beitbridge	1
6	Hwange/Victoria falls	1
7	Kariba/Chirundu/Karoi	1

**KEY NOTES**

11. Award will be made on a lot by lot basis.
12. There is no restriction to the number of lots to be awarded.
13. Award of one lot should not be conditional to award of another one
14. Bidders must indicate the lots being tendered for and failure to indicate will lead to **automatic disqualification.**

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**Preparation of Financial Proposals:**

Financial proposals should contain the following documents and information:

1. The Financial Proposal Submission Sheet in this Part.

**Basis of Pricing and Payment:**

The contract will not be a lump sum contract.

**Financial Proposal and Financial Evaluation Criteria**

Bidders' financial proposals to be guided by section 3(4) of the Act.

Clarification of the request for proposals document may be requested in writing by any bidder up to 04 June 2021 and should be sent to:



<b>Years of experience per individual practitioner</b>	<b>USD Rate /Hr</b>	<b>ZWL Rate/Hr</b>
0 to 1 years 11 months		
2 to 4 years 11 months		
5 to 9 years 11 months		
10 to 14 years 11 months		
15 to 19 years 11 months		
20 to 29 years 11 months		
30 years and above		

Notes:

- a) Bidders **must** complete the financial table in **full** by providing the rates per hour in their financial submission.
- b) Failure to provide rates in **each** category will lead to **automatic** disqualification

**The Director Procurement**

**Zimbabwe Revenue Authority**

**10<sup>th</sup> Floor ZB Centre, Corner Kwame Nkrumah Avenue/ First Street**

**Harare, Zimbabwe.**

Or via Email to [procurement@zimra.co.zw](mailto:procurement@zimra.co.zw)

Responses to questions / queries will be made in writing to all prospective bidders by 07 June 2021.

**Validity of Proposals:**

The minimum period for which the bidder's proposal must remain valid is **60 Days** from the deadline for submission of proposals.

**Sealing and marking of Proposals:**

The technical and financial proposals should be sealed in separate envelopes, both clearly marked with the Procurement Reference Number above, the bidder's name, the name of the Procuring Entity and either "Technical Proposal" or "Financial Proposal" as appropriate.

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Both envelopes should be enclosed in a single outer envelope, clearly marked with the Procurement Reference Number above, the bidder's name and the name of the Procuring Entity. All the two envelopes should be sealed in such a manner that opening and resealing cannot be achieved undetected. The single outer envelope make a single full bid.

Bids should be submitted in **triplicate** with one (1) original copy marked "**ORIGINAL**" and two (2) copies each marked "**COPY**". All 3 copies should be in sealed envelopes clearly marked with the details of the tender, and should be deposited in a tender box situated at the below address. In the event of any discrepancy between the original and the copies, the original will prevail.

**Submission of Proposals:**

Proposals should be submitted to the address below, no later than the date and time of the deadline below. Late proposals will be rejected. The Procuring Entity reserves the right to extend the proposal submission deadline but will notify all bidders invited to submit proposals of the amended proposal submission deadline.

Date for Submission: **11 June 2021**

Time of Submission **10 00 Hours (local time).**

Address for submission: **Zimbabwe Revenue Authority  
Reception Area, 6<sup>th</sup> Floor, ZB Centre  
Corner Kwame Nkrumah Ave/ First Street  
Harare, Zimbabwe.**



**Means of acceptance:**

Bids in the sealed envelopes shall be deposited in a tender box situated at the above address. All the bidders should record their bids in the tender submission register situated thereto, in the format prescribed in the register.

**Opening of Proposals:**

The technical proposals will be opened immediately following the deadline for submission. Financial proposals will be kept unopened and the ZIMRA evaluation committee will have no access to financial information until the technical evaluation is concluded.

Financial proposals of rejected bids will be returned unopened. Financial proposals for accepted bids will be opened in public on the date specified in the notice of results for the technical evaluation.

**WITHDRAWAL, AMENDMENT OR MODIFICATION OF PROPOSALS:**

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



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**Evaluation of Proposals:**

The evaluation of proposals will use the **Quality Based Selection (QBS)** evaluation methodology as detailed below:

The **QBS** method entails:

1. Preliminary examination to confirm that all documents required have been provided, to confirm the eligibility of bidders and to confirm that the bidder has accepted all terms and conditions without material deviation or reservation.
2. Technical evaluation to assess the technical quality of proposals against the criteria below, to determine the technical score for each proposal and to determine which is the best technical proposal.

**Technical Evaluation Criteria:**

Proposals will be awarded scores out of a maximum number of points indicated below for each of the following criteria and bidder with highest score will be selected:

Expertise and qualifications	[50] points
Experience of key Personnel	[40] points
Progressive similar services	[10] points
<b>Total:</b>	<b>100 points</b>

**Financial Criteria:**

Bidders' financial proposals to be guided by section 3(4) of the Act. .

**Currency:**

Proposals must be priced in both Zimbabwe Dollars and United States Dollars at the prevailing auction rate. Payment will be made in Zimbabwe Dollars at the prevailing auction rate.

**Recommendation for Award:**

The proposal with the highest total score will be recommended for award of contract, subject to any negotiations required.

**Award of contract:**

Award of contract will be by placement of a contract in accordance with Part 3 of this Request for Proposals. The proposed award of contract will be by issue of a Notification of Contract Award in terms of section 55 of the Act which will be effective until signature of the contract documents in accordance with Part 3. Unsuccessful bidders will receive the Notification of Contract Award and, if they consider they have suffered prejudice from the process, they may,

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within 14 days of receiving this Notification, submit to the Procuring Entity a Challenge in terms of section 73 of the Act, subject to payment of the applicable fee set out in section 44 of, and the Third Schedule to, the Regulations.

The contract will only be valid subject to payment of annual contract administration fees in line with Part V of the Fifth Schedule to the Regulations.

**Right to Reject:**

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

**Corrupt Practices:**

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

1. the Procuring Entity will reject a recommendation for award if it determines that the bidder recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive, coercive or obstructive practices in competing for the Contract or been declared ineligible to be awarded a procurement contract under section 99 of the Act; a definition of these terms is found in clause 1.9 of the GCC;
2. the Authority may under Section 72 (6) of the Act impose the debarment sanctions under section 74(1) of the Regulations;
3. in accordance with section 42 of the Regulations, submission of a bid will be deemed to be an undertaking on behalf of the bidder to accept the responsibilities described in clause 1.1 of the GCC; and
4. Any conflict of interest on the part of the bidder must be declared.

**Declaration by the Accounting Officer**

I declare that the procurement is based on neutral and fair technical requirements and the Consultant's qualifications

*[Handwritten initials]*

*[Handwritten signature]*

Signature



*[Handwritten date: 18/05/2021]*

Date

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## **Part 1. Bid Submission Sheet**

*{Note to Consultants: Complete this form with all the requested details and submit it as the first page of your technical proposal, with the documents requested in Part 1 attached. Ensure that your proposal is authorised in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this RFP prevail over any attachments. If your proposal is not authorised, it may be rejected.*

*In case the Consultant is a Joint Venture (JV), the Bid must be signed by an authorized representative of the JV on behalf of the JV, and so as to be legally binding on all the members as evidenced by a power of attorney signed by their legally authorized representatives.*

Procurement Reference Number:

Subject of Procurement:

Name of Consultant:

Consultant's Reference Number:

Date of Technical Proposal:



We offer to provide the services described in the Statement of Requirements, in accordance with the terms and conditions stated in your Request for Proposals referenced above.

We confirm that we are eligible to participate in public procurement and meet the eligibility criteria specified in Part 1: Proposal Procedures of your Request for Proposals.

The validity period of our proposal is ..... days from the date of the submission.

We submit on the attached Appendices the evidence to demonstrate our suitability to perform the required services:

Appendix A: Methodology and Work Plan.

Appendix B: Experience and Qualifications.

We understand that the proposals in these Appendices, if approved or as amended, will be included in the Contract Appendices and shall form a contractual commitment.

We enclose a separately sealed financial proposal.

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



**Technical Proposal Authorised By:**

<b>Signed</b> .....	<b>Name:</b> .....
<b>In capacity of:</b> .....	<b>Date:</b> .....(DD/MM/YY)
<b>Duly authorised for and on behalf of:</b>	
<b>Firm</b> .....	
<b>Address:</b> .....	
<b>Phone:</b> .....	<b>email</b> .....
<b>Corporate Seal (where appropriate)</b>	

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**Bid-Securing Declaration**

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

Procurement Reference  
number:

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

Bidder's Reference Number:

To: {full name of Procuring Entity}

We, the undersigned, declare that:



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

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

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

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

<b>Signed</b> .....	<b>Name:</b> .....
<b>In capacity of:</b> .....	<b>Date:</b> .....(DD/MM/YY)
<b>Duly authorised for and on behalf of:</b>	
<b>Company</b> .....	
<b>Address:</b> .....	
.....	
<b>Corporate Seal (where appropriate)</b>	

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**Appendix B: Experience and qualifications**

*{Provide background information about the consultancy firm that is bidding for the Contract and of any other firm that is associated with this bid. State whether any of the required services will be sub-contracted. Describe the experience of the firm in performing similar consultancy Contracts, if so required by the instructions in Part 1.*

*Name the key personnel who will perform the requirements under the Contract, their proposed period of engagement, including working hours and holidays, and describe their qualifications and experience in working on similar Contracts, distinguishing between foreign consultants and national (Zimbabwean) consultants. Describe any intended transfer of knowledge to consultants and other personnel in Zimbabwe and how this transfer will be achieved*



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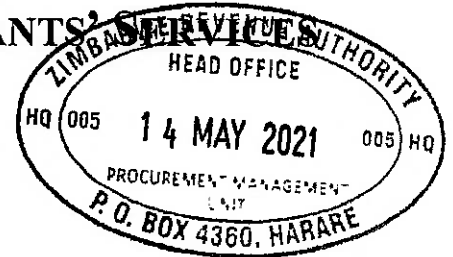
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**Part 3: Contract**

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**PART 3: CONTRACT FOR CONSULTANTS**



**Lump Sum Contract**

between

\_\_\_\_\_  
*[name of the Procuring Entity]*

and

\_\_\_\_\_  
*[name of the Consultant]*

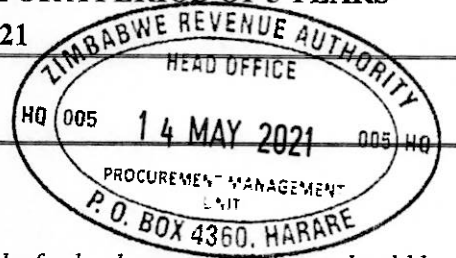
**Dated:** \_\_\_\_\_



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Part 3: Contract

**Contract**



*[Text in brackets [] is for the guidance of the person who drafts the document; all notes should be deleted in final text]*

This CONTRACT (hereinafter called “the Contract”) is made on the *[day]* day of the month of *[month]*, *[year]*, between, on the one hand, *[full name and address of Procuring Entity]* (hereinafter called the “Procuring Entity”) and, on the other hand, *[full name of Consultant]* (hereinafter called the “Consultant”).

*[Note: If the Consultant consist of more than one entity, the above should be partially amended to read as follows: “... (hereinafter called the “Procuring Entity”) and, on the other hand, a joint venture/consortium/association consisting of the following entities, each of which will be jointly and severally liable to the Procuring Entity for all the Consultant’s obligations under this Contract, namely, *[name of Consultant]* and *[name of Consultant]* (hereinafter called the “Consultant”).*

**WHEREAS**

- (a) the Procuring Entity has requested the Consultant to provide certain consulting services as defined in this Contract (hereinafter called the “Services”);
- (b) the Consultant, having represented to the Procuring Entity that he has the required professional skills, and personnel and technical resources, has agreed to provide the Services on the terms and conditions set forth in this Contract;
- (c) the Procuring Entity has secured budgeted funds towards the cost of the Services and intends to apply a portion of the funding to eligible payments under this Contract, it being understood that such payments will be subject, in all respects, to the terms and conditions of the contract;

NOW THEREFORE the Parties hereby agree as follows:

1. The following documents (hereinafter called “the Contract Documents”) attached hereto shall be deemed to form an integral part of the Contract:
  - (a) The General Conditions of Contract;
  - (b) The Special Conditions of Contract;
  - (c) The following Appendices: *[Note: If any of these Appendices are not used, the words “Not Used” should be inserted below, next to the title of the Appendix]*

Appendix A: Methodology and Work Plan *{This should be in accordance with Section A of the Statement of Requirements}* *[Not used]*

Appendix B: Experience and Qualifications of Key Personnel *{This should be in accordance with Section B of the Statement of Requirements.}* *[Not used]*

Appendix C: Cost Estimates *[Not used]*

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**Part 3: Contract**

This Contract shall prevail over the Contract Documents. In the event of any discrepancy or inconsistency within the Contract Documents, then the documents shall prevail in the order listed above.

2. The reciprocal rights and obligations of the Parties shall be as set forth in the Contract and the Contract Documents, in particular:
  - (a) the Consultant shall carry out the Services in accordance with the provisions of the Contract; and
  - (b) the Procuring Entity shall make payments to the Consultant in accordance with the provisions of the Contract.
  
3. Irrespective of when the Contract is signed by the Parties, the Effective Date of the Contract is the date referred to in clause 2.1 of the General Conditions of Contract, i.e. the date of the Procuring Entity's notice to the Consultant instructing the Consultant to begin carrying out the Services.

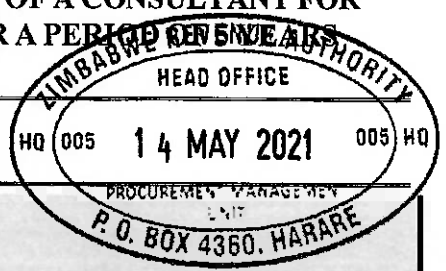
IN WITNESS WHEREOF, the Parties have caused the Contract to be signed in their respective names.

For and on behalf of	<i>[name of Procuring Entity]</i>
Signed:	..... <i>[Authorized Representative]</i>
Name:	
In capacity as:	
For and on behalf of	<i>[full name of Consulting Company]</i>
Signed:	..... <i>[Authorized Representative]</i>
Name:	
in capacity as:	

*[Note: If the Consultant consists of more than one entity, all these entities should appear as signatories, e.g., in the following manner:]*

For and on behalf of	each of the Members of the Consultants
Name of Member:	..... <i>[Authorized Representative]</i>

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**Part 3: Contract**

Name of signatory:  
in capacity as:

Name of Member:

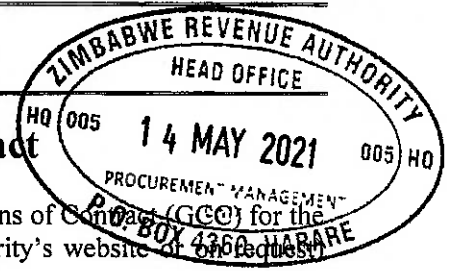
.....[Authorized Representative]

Name of signatory:  
in capacity as:

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Part 3: Contract

**General Conditions of Contract**



Any resulting contract placed shall be subject to the General Conditions of Contract (GCC) for the Procurement of Consultancy Services (copy available on the Authority's website of [http://www.zimra.gov.zw](#) except where modified by the Special Conditions below.

**Special Conditions of Contract**

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

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
1.4	<p>The address for the Procuring Entity is:</p> <p><i>[Address]</i></p> <p><i>[Address]</i></p> <p>Email:</p> <p>The address for the Consultant is:</p> <p><i>{Consultant to provide contact details}</i></p> <p>Email:</p>
1.5	The location for the performance of services are <i>[provide details]</i>
1.6	The Member in Charge is <i>{Consultant to provide details}</i>
1.7	The Authorized Representatives are:

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**Part 3: Contract**

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
	For the Procuring Entity: <i>[Insert name and telephone number]</i>
	For the Consultant: <i>{insert name and telephone number}</i> <i>[If the Consultant consists of a joint venture/consortium/ association of more than one entity, specify the entity that is authorised to act on behalf of the other entities in exercising all the Consultant's rights and obligations towards the Procuring Entity under this Contract, including without limitation the receiving of instructions and payments from the Procuring Entity.]</i>
1.8	<b>Taxes and duties:</b> The Consultant, Sub-Consultants and Personnel shall pay all such indirect taxes, duties, fees and other impositions as are levied under the laws of Zimbabwe. <i>[Amend if any tax exemptions apply.]</i>
1.10	Nationals of the following countries are ineligible for performance of this Contract <i>[Insert ineligible countries or state none]</i>
2.1	The effectiveness conditions are the following: <i>[insert conditions]</i> <i>[Note: List here any conditions of effectiveness of the Contract, e.g., Procuring Entity's approval of Consultant's proposals for appointment of specified key staff members, etc. If there are no effectiveness conditions, delete this and Clause SC 2.1 from the SC].</i>
2.3	Latest time for commencement of services <i>[insert time period, e.g.: 30 days]</i> days after the Effective Date.
2.4	The Contract shall expire after <i>[insert time period, e.g.: twelve months]</i> from the Effective Date.
3.5	<b>Insurance to be taken out by the Consultant.</b> The risks and the coverage shall be as follows: (a) Third Party motor vehicle liability insurance in respect of motor vehicles operated in Zimbabwe by the Consultant or its Personnel or any Sub-Consultants or their Personnel, with a minimum coverage of <i>[insert amount and currency]</i> ; (b) Third Party liability insurance, with a minimum coverage of <i>[insert amount and currency]</i> ; (c) professional liability insurance, with a minimum coverage of <i>[insert amount and currency]</i> ; (d) employer's liability and workers' compensation insurance in respect of the Personnel of the Consultant and of any Sub-Consultants, in accordance with the relevant laws of Zimbabwe, as well as, with respect to such Personnel, any such life, health, accident, travel or other insurance as may be appropriate; and

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**Part 3: Contract**

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
	<p>(e) insurance against loss of or damage to (i) equipment purchased in whole or in part with funds provided under this Contract, (ii) the Consultant's property used in the performance of the Services, and (iii) any documents prepared by the Consultant in the performance of the Services.</p> <p><i>[Note: Delete what is not applicable].</i></p>
3.7	<p><b>Consultant's actions requiring the Procuring Entity's prior approval:</b> <i>[State any other actions for which the Procuring Entity's prior approval is required or state none.]</i></p>
3.9	<p><b>Restrictions on the future use of documents and software prepared by the Consultant:</b> <i>[All plans, drawings, specifications, designs, reports, other documents and software prepared by the Consultant for the Procuring Entity under this Contract shall become and remain the property of the Procuring Entity. State any additional restrictions that shall apply to the future use of these documents and software.]</i></p>
3.12	<p><b>Contract Administration Fee:</b> The Contract Administration Fee set out in Part V of the Fifth Schedule to the Regulations is due upon the signing of the Contract and the applicable Fee is \$ <i>[State applicable fee or delete].</i></p>
4.6	<p><b>Resident Project Manager:</b> <i>[State whether a Resident Project Manager is required and, if so, the period of residence and the terms and conditions of his residence in Zimbabwe.]</i></p>
5.1	<p><b>Assistance and exemptions:</b> <i>[State whether any exceptions are to be made to the provisions of GCC 5.1. and any additional assistance that will be provided by the Procuring Entity]</i></p>
5.4	<p><b>Services, Facilities and Property of the Procuring Entity:</b> <i>[State the services facilities and property that will be made available free of charge to the Consultant and Personnel during the period of performance of the Contract and how/when they will be made available.]</i></p>
5.6	<p><b>Counterpart Personnel:</b> <i>[Provide information about the professional and support counterpart personnel that will be made available free of charge to support the work of the Consultant, including any restrictions on dates or hours of work.]</i></p>
6.1	<p><b>Contract Price:</b> The contract price is <i>[insert amount(s) and currency(ies)]</i></p>
6.2(b)	<p><b>Type of Contract:</b> Lump Sum /Time Based contract <i>[Select the type of contract]</i></p>
6.5(a)	<p>The following payment schedule shall apply:</p>

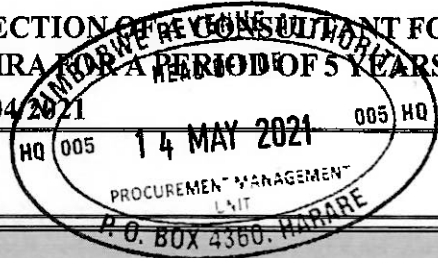
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Part 3: Contract

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
	<p><i>[insert payment terms agreed]</i></p> <p><b>[Note on payment schedules for Lump Sum contracts]</b></p> <p>(a) The following clause is a sample only and must be amended to suit the particular assignment;</p> <p>(b) if payments in different currencies do not follow the same schedule, add separate schedules;</p> <p>(c) all payments should be linked to a specific event or deliverable, which should be determined from the TOR, but could include reports, workshops, documents etc and</p> <p>(d) the payment schedule should take into account the length of the assignment and whether the Consultant is likely to have high mobilization costs e.g. where foreign Consultants are invited, mobilization costs may be high, as flights, subsistence etc will have to be paid and an advance payment, or payment on inception report should be considered, but where an assignment is only a few weeks and all Consultants are local, full payment on completion may be acceptable.</p> <p><b>[Sample clause for Lump Sum contracts – amend as required]</b></p> <ul style="list-style-type: none"> <li>• Thirty (30) per cent of the lump-sum amount shall be paid upon submission of the inception report.</li> <li>• Fifty (50) per cent of the lump-sum amount shall be paid upon submission of the draft final report.</li> <li>• Twenty (20) percent of the lump-sum amount shall be paid upon approval of the final report.</li> </ul> <p><b>[Note on payment schedules for Time-Based contracts]</b></p> <p>Payments are typically made monthly or quarterly for the actual inputs provided. The payment schedule should be specifically drafted for each contract.</p> <p><b>[Sample clause for Time-Based contracts – amend as required]</b></p> <ul style="list-style-type: none"> <li>• Monthly payments shall be made for the actual inputs provided and reimbursable costs incurred by the Consultant, against invoices supported by itemized statements and supporting documentation.</li> <li>• The final payment shall be made after submission and approval of the final report and a final statement of expenditure.”]</li> </ul>

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Part 3: Contract

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
6.5(b)	<b>The Consultants Account(s):</b> <i>{Consultant to insert Bank Account details for payment}</i>
6.5(c)	<b>Advance Payment:</b> <i>[State whether any advance payment will be made and, if so, the amount of such advance payment and any conditions for its use. Any advance payment must be supported by an Advance Payment Guarantee, as at Appendix D.]</i>
6.6(a)	<b>Payment period:</b> Payments shall be made within 60 days from submission of a correct payment request. <i>[Amend as necessary]</i>
6.6(b)	<p><b>Payment Documentation:</b> The following documentation shall be required to support request for payment: <i>[List the full requirements for documentation to effect payment e.g.:</i></p> <p><b>Sample clause for Lump Sum Contracts</b></p> <p><i>(a) reports or other deliverables</i></p> <p><b>Sample clause for Time Based Contracts</b></p> <p>(a) timesheets for key Personnel signed by the Procuring Entity;</p> <p>(b) evidence of reimbursable expenditure, including tickets, boarding passes and other receipts</p>
6.6(d)	<b>Interest for late payment:</b> <i>[State whether interest will be paid at the rate set by the Reserve bank of Zimbabwe for payments that are delayed by more than fifteen days beyond the due date.]</i>
6.7	<b>Price Adjustment:</b> <i>[State whether any price adjustment will be allowed and, if so, the basis for any such adjustment.]</i>





## Appendices for Lump Sum Contracts

### APPENDIX A – STATEMENT OF REQUIREMENTS

*[Note: This Appendix will include the final Terms of Reference, including the methodology and work plan, worked out by the Procuring Entity and the Consultant during technical negotiations, dates for completion of various tasks, place of performance for different tasks, specific tasks to be approved by Procuring Entity, reporting requirements, list format, frequency, and contents of reports; persons to receive them; dates of submission, etc.]*

### APPENDIX B - KEY PERSONNEL AND SUB-CONSULTANTS

*[Note: List:*

*Titles [and names, if already available], detailed job descriptions and minimum qualifications of Key Personnel to be assigned to work on the provision of consultancy services, indicating whether foreign or Zimbabwean, number of days' allocation and, for foreign personnel, distinguish between home and field days allocated.*

*Describe any intended transfer of knowledge to consultants and other personnel in Zimbabwe and how this transfer will be achieved].*

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**PART 1: PROPOSAL PROCEDURES**

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**APPENDIX C - BREAKDOWN OF CONTRACT PRICE**

*[Note: List here the elements of cost used to arrive at the breakdown of the lump-sum price:*

- 1. Daily/Monthly rates for Personnel (Key Personnel and other Personnel).*
- 2. Reimbursable expenses.*

*This appendix will exclusively be used for determining reimbursement for additional services].*

