

**BIDDING DOCUMENT FOR THE PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS**

**PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 14/2021**

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# **STANDARD BIDDING DOCUMENT FOR**

## **THE PROCUREMENT OF NON CONSULTANCY SERVICES**

### **DOMESTIC TENDER ZIMRA NCB 14/2021**



*integrity transparency fairness*

**ZIMRA**  
Zimbabwe Revenue Authority

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**PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 14/2021**

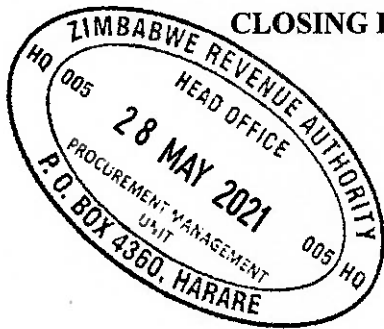
**BIDDING DOCUMENT FOR THE PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS**

**PROCUREMENT REFERENCE NUMBER: DOMESTIC TENDER ZIMRA NCB 14/2021**

**PROCURING ENTITY: ZIMBABWE REVENUE AUTHORITY**

**DATE OF ISSUE: FRIDAY 28 MAY 2021**

**CLOSING DATE: FRIDAY 25 JUNE 2021**



**BIDDING DOCUMENT FOR THE PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS**

**PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 14/2021**

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# BIDDING DOCUMENT FOR THE PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS

PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 14/2021

PART 1 BIDDING PROCEDURES

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## PART 1: BIDDING PROCEDURES

### References:

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

**Procurement Reference Number: DOMESTIC TENDER ZIMRA NCB 14/2021**

### Preparation of Bids

You are requested to bid for the **Provision of IBM Qradar (Security Information and Events Management System License Renewal for 24 months)** specified in the Statement of Requirements below, by completing and returning the following documentation:

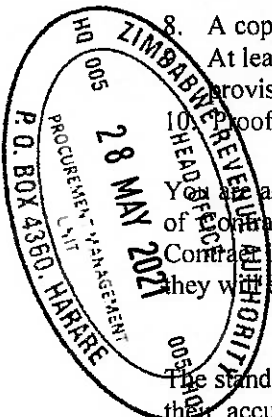
1. the Bid Submission Sheet in this Part;
2. the Statement of Requirements in Part 2;
3. a copy of every document necessary to demonstrate eligibility in terms of section 28 (1) of the Regulations;
4. Proof of supplier registration with the Procurement Regulatory Authority of Zimbabwe (PRAZ)
5. A bid security;
6. A copy of CR 14, CR6 and a Certificate of Incorporation or equivalent documents
7. A valid tax clearance certificate (ITF 263)
8. A copy of your company profile
9. At least three (3) reference letters showing bidders' previous experience in the successful provision of similar quality of the required services
10. Proof of partnership with IBM on QRADAR SIEM solution is required.

You are advised to carefully read the complete Bidding Document, as well as the General Conditions of Contract which are available on the Authority's website, before preparing your Bid. Part 3: Contract is provided not for completion at this stage but to enable Bidders to note the Contract terms they will enter into if their Bid is successful.

The standard forms in this document may be retyped for completion but the Bidder is responsible for their accurate reproduction. All pages of the Bid must be clearly marked with the Procurement Reference Number above and the Bidder's name and any reference number.

### Number of bids allowed

No Bidder may submit more than one bid, either individually or as a joint venture partner in another Bid, except as a subcontractor. Where the procurement is divided into lots and packages, only one Bid can be submitted. A conflict of interest will be deemed to arise if bids are received from more than one Bidder owned, directly or indirectly, by the same person.



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**PART 1 BIDDING PROCEDURES**

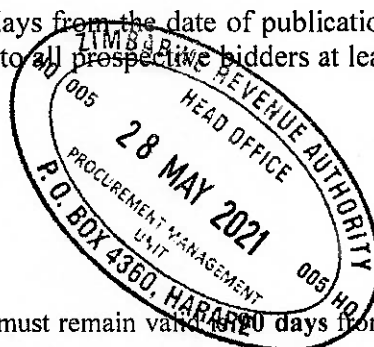
**Clarification**

Clarification of the bidding document may be requested in writing by any Bidder and should be sent to;

**The Director Procurement Management Unit  
Zimbabwe Revenue Authority (ZIMRA)  
10<sup>th</sup> Floor, ZB Centre  
Cnr Kwame Nkrumah / First Street  
Harare, Zimbabwe.**

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

Such queries should be submitted within 10 days from the date of publication and responses to questions / queries will be made in writing to all prospective bidders at least 5 days before tender closing.



**Pre-bid meeting**

There is no Pre-bid meeting for this tender.

**Validity of Bids**

The minimum period for which the Bidder's bid must remain valid is 30 days from the deadline for the submission of bids.

**Submission of Bids**

Bids must be submitted in writing in a sealed envelope to the address below, no later than the date and time of the deadline below. It is the Bidder's responsibility to ensure that they receive a receipt confirming submission of their bid that has correct details of the Bidder and the number of the Bid.

The Bidder must mark the envelope with the Bidder's name and address and the Procurement Reference Number.

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.

Late bids will be rejected. The Procuring Entity reserves the right to extend the bid submission deadline but will notify all potential bidders who have collected the bidding documents of the amended bid submission deadline.

<b>Date of deadline</b>	<b>Friday 25 June 2021</b>	<b>Deadline Time:</b>	<b>10:00 hours Harare Time</b>
<b>Submission address:</b>	<b>The Director Procurement Management Unit</b> Zimbabwe Revenue Authority (ZIMRA) 6 <sup>th</sup> Floor ZB Centre Corner Kwame Nkrumah Ave/ First Street Harare Zimbabwe		

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**PART 1 BIDDING PROCEDURES**

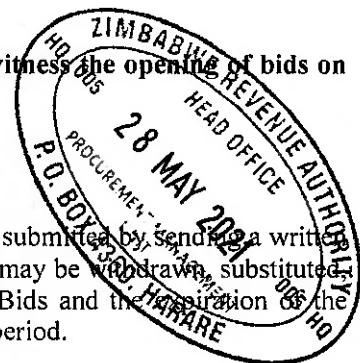
	Or via Email to <a href="mailto:procurement@zimra.co.zw">procurement@zimra.co.zw</a>
<b>Means of acceptance:</b>	Bids in the sealed envelopes shall be deposited in a tender box situated at the above address. All the bidders should record their bids in the tender submission register situated thereto, in the format prescribed in the register.

**Bid opening**

**Due to the COVID 19 pandemic, NO Bidders will be allowed to witness the opening of bids on the closing day.**

**Withdrawal, amendment or modification of Bids**

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



**Delivery Requirements**

The delivery period required (from the date of contract signing) and the final destination for delivery, installation and commissioning of this facility are as indicated in the Delivery Schedule in Part 2.

**Bid Prices and Discounts**

The prices and discounts quoted by the Bidder in the Bid Submission Form and in the Price Schedules must conform to the requirements specified below.

Prices must be quoted as specified in the Price Schedule included in Part 2 Statement of Requirements. Prices quoted must include the following costs and components:

- (a) For Goods
  - (i) the price of the Goods and the cost of delivery to the final destination, including the relevant **INCOTERM**, as stated in the Delivery Schedule;
  - (ii) the custom duties to be paid on the Goods on entry in Zimbabwe, if not already included;
  - (iii) Any other applicable import taxes;
  - (iv) any sales and other taxes due within Zimbabwe which will be payable on the Goods, if not already included;
  - (v) any rebate or mark-up of the local agent or representative.
- (b) for Related Services, (other than inland transportation and other services required to convey the Goods to their final destination), whenever such Related Services are specified in the Schedule of Requirements:

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**PART 1 BIDDING PROCEDURES**

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The price of each item comprising the Related Services (inclusive of any applicable taxes).

**Bid Security**

The Bidder must include Bid Security of **ZWL200, 000.00**, in *either* of the following forms;

**Option 1 ----- A certified Bank Cheque in the ZIMRA name.**

**Option 2 -----A Bank Guarantee in the ZIMRA name**

**Option 3 ----- A Cash Deposit to the Authority PRAZ**

The bid security shall be valid for a period of **90 days** after the end of the bidding period.

Any bid not accompanied by a Bid Security where this is a requirement of bidding, will be rejected by the Procuring Entity as non-responsive.

**If a bidder chooses options 2 or 3, the following should be noted;**

**Option 2**

**Submission of bank guarantee**

A standard bank Guarantee of **ZWL200,000.00** which is valid for **90 days** obtainable from a reputable Registered Commercial Bank redeemable in **Zimbabwe**.

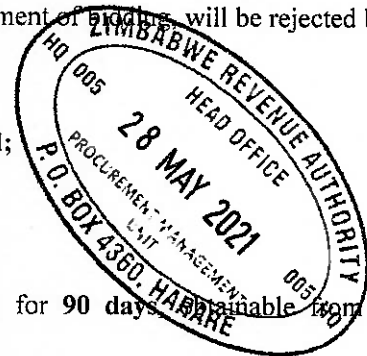
Please note: The required Bank Guarantee should include the following features and be redeemable in Zimbabwe in order for it to be considered valid:

1. Letterhead of registered commercial bank (i.e. the Supplier of the Bank Guarantee)
2. The Header has to clearly state that it is a Bank Guarantee.
3. Purpose of the Bank Guarantee to be clearly stated.
4. The date when the Common Seal of the said Surety was effected should be clearly shown.
5. Conditions of the said Obligations must be stated.
6. The physical address of the Surety should be given.
7. The validity period of the Bank Guarantee must be clearly stated.
8. Signature of surety and the date when it was endorsed must be clearly shown.
9. It must be an original document that is date stamped.
10. Bid Bonds from Insurance Companies are not acceptable.
11. All foreign Bank Guarantee to be confirmed by a local corresponding Commercial bank in Zimbabwe.

The Bank Guarantee of the unsuccessful bidders will be released immediately after the award of the Tender while that of the winning bidder will only be released after submission of the Performance Bond as specified in the tender document section 1.9.

**Option 3**

If **Option 3** is chosen bidders must pay **ZWL\$200,000.00** for the Bid Security that shall be Refundable at the end of the bid validity period plus another **ZWL28, 000.00** that shall be non-refundable for cash bid bond establishment fee in line with **SI 219 of 2020**. The amount is payable at Procurement Regulatory Authority of Zimbabwe (PRAZ), 76 Samora Machel Avenue, Harare or to be deposited into the following Account numbers:



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**PART 1 BIDDING PROCEDURES**

**1. NON-REFUNDABLE (LOCAL)**

BANK NAME: COMMERCIAL BANK OF ZIMBABWE  
 ACCOUNT NAME: PROCUREMENT REGULATORY AUTHORITY OF ZIMBABWE  
 ACCOUNT NUMBER: 01121064850020  
 BRANCH: KWAME NKRUMAH

**2. REFUNDABLE (LOCAL)**

BANK NAME: COMMERCIAL BANK OF ZIMBABWE  
 ACCOUNT NAME: PROCUREMENT REGULATORY AUTHORITY OF ZIMBABWE  
 ACCOUNT NUMBER: 01121064850030  
 BRANCH: KWAME NKRUMAH



The Bid Security of a Joint Venture (JV) must be in the name of the JV that submits the Bid. If the JV has not been legally constituted at the time of bidding, the Bid Security must be in the names of all intended partners.

**Payment Summary of payment to PRAZ**

No	Item	Local Bidders (Zimbabwean Dollars)	Status
1	Bid Security	ZWL\$200,000.00	Mandatory
2	Establishment Fee	ZWL\$28,000.00	Mandatory
3	Annual Contract Administration Fee	ZWL\$16,000.00	Payable by the winning bidder
4	SPOC fees	ZWL\$8,000.00	Non-refundable

**Evaluation of Bids**

Bids will be evaluated using the following methodology:

1. Preliminary examination to confirm that all documents required have been provided, to confirm the eligibility of Bidders in terms of section 28 (1) of the Regulations and to confirm that the Bid is administratively compliant in terms of section 28 (2) of the Regulations.
2. Technical evaluation to determine substantial responsiveness to the specifications in the Statement of Requirements;
3. Financial evaluation and comparison to determine the evaluated price of bids and to determine the lowest evaluated bid.

**Bids failing any stage will be eliminated and not considered in subsequent stages.**

**PLEASE NOTE THAT PROSPECTIVE BIDDERS WHO STILL HAVE ZIMRA PENDING AND UNFULFILLED ORDERS OR CONTRACTS THAT HAVE BEEN PROVEN FOR SIMILAR REQUIREMENTS WILL NOT BE CONSIDERED SPECIFICALLY FOR THIS TENDER.**

**Review by the Special Procurement Oversight Committee**

Section 54 of the Act provides for review by the Special Procurement Oversight Committee especially sensitive or especially valuable contracts. This requirement will be subject to this review; hence, at least two identical copies of the bid document are required. Where the copies are not identical, the contents of the bid marked original will alone be considered. This tender is subject to SPOC Review, therefore all bidders must pay ZWL\$8,000.00, according to S.I. 219.

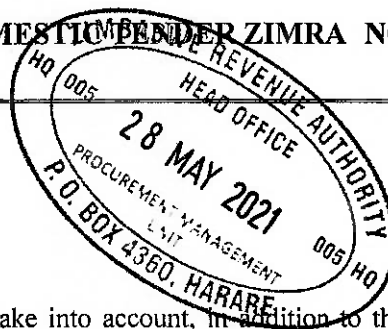


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**PROCUREMENT REFERENCE NO.: DOMESTIC BIDDING ZIMRA NCB 14/2021**

**PART 1 BIDDING PROCEDURES**

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**Evaluation criteria**

The Procuring Entity's evaluation of a Bid will take into account, in addition to the Bid Price, the following criteria and methodologies.

- (a) **Experience in Provision of IBM Qradar (Security Information and Events Management System License Renewal for 24 months elsewhere and the Procuring entity will request for reference confirmation on all the bidders.**
- (b) **Delivery schedule:** The specified Goods are required to be delivered by the date indicated in the Delivery Schedule in Part 2. Bids offering delivery after the date shall be treated as non-responsive.
- (c) **Deviation in payment schedule:** The payment schedule is stated in the Special Conditions of Contract (SCC) in Part 3. A Bidder may propose a deviation from the schedule and if the deviation is considered acceptable to the Procuring Entity, the Bid will be evaluated by calculating interest earned for any earlier payments involved in the terms outlined in the Bid as compared with those stipulated in the SCC, at the rate of interest indicated by the Reserve Bank of Zimbabwe on the closing date for submission of bids.
- (c) **Cost of major replacement components, mandatory spare parts, and service:**

Bidders must state the unit prices for these items. The total cost of these items and quantities will be added to the Bid price, for evaluation purposes only.

**Eligibility and Qualification Criteria**

Bidders are required to meet the criteria in section 28 of the Act to be eligible to participate in public procurement and to be qualified for the proposed contract. They must therefore provide any available documentation and certify their eligibility in the Bid Submission Sheet. To be eligible, Bidders must

1. have the legal capacity to enter into a contract;
2. not be insolvent, in receivership, bankrupt or being wound up, not have had business activities suspended and not be the subject of legal proceedings for any of these circumstances;
3. have fulfilled their obligations to pay taxes and social security contributions in Zimbabwe;
4. not have a conflict of interest in relation to this procurement requirement;
5. not be debarred from participation in public procurement under section 72 (6) of the Act and section 74(1) (c), (d) or (e) of the Regulations or declared ineligible under section 99 of the Act;
6. have the nationality of an eligible country as specified in the Special Conditions of Contract; and
7. have been registered with the Authority as a Supplier and have paid the applicable Supplier Registration Fee set out in Part III of the Fifth Schedule to the Regulations.

Participation in this bidding procedure is open to both Zimbabwean bidders

**Origin of Goods**

All goods and related services must have as their country of origin an eligible country, as specified in the Special Conditions of Contract.

**Technical Criteria**

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The Technical Specifications Sheet details the minimum specification of the goods required. The goods offered must meet this specification, but no credit will be given for exceeding the specification. No alternatives to technical specifications given shall be accepted for evaluation.

**Currency**

According to SI 185/2020, Bids should be priced in United States Dollars (US\$) and Zimbabwean Dollar (ZWL). Payment of the contract will be made at the prevailing interbank rate.

**Award of Contract**

The lowest evaluated bid, after application of any additional evaluation criteria, including any margin of preference, which is substantially responsive to the requirements of this bidding document will be recommended for award of contract. 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: Contract. Unsuccessful Bidders will receive the Notification of Contract Award and, if they consider they have suffered prejudice from the process, they may 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.

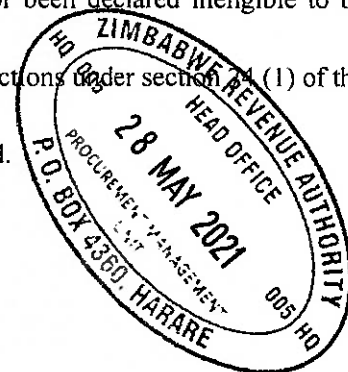
**Right to Reject**

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

**Corrupt Practices**

The Government of Zimbabwe requires that Procuring Entities, as well as Bidders and Contractors, 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 or coercive practices in competing for the Contract or been declared ineligible to be awarded a procurement contract under section 99 of the Act;
2. the Authority may under section 72 (6) of the Act impose the sanctions under section 74 (1) of the Regulations; and
3. Any conflict of interest on the part of the Bidder must be declared.



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**PART 1 BIDDING PROCEDURES**

**Bid Submission Sheet**

*{Note to Bidders: Complete this form with all the requested details and submit it as the first page of your Bid. Attach the completed Statement of Requirements and any other documents requested in Part 1. Ensure that your Bid is authorised in the signature block below. A signature and authorisation on this form will confirm that the terms and conditions of this Bid prevail over any attachments. If your Bid is not authorised, it may be rejected. If the Bidder 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.*

*Bidders must mark as "CONFIDENTIAL" information in their Bids which is confidential to their business. This may include proprietary information, trade secrets or commercial or financially sensitive information}.*

Procurement Reference Number:

Subject of Procurement:

Name of Bidder:

Bidder's Reference Number:

Date of Bid:



We offer to supply the items listed in the attached Statement of Requirements, at the prices indicated on the attached Price Schedule and in accordance with the terms and conditions stated in your Bidding Document referenced above.

We confirm that we meet the eligibility criteria specified in Part 1: Procedures of Bidding.

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

**The validity period of our bid is: ..... {Days} from the date of submission.**

We confirm that the prices quoted in the attached Price Schedule are fixed and firm for the duration of the validity period and will not be subject to revision, variation or adjustment.

**Bid Authorised by:**

<b>Signature</b> .....	<b>Name:</b> .....
<b>Position:</b> .....	<b>Date:</b> .....(DD/MM/YY)
<b>Authorised for and on behalf of:</b>	
<b>Company</b> .....	
<b>Address:</b> .....	
.....	

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**PART 3 CONTRACT**

**PART 2: STATEMENT OF REQUIREMENTS**

Name of Bidder:


Bidder's Reference Number:

**List of Goods and Price Schedule**

Currency of Bid: **US\$/ZWL**

**NCB14/2021 FOR THE PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS**

NO.	DESCRIPTION	QTY	UNIT PRICE US\$ INCL VAT	TOTAL PRICE US\$ INCL VAT	UNIT PRICE ZWL INCL VAT	TOTAL PRICE ZWL INCL VAT
1	PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS	1				



**Note 1:** Unit and total prices must be for PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS stated in Part 1.

**BIDDING DOCUMENT FOR THE PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS**

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**PART 3 CONTRACT**

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## **Delivery Schedule**

Name of Bidder:

Bidder's Reference Number:

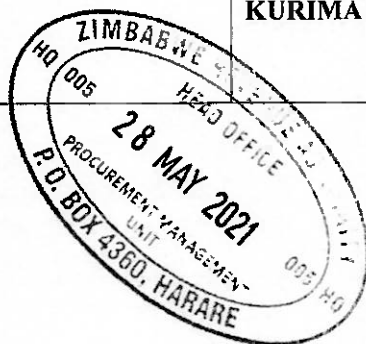
*{Note to Bidders: If the delivery period offered, or any other details, differ from the requirements below, this should be stated in your tender}.*

**PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS**

**Expected delivery period up to commissioning is 4 weeks**

The delivery period required is measured from the date of the signing of the Contract between the Procuring Entity and the Bidder.

The Project Site for delivery of the goods is the final destination:	<b>ZIMBABWE REVENUE AUTHORITY</b> <b>KURIMA HOUSE</b>
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**PART 3 CONTRACT**


**Technical Specification and Compliance Sheet**

Name of Bidder:

Bidder's Reference Number:

*The Goods and Related Services must comply with following Technical Specifications and Standards:*

*[Columns a and b are completed by the Procuring Entity. Column c must be completed by the Bidder to indicate the full specification of the items offered and their compliance with the specification required (in Column b)]*

	<i>a</i>	<i>b</i>	<i>c</i>
	<i>Item description and full technical Specification required (including applicable standards)</i>	<i>Item description and full technical Specification required (including applicable standards)</i>	<i>{Confirm full specification of items offered by Bidder and compliance of items to detail in column b}</i>
<b>NO</b>	<b>DESCRIPTION/ FEATURES</b>	<b>MINIMUM REQUIREMENTS</b>	
1	<b>PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS</b>	Minimum requirements are as per table below and confirmation should be made in column c	
<b>Item</b>	<b>Vendor</b>	<b>Part Number</b>	<b>Product Description</b>
1	IBM	E0NBILL	IBM QRADAR EVENT CAPACITY 2.5K EVENTS PER SECOND ANNUAL SW SUBSCRIPTION & SUPPORT RENEWAL 24 MONTHS
2	IBM	E0NCILL	IBM QRADAR FLOWS CAPACITY 180 FLOWS PER MINUTE ANNUAL SW SUBSCRIPTION & SUPPORT RENEWAL 24 MONTHS
3	IBM	E0NEGLL	IBM QRADAR SOFTWARE NODE INSTALL ANNUAL SW SUBSCRIPTION & SUPPORT RENEWAL 24 MONTHS

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**PART 3 CONTRACT**

4	IBM	EONBALL	IBM QRADAR SOFTWARE INSTALL ANNUAL SW SUBSCRIPTION & SUPPORT RENEWAL 24 MONTHS
5	IBM	Support Services	Enterprise Support for 24 months
6	IBM	-	Partnership with IBM on QRADAR SIEM solution is required

The detailed technical evaluation will examine the technical specification of the items offered in column c and determine whether this meets the minimum specification in column b. Bidders must complete column c or their tender will be rejected. **Bidders are required to include technical literature to positively support the details provided in column c.**

**Declaration by the Accounting Officer**

I declare that the procurement is based on neutral and fair technical requirements and bidder qualifications.

*[Handwritten Signature]*

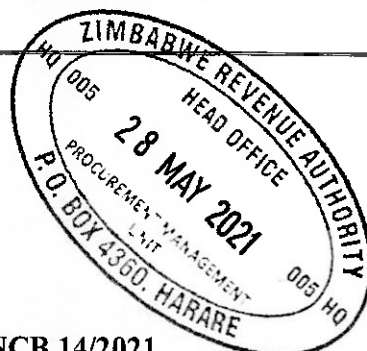
*28/05/2021*



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PART 3 CONTRACT



## **PART 3 CONTRACT**

### **Contract Agreement**

**Procurement Reference: Domestic tender ZIMRA NCB 14/2021**

THIS CONTRACT AGREEMENT is made the *[insert: date]* day of *[insert: month]*, *[insert: year]*.

BETWEEN

- (1) *[insert complete name of Procuring Entity]*, a *[insert description of type of legal entity, for example, an agency of the Ministry of .... of the Government of Zimbabwe, or corporation incorporated under the laws of Zimbabwe]* and having its principal place of business at *[insert full postal address of Procuring Entity]* (hereinafter called "the Procuring Entity"), and
- (2) *[Insert name of Contractor]*, a corporation incorporated under the laws of *[insert: country of Contractor]* and having its principal place of business at *[insert full postal address of Contractor]* (hereinafter called "the Contractor").

WHEREAS the Procuring Entity invited Bids for certain Goods and ancillary services, viz., *[insert brief description of Goods and Services]* and has accepted a Bid by the Contractor for the supply of those Goods and Services in the sum of *[insert Contract Price in words and figures, expressed in the Contract currency]* (hereinafter called "the Contract Price").

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are assigned to them in the General and Special Conditions of Contract referred to below.
2. The following documents shall constitute the Contract between the Procuring Entity and the Contractor, and each shall be read and construed as an integral part of the Contract:
  - (a) This Contract Agreement;
  - (b) Special Conditions of Contract;
  - (c) General Conditions of Contract;
  - (d) Technical Requirements (including Schedule of Requirements and Technical Specifications);
  - (e) The Contractor's Bid, original Price Schedules and Delivery Schedule;
  - (f) The Procuring Entity's Notification of Contract Award;
  - (g) *[Add here any other document(s)]*.



**BIDDING DOCUMENT FOR THE PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS**

**PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 14/2021**

**PART 3 CONTRACT**

3. This Contract Agreement shall prevail over all other Contract Documents. In the event of any discrepancy or inconsistency within the Contract Documents, then the documents shall prevail in the order listed above.
4. In consideration of the payments to be made by the Procuring Entity to the Contractor as mentioned below, the Contractor hereby agrees with the Procuring Entity to provide the Goods and Services and to remedy any defects in them in conformity with the Contract.
5. The Procuring Entity hereby agrees to pay the Contractor in consideration of the provision of the Goods and Services and the remedying of any defects in them, the Contract Price or such other sum as may become payable under the Contract at the times and in the manner prescribed by the Contract.

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in accordance with the laws of Zimbabwe on the day, month and year indicated above.

**For and on behalf of the Procuring Entity**

Signed:	.....
Name:	
In the capacity of:	<i>[Title or other appropriate designation]</i>

**For and on behalf of the Contractor**

Signed:	.....
Name:	
In the capacity of:	<i>[Title or other appropriate designation]</i>



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**PART 3 CONTRACT**

**General Conditions of Contract**

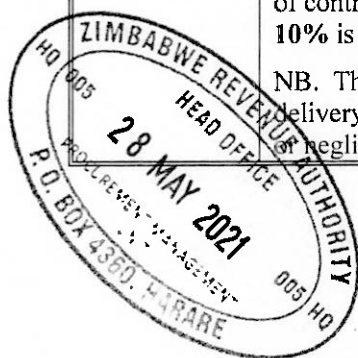
Any resulting contract is subject to the Zimbabwe General Conditions of Contract (GCC) for the Procurement of Goods (copy available on request) except where modified by the Special Conditions below.

**Special Conditions of Contract**

Procurement Reference Number... **Domestic tender NCB 14/2021**

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

<b>GCC reference</b>	<b>Special Conditions</b>
<b>GCC 7.5</b>	<b>Eligible Countries:</b> Zimbabwe
<b>GCC 8.1</b>	<b>Notices:</b> Any notice shall be sent to the following addresses: For the Procuring Entity, the address shall be as given in the Contract document and the contact shall be, <b>6th Floor ZB Centre, Corner Kwame Nkrumah Avenue and First Street, Harare Zimbabwe.</b>  For the Contractor, the address shall be as given in the Bid and the contact shall be <i>{state name of contact}</i>
<b>GCC 19.1</b>	<b>Liquidated Damages:</b>  Liquidated Damages in terms of section 88 of the Act shall apply. In the case of delays in the delivery of goods, the Contractor will be liable to pay damages of 0.5% of contract price per week of delay up to a maximum of <b>10%</b> of contract value. If <b>10%</b> is exceeded, the contract may be cancelled  NB. The contractor will not be charged liquidated damages when the delay in delivery or performance is beyond the contractor's control and is not caused by fault or negligence on the part of the contractor.

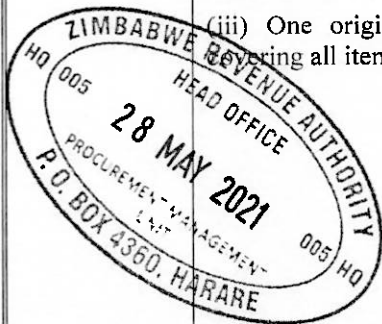


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**PART 3 CONTRACT**


GCC reference	Special Conditions
GCC 21.2	<p><b>Packing, Marking and Documentation:</b> The goods shall meet the following special packing requirements in addition to the general requirements stated in GCC clause 21.1</p> <p>The documents to be furnished by the Contractor are:</p> <ol style="list-style-type: none"> <li>1. A negotiable bill of lading when the goods are coming by sea</li> <li>2. An airway bill, when the goods are coming by Air</li> <li>3. A road consignment note, when the goods are coming by road</li> </ol> <p><b>Sample provision - For Goods supplied from abroad:</b></p> <p>Upon shipment, the Contractor shall notify the Procuring Entity and the insurance company in writing of the full details of the shipment. In the event of Goods sent by airfreight, the Contractor shall notify the Procuring Entity a minimum of forty-eight (48) hours ahead of dispatch, the name of the carrier, the flight number, the expected time of arrival, and the waybill number. The Contractor shall email and then send by courier the following documents to the Procuring Entity, with a copy to the insurance company:</p> <ol style="list-style-type: none"> <li>(i) One original and two copies of the Contractor's invoice, showing the Procuring Entity as the consignee; the Contract number, Goods description, quantity, unit price, and total amount. Invoices must be signed in original;</li> <li>(ii) One copy of delivery note, document showing Procuring Entity as the consignee and delivery through to final destination as stated in the Contract</li> <li>(iii) One original of the manufacturer's or Contractor's Warranty Certificate covering all items supplied;</li> </ol>



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**PART 3 CONTRACT**

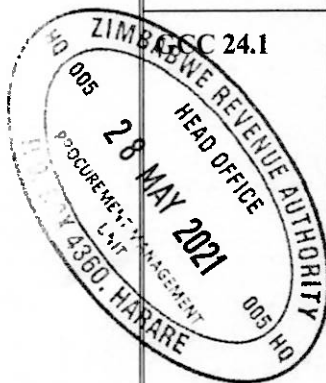
GCC reference	Special Conditions
	<p><b><i>Sample provision - For Goods from within Zimbabwe</i></b></p> <p>Upon or before delivery of the Goods, the Contractor shall notify the Procuring Entity in writing and deliver the following documents to the Procuring Entity:</p> <ul style="list-style-type: none"><li>(i) One original and two copies of the Contractor's invoice, showing the Procuring Entity, the Contract number, Goods' description, quantity, unit price, and total amount. Invoices must be signed in original;</li><li>(ii) One copy of delivery note, document showing Procuring Entity as the consignee and delivery through to final destination as stated in the Contract;</li><li>(v) one original of the manufacturer's or Contractor's Warranty certificate covering all items supplied;</li></ul> <p>The above documents shall be received by the Procuring Entity before arrival of the Goods and, if not received, the Contractor will be responsible for any consequent expenses.</p> 

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**PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 14/2021**

**PART 3 CONTRACT**

GCC reference	Special Conditions
GCC 22.1	<b>Insurance:</b> The Goods shall be insured in accordance with the specified Incoterms.
GCC 23.1 & 23.2	<b>Inspections and tests:</b> the tests and/or inspections of the Goods and Related Services that the Contractor is required to carry at its own expense are: <b>100%</b> inspection on technical compliance.
GCC 24.1	<p><b>Performance security:</b></p> <p>The successful tenderer will be requested to provide a guarantee of <b>10%</b> of the total tender amount endorsed by a registered Commercial Bank located in Zimbabwe acceptable to ZIMRA (Total tender amount is calculated according to the tender dossier) when countersigning the contract. The performance guarantee must be delivered within 14 days after receipt by the tenderer of the contract signed by ZIMRA. If the selected tenderer fails to provide such a guarantee within this period, the contract will be void and a new contract may be drawn up and sent to the tenderer which has submitted the next most economically advantageous, compliant tender.</p>
GCC 24.4	<b>Reduction of performance security ( Not applicable)</b>
GCC 25.1	<b>Warranty:</b> The period of the warranty shall be one (1) year manufacturer warranty.
GCC 25.6	<b>Failure to remedy a defect:</b> The period allowed to the Contractor to remedy a defect during the period of the Warranty shall be (30) days
GCC 29.1	<p><b>Price adjustments:</b> The following price adjustments are applicable.</p> <p>When the application of price adjustment would modify the initial price by more than twenty per centum or would modify the balance owing under the contract by more than twenty per centum, the procuring entity may terminate the contract</p>
GCC 30.1	<p><b>Terms of Payment:</b> The structure of payments shall be:</p> <p><b>Acceptance:</b> The Contract Price shall be paid to the Contractor within thirty (15) days after the date of the acceptance certificate for the respective delivery issued by the Procuring Entity.</p> <p>In the event that advance payment is required, the Contractor must avail a bank guarantee of the equivalent amount from a reputable registered commercial bank redeemable in Zimbabwe.</p> <p><b>BIDDERS MUST STATE THEIR PAYMENT TERMS.</b></p>
GCC 31.1	<b>Contract Administration Fee:</b> The Contract Administration Fee set out in the SI 219 of 2020 is due upon the signing of the Contract and the applicable Fee is <b>ZWL16, 000.00 per year.</b>



**BIDDING DOCUMENT FOR THE PROVISION OF IBM QRADAR (SECURITY INFORMATION AND EVENTS MANAGEMENT) SYSTEM LICENSE RENEWAL FOR 24 MONTHS**

**PROCUREMENT REFERENCE NO.: DOMESTIC TENDER ZIMRA NCB 14/2021**

**PART 3 CONTRACT**

GCC reference	Special Conditions
GCC 32.1	<p>1. <b>Declaration of any Litigation.</b> This should be on your company letter head or from your attorney. Bidders should give, if there is any, details of the litigation which they may have been involved in and any, which they are involved in.</p>

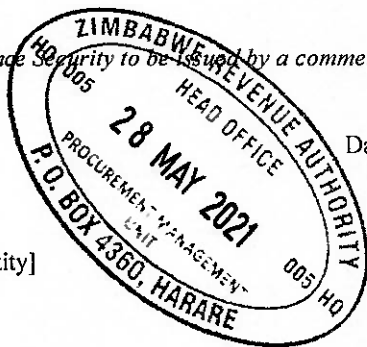
**Bank Guarantee for Performance Security**

*[This is the format for the Performance Security to be issued by a commercial bank in Zimbabwe in accordance with GCC 18.1]*

Contract No:

To:

[Name and address of Procuring Entity]



Date:

**PERFORMANCE GUARANTEES No:**

We have been informed that [name of supplier] (hereinafter called "the Supplier") has undertaken, pursuant to Contract No [reference number of Contract] dated [date of Contract] (hereinafter called "the Contract") for the supply of [description of goods and related services] under the Contract.

Furthermore, we understand that, according to your conditions, Contracts must be supported by a performance guarantee.

At the request of the Supplier, we [name of bank] hereby irrevocably undertake to pay you, without cavil, delay or argument, any sum or sums not exceeding in total an amount of [insert amount in figures and in words] upon receipt by us of your first written demand accompanied by a written statement that the Supplier is in breach of its obligation(s) under the Contract conditions, without you needing to prove or show grounds or reasons for your demand of the sum specified therein.

This guarantee is valid until full recovery of the entire sum of money above stated, consequently, we must receive at the above-mentioned office any demand for payment under this guarantee in case of default.

Signature .

Signature