

BIDDING DOCUMENT FOR THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY-FOUR MONTHS.

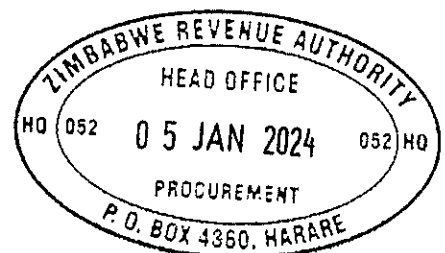
PROCUREMENT REFERENCE NO.: ZIMRA TENDER NCB 45/2023

**STANDARD BIDDING DOCUMENT FOR
THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT
SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8
SUPERCLUSTERS FOR TWENTY-FOUR MONTHS.**

**ZIMRA TENDER
NCB 45/2023**



ZIMRA
Zimbabwe Revenue Authority



DECEMBER 2023

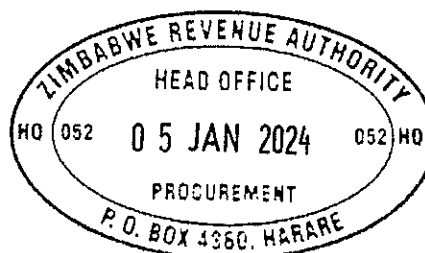
BIDDING DOCUMENT FOR THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY-FOUR MONTHS.

PROCUREMENT REFERENCE NO.: ZIMRA TENDER NCB 45/2023

PROCURING ENTITY: ZIMBABWE REVENUE AUTHORITY

DATE OF ISSUE: 05 JANUARY 2024

CLOSING DATE: 19 JANUARY 2024



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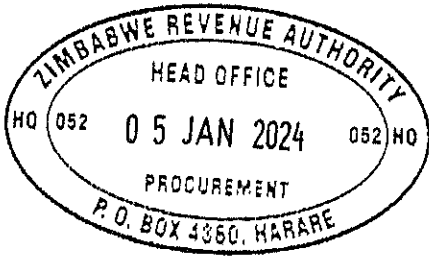
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BIDDING DOCUMENT FOR THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY FOUR MONTHS.

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PART 1 BIDDING PROCEDURES

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: Competitive Tender NCB 45/2023

Preparation of Bids

You are requested to bid for the provision for renewal of Hardware maintenance and support from Oracle and Field partner for M7 and M8 Superclusters for twenty four (24) Months as specified in the Statement of Requirements below, by completing and returning the following documentation:

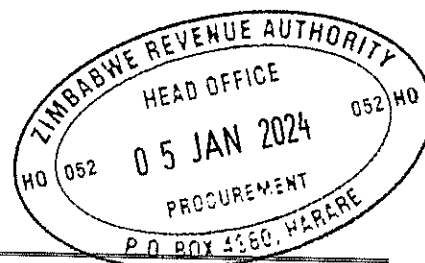
1. the Bid Submission Sheet in this Part
2. the Statement of Requirements in Part 2
3. A copy of every document necessary to demonstrate eligibility in terms of section 28 (1) of the Regulations
4. Proof of supplier registration with the Procurement Regulatory Authority of Zimbabwe (PRAZ) is a must
5. 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' direct experience in the provision of Oracle maintenance and support services
10. Clearly state bid validity period
11. Proof of Oracle Field Delivery Partnership (FDP).

You are also required to pay the administration fee of **USD350.00, or ZWL equivalent** at the Reserve Bank of Zimbabwe (RBZ) prevailing rate payable for bids subject to prior review by the Special Procurement Oversight Committee in terms of section 54 of the Act and as set out in Part IV of the Fifth Schedule to the Regulations. This fee is paid directly to the Procurement Regulatory of Zimbabwe (PRAZ).

This fee is paid directly to the Procurement Regulatory Authority of Zimbabwe (PRAZ) or to the following account FCA Account (foreign deposits);

Payment Instructions Local Bidders:

Bank Name: Commercial Bank of Zimbabwe
Account Name: Procurement Regulatory Authority of Zimbabwe
Account Number: 01121064850040
Branch: Kwame Nkrumah



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PART I BIDDING PROCEDURES

FCA ACCOUNT (FOREIGN DEPOSITS)

Bank Name: Commercial Bank of Zimbabwe
Account Name: Procurement Regulatory Authority of Zimbabwe
Account Number: 01121064850040
Branch: Kwame Nkrumah

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.

Clarification

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

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

Or via Email to procurement@zimra.co.zw

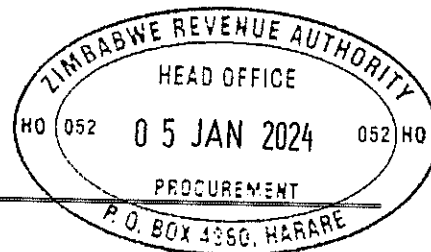
Such queries should be submitted within 5 days from the date of publication and responses to questions / queries will be made in writing to all prospective bidders at least 2 days before tender closing.

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 **90 days** from the deadline for the submission of bids.



BIDDING DOCUMENT FOR THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY FOUR MONTHS.

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PART 1 BIDDING PROCEDURES

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, where applicable.

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. **Bidders must also submit readable discs.**

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.

Date of deadline	19 JANUARY 2024	Deadline Time:	10:00Hours Harare time (GMT + 2 hours)
Submission address:	The Director Procurement Zimbabwe Revenue Authority (ZIMRA) 10 th Floor ZB Centre Corner Kwame Nkrumah Ave/ First Street Harare Zimbabwe		
Means of acceptance:	<i>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.</i>		

Bid opening

Bidders and their representatives are allowed to witness the opening of bids, which will take place at the submission address immediately following the deadline.

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 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. In quoting prices, the Bidder is free to use transportation through carriers registered in any eligible country and similarly may obtain insurance services from any eligible country. Prices quoted must include the following costs and components:

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PART 1 BIDDING PROCEDURES

- (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:

The price of each item comprising the related services (inclusive of any applicable taxes).

Evaluation of Bids

Bids will be evaluated using the following methodology:

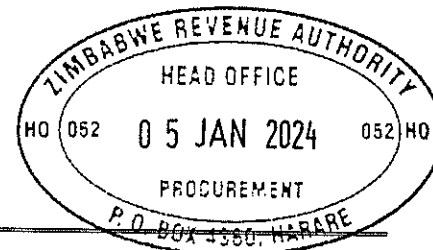
1. Preliminary examination to confirm that all documents required have been provided, to confirm the eligibility of Bidders in terms of section 28 (1) of the Regulations and to confirm that the Bid is administratively compliant in terms of section 28 (2) of the Regulations.
2. Technical evaluation to 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 responsiveness.

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

Evaluation criteria

1. Eligibility and Qualification Criteria

Evaluation Parameter	Compliant /Non - Compliant
Suppliers must be registered with the Procurement Regulatory Authority of Zimbabwe (PRAZ) for this particular Category and proof of registration must be submitted with the bid.	
A valid tax clearance certificate (ITF 263)	
A valid NSSA certificate	
Proof of a valid Oracle Field Delivery Partnership (FDP)	
A copy of CR 14, CR6 and a Certificate of Incorporation or equivalent documents	



BIDDING DOCUMENT FOR THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY FOUR MONTHS.

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PART 1 BIDDING PROCEDURES

2. Administrative compliance

Evaluation Parameter	Compliant /Non - Compliant
Bid validity of 90 days	
Bid securing declaration	
The Bid Submission Sheet in this Part; signed	
The Statement of Requirements in Part 2	
A copy of your company profile	
At least three (3) reference letters showing bidders' direct experience in the required service	

3. Technical evaluation

As per attached technical specifications and compliance sheets

4. Financial Evaluation

This shall be done as per the prices submitted by bidders.

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.
8. Proof of Oracle Field Delivery Partnership (FDP).

Participation in this bidding procedure is open to Zimbabwean bidders only

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.

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PART 1 BIDDING PROCEDURES

Technical Criteria

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

Bids should be priced in United States Dollars (USD). The currency of evaluation will be United States Dollars (US\$) and the currency of payment for local component will be the Zimbabwean Dollars, using the RBZ Interbank rates published by the Reserve Bank of Zimbabwe on the date of the payment, see <http://www.rbz.co.zw/>. The foreign component will be paid directly in USD currency to Oracle. Currency of contracting will be United States Dollars (US\$).

Award of Contract

The lowest evaluated bid per Lot per sample, 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.

When tendering for more than one lot, the award of one lot must not be conditional to the award of several/ other lots.

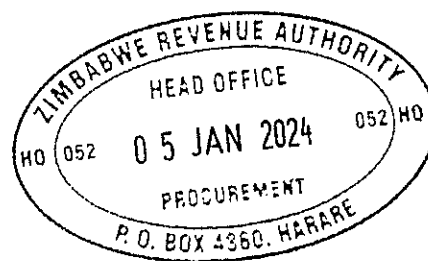
Right to Reject

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.

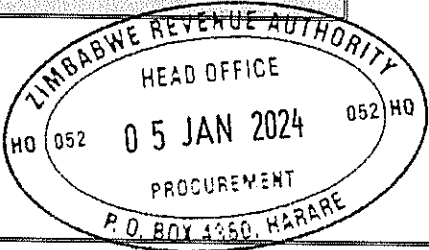
We declare that we are not debarred from bidding and that the documents we submit are true and correct.

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:

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



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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\$**

DESCRIPTION	QTY	UNIT PRICE US\$ INCL VAT	TOTAL PRICE US\$ INCL VAT
Renewal of Hardware Maintenance and Support Services from Oracle and Field Partner for M7 & M8 Superclusters	2 years		

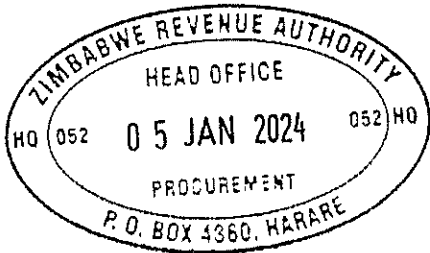
NB:
If there is foreign component to be paid to Oracle through Field Delivery Partner (FDP) provider, the bidder must indicate.

Note 1: The description or quantity must indicate the unit of measure where relevant.
Note 2: Unit and total prices must be for delivery through to the final destination stated in Part 1.

Oracle Arrears

Bidders must include arrears which are due to Oracle Systems Limited if any, separately as follows:

- 1. Oracle Supercluster M7: CSI#20901764 Contract No. 12573419**
- 2. Oracle Supercluster M8: CSI#22188701 & CSI22197624 Contract No.19120223**
- 3. X7-2L Servers & Storage-Tek SL150 Tape Library M7 CSI#22188701**



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PART 3 CONTRACT

Delivery Schedule

Name of Bidder:

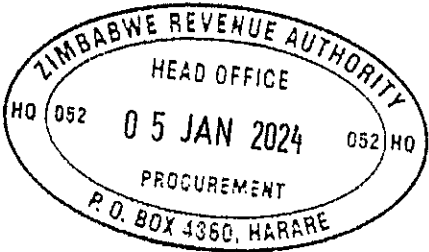
Bidder's Reference Number:

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

RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY-FOUR MONTHS.

Expected delivery period is soon upon signing of the Contract

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



BIDDING DOCUMENT FOR THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY FOUR MONTHS.

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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)]

TECHNICAL SPECIFICATIONS FOR RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD DELIVERY PARTNER FOR M7 AND M8 SUPERCLUSTERS

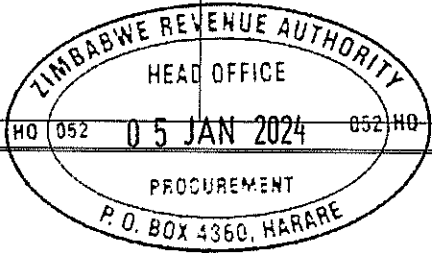
A	B	C
Item description and full technical Specification required (including applicable standards)	Item description and full technical Specification required (including applicable standards)	{Confirm full specification of items offered by Bidder and compliance of items to detail in column b}
Item	Description	
Oracle Support Contract	<div>1. Provide and replace fault hardware components such as Disks, CMIOU</div> <div>2. Remote monitoring of Engineered systems via the local Oracle Gateway</div> <div>3. Provide software patches for the hardware infrastructure.</div> <div>4. Offer Third level support (OEM) for emergency on all Oracle hardware</div>	
Field Delivery Partner local services	<div>Field Delivery Partner shall render the following maintenance and support services on a quarterly and ad-hoc basis for all the Oracle hardware:</div> <div>1 With respect to the Oracle Hardware servicing namely:<div><div>• Preparing for Service</div><div>• Detecting and Managing Faults</div><div>• Servicing CMIOUs</div><div>• Servicing DIMMs</div><div>• Servicing SPs</div><div>• Servicing PCIe Cards</div><div>• Servicing Power Supplies</div></div></div>	<div><div>ZIMBABWE REVENUE AUTHORITY</div><div>HEAD OFFICE</div><div>HO 052 05 JAN 2024 052 HO</div><div>PROCUREMENT</div><div>P.O. BOX 4360, HARARE</div></div>

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PART 3 CONTRACT

A	B	C
<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>
Item	Description	
	<ul style="list-style-type: none">• Servicing Fan Modules (CMIOU Chassis)• Servicing Fan Modules (Switch Chassis)• Servicing Switch Units• Servicing PDECBs• Servicing eUSB Disks• Servicing a CMIOU Chassis Fan Cable Assembly• Servicing the Front Indicator Panel• Servicing the Front Indicator Panel Cable• Servicing Power Modules• Servicing SP Trays• Servicing Batteries• Servicing PDUs• Servicing the CMIOU Chassis• Servicing the Switch Chassis• Servicing SP Internal Interconnect Assemblies• Servicing Internal Interconnect Assemblies <p>With respect to the hardware:</p> <p>a) Physical Maintenance (All Hardware)</p> <p>i. Visual inspection of all components.</p> <p>ii. Air based cleaning.</p> <p>iii. Physical verification of all interfaces.</p> <p>b) Logical Maintenance</p> <p>Run heath checks and resolve any issues on the following components:</p> <p>i. Processors</p> <p>System Board</p> <p>ii. RAM</p> <p>iii. Interfaces</p> <p>iv. Displays</p> <p>v. System Storage</p>	



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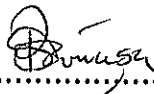
PART 3 CONTRACT

<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>
Item	Description	
	c) Environment compliance checks i. Temperature ii. Cleanliness iii. Power Distribution iv. Health and Safety v. Security	
	d) Basis consulting services: Second level Support 1- System fault resolution 2- System Tuning 3- Database fault troubleshooting and resolution. 4- Assist backup solution setup 5- Assist setup of SAP and Oracle system tools for automated reporting	

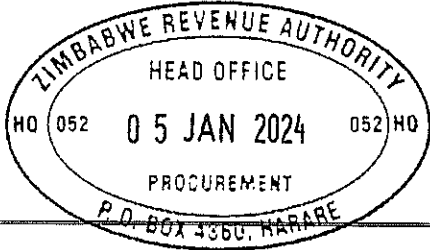
The detailed technical evaluation will examine the technical specification of the items offered in column C and determine whether this meets the minimum specification in column B. Bidders must complete column C or their tender will be rejected.

Declaration by the Accounting Officer

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

.....


.....12/12/2023.....



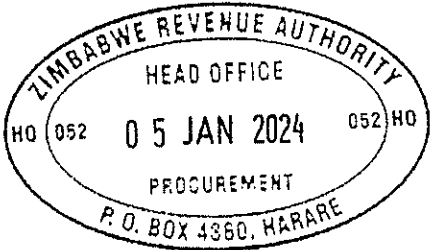
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PROCUREMENT REFERENCE NO. : ZIMRA TENDER NCB 45/2023

PART 3 CONTRACT

PART 3 CONTRACT

Contract Agreement



Procurement Reference: Domestic tender ZIMRA NCB 45 /2023

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)]*.
- 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.

BIDDING DOCUMENT FOR THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY FOUR MONTHS.

PROCUREMENT REFERENCE NO. : ZIMRA TENDER NCB 45/2023

PART 3 CONTRACT

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:

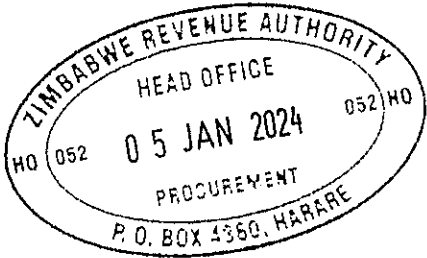
In the capacity of: [Title or other appropriate designation]

For and on behalf of the Contractor

Signed:

Name:

In the capacity of: [Title or other appropriate designation]



BIDDING DOCUMENT FOR THE RENEWAL OF HARDWARE MAINTENANCE AND SUPPORT SERVICES FROM ORACLE AND FIELD PARTNER FOR M7 AND M8 SUPERCLUSTERS FOR TWENTY FOUR MONTHS.

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PART 3 CONTRACT

General Conditions of Contract

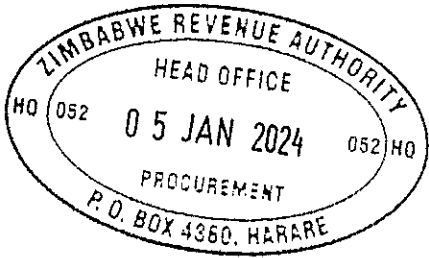
Any resulting contract is subject to the Zimbabwe General Conditions of Contract (GCC) for the Procurement of Goods (copy available on request) except where modified by the Special Conditions below.

Special Conditions of Contract

Procurement Reference Number... **ZIMRA Tender NCB 45/2023**

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

GCC reference	Special Conditions
GCC 7.5	Eligible Countries: Zimbabwe
GCC 8.1	Notices: 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, 6th Floor ZB Centre, Corner Kwame Nkrumah Avenue and First Street, Harare Zimbabwe. For the Contractor, the address shall be as given in the Bid and the contact shall be <i>{state name of contact}</i>
GCC 19.1	Liquidated Damages: 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 10% of contract value. If 10% 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.

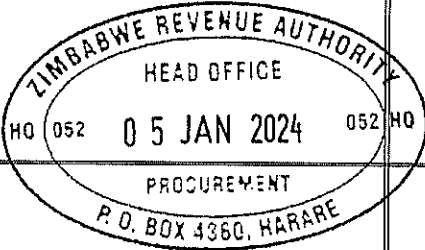


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GCC reference	Special Conditions
GCC 21.2	<p>Packing, Marking and Documentation: The goods shall meet the following special packing requirements in addition to the general requirements stated in GCC clause 21.1</p> <p>The documents to be furnished by the Contractor are:</p> <ol style="list-style-type: none">1. A negotiable bill of lading when the goods are coming by sea2. An airway bill, when the goods are coming by Air3. A road consignment note, when the goods are coming by road <p>Sample provision - For Goods supplied from abroad:</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">(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;(ii) One copy of delivery note, document showing Procuring Entity as the consignee and delivery through to final destination as stated in the Contract(iii) One original of the manufacturer's or Contractor's Warranty Certificate covering all items supplied; <p>Sample provision - For Goods from within Zimbabwe</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> <ol style="list-style-type: none">(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;(ii) One copy of delivery note, document showing Procuring Entity as the consignee and delivery through to final destination as stated in the Contract;(v) one original of the manufacturer's or Contractor's Warranty certificate covering all items supplied; <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>

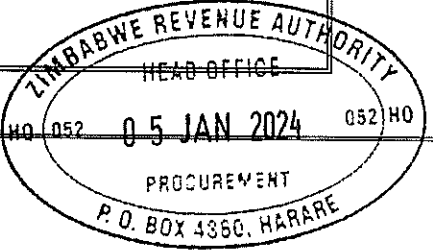


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GCC reference	Special Conditions
GCC 22.1	Insurance: The Goods shall be insured in accordance with the specified Incoterms.
GCC 23.1 & 23.2	Inspections and tests: the tests and/or inspections of the Goods and Related Services that the Contractor is required to carry at its own expense are: 100% inspection on technical compliance.
GCC 24.1	Performance security: The successful tenderer will be requested to provide a guarantee of 10% 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
GCC 24.4	Reduction of performance security (<i>Not applicable</i>)
GCC 25.1	Warranty: (Not Applicable)
GCC 25.6	Failure to remedy a defect: The period allowed to the Contractor to remedy a defect during the period of the Warranty shall be (30) days
GCC 30.1	Terms of Payment: The structure of payments shall be: (i) Acceptance: The Contract Price shall be paid to the Contractor within thirty (30) days after the date of the acceptance certificate for the respective delivery issued by the Procuring Entity. If an advance payment is required, a bank guarantee of the equivalent amount should be availed from the reputable Commercial Bank. Payment for local component will be made using the RBZ prevailing Interbank rate at the date of payment. Foreign component shall be paid to Oracle through FDP.
GCC 31.1	Contract Administration Fee: The Contract Administration Fee set out in S.I 299 of 2021 is due upon the signing of the Contract and the applicable Fee shall be advised to the winning bidder.



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PART 3 CONTRACT

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:

Date:

To:

[Name and address of Procuring Entity]

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.

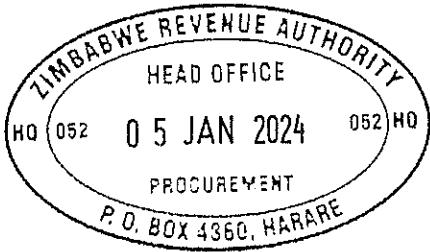
Furthermore, we understand that, according to your conditions, Contracts must be supported by a performance guarantee.

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



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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.

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

{Note: In case of a Joint Venture, the Bid Securing Declaration must be in the name of all the partners to the Joint Venture that submits the Bid.

