

**REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY BOARD
EVALUATION FOR ZIMRA**

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

Government of Zimbabwe

STANDARD

REQUEST FOR PROPOSALS

For the

Selection of Consultancy Services

February 2021



**REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT
BOARD EVALUATION FOR ZIMRA**

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

**Standard Request for Proposals for the Selection of Consultants For : Board Evaluation
for ZIMRA**

Procurement Reference No: ZIMRA RFP 01/2021

Procuring Entity: ZIMBABWE REVENUE AUTHORITY

Date of Issue: 19 February 2021

Date of submission: 12 March 2021



**REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT
BOARD EVALUATION FOR ZIMRA**

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

Table of Contents

Part 1: Proposal Procedures

Part 2: Statement of Requirements

Part 3: Contract



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

PART 1: REQUEST FOR PROPOSALS 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, 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 Consultants.

Preparation of Proposals:

Only consultants 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 consulting 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 **mandatory** 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 and VAT registration;
3. Company Profile
4. Company profile including shareholding structure
5. Certificate of Incorporation, CR6 and CR14 or other company registration documents.
6. Bidders **MUST** state the number of operational experience. (minimum of five years)
7. Bidders must provide a minimum of three (3) references (or reference letters) showing bidders' direct experience in the successful provision of Board Evaluation training offered to board of public entities.
8. Any further information reflecting the qualifications and working experience in this domain and;
9. **Declaration of any Litigation.** 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.



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

Preparation of Technical Proposals:

Technical proposals should contain the following documents and information:

10. The Technical Proposal Submission Sheet in this Part;
11. A brief methodology for performing the services;
12. A workplan, showing the inputs of all key staff;
13. CVs of key staff;
14. The Lead Consultant should have the practical experience of sitting on boards of at least 3 companies or institutions in the recent past (i.e. 3 years or less).

Preparation of Financial Proposals:

Financial proposals should contain the following documents and information:

1. The Financial Proposal Submission Sheet in this Part;
2. The Breakdown of Contract Price form in this Part, showing all costs for the assignment, broken down into fees and reimbursable costs;

Basis of Pricing and Payment:

The contract will be a lump sum contract.

Payments will be made on the following basis:

The contract price must be a fixed total lump sum, including all costs required to carry out the services. The Breakdown of Contract Price may be used only for evaluation purposes and to determine the price for any additional services agreed.

Clarification of the request for proposals document may be requested in writing by any Consultant up to Thursday 11 March 2021 and should be sent to:

**The A/ Principal Procurement Manager
Zimbabwe Revenue Authority (ZIMRA)
10th Floor, ZB Centre, Corner Kwame Nkrumah Ave/ First Street
Harare, Zimbabwe.**

Or via Email to procurement@zimra.co.zw

Responses to questions / queries will be made in writing to all prospective bidders at least 4 days before tender closing.

Validity of Proposals:

The minimum period for which the Consultant'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 Consultant's name, the name of the Procuring Entity and either "Technical Proposal" or "Financial Proposal" as appropriate.

Both envelopes should be enclosed in a single outer envelope, clearly marked with the Procurement Reference Number above, the Consultant's name and the name of the Procuring Entity.



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

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 consultants invited to submit proposals of the amended proposal submission deadline

Date for Submission: **12 March 2021**

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

Address for submission: **Zimbabwe Revenue Authority
PMU Office ,10th 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 in public immediately following the deadline for submission. Financial proposals will be kept unopened and the 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 Consultant 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.

Evaluation of Proposals:



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

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

Quality and Cost Based Selection (QCBS):

1. Preliminary examination to confirm that all documents required have been provided, to confirm the eligibility of consultants and to confirm that the Consultant 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 proposals reach the minimum technical score given below; and
3. Financial evaluation to determine the financial score of each proposal, to weight the technical and financial scores and to determine the total score of each proposal.

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

Technical Evaluation Criteria:

Proposals will be awarded scores out of the maximum number of points indicated below for each of the following criteria:

Area	Score
Consultant Capability (Trade References, Response to Terms of Reference & Experience)	35%
Technical Methodology	30%
Project Work plan	15%
Qualifications of Project Team	20%
Total	100%

The minimum technical qualifying score required to pass the technical evaluation is 80%

Financial Criteria:

Financial scores will be determined by awarding 100 points to the lowest priced proposal and giving all other proposals a score which is proportionate to this.

Total scores will be determined using a weighting of 80% for technical proposals and a weighting of 20% for financial proposals."

Currency:

Bids should be priced in both Zimbabwe Dollars (ZWL) and United States Dollars (USD). The Contract Price shall be paid to the Contractor within thirty (30) days after the date of acceptance certificate for the respective delivery issued by the Procuring Entity in Zimbabwean Dollars at the prevailing RBZ Auction Exchange Rate.

Recommendation for Award:

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



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART I: PROPOSAL PROCEDURES

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: Contract. Unsuccessful Consultants 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.

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 Consultants, 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 Consultant 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 Consultant to accept the responsibilities described in clause 1.1 of the GCC; and
4. Any conflict of interest on the part of the Consultant must be declared.

Declaration by the Accounting Officer

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



Signature



Date

REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

Technical Proposal 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.

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



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

Technical Proposal Authorised By:

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



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

Financial Proposal Submission Sheet

{Note to Consultants: Complete this form with all the requested details and submit it as the first page of your financial proposal, with the documents requested above 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. The total price of the proposal should be expressed in a currency permitted in the SCC}.

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 Financial Proposal:

The total price of our proposal is: _____ and _____. {Insert currencies and amounts}

We confirm that the rates quoted in our Financial Proposal are fixed and firm for the duration of the validity period and will not be subject to revision or variation or adjustment.

Financial Proposal Authorised By:

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



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

Summary of Costs

{Complete this form to summarise all the costs together from the breakdown of costs and submit it as part of your financial proposal.

Item	Costs
	[Indicate Currency]
Fees	
Reimbursable Costs	
VAT	
Total Cost of Financial Proposal¹	

1 The total cost must coincide with the sum in the Financial Proposal Submission Sheet.



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

BREAKDOWN OF CONTRACT PRICE (FEES)

{Complete this form with details of all your costs and submit it as part of your financial proposal. Authorise the rates quoted in the signature block below. Where this is a lump sum contract, the total price will be the contract price and the breakdown will be used only to determine the price of any additional services. Where this is a time-based contract, the breakdown will be used as the cost estimates and payment will be made for the services actually performed and costs actually incurred.}

Currency of Costs: ZWS

FEES				
Name and Position of Personnel	Input Quantity	Unit of Input	Unit Rate	Total Price
Sub Total:				

Breakdown of Contract Price Authorised By:

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



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

BREAKDOWN OF CONTRACT PRICE (REIMBURSABLES)

Currency of Costs: ZW\$

REIMBURSABLE COSTS				
Description of Cost	Quantity	Unit of Measure	Unit Price	Total Price
Sub Total:				

Breakdown of Contract Price Authorised By:

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



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

Appendix A: Methodology and Work Plan

{Describe the methodology and work plan you would propose to use in meeting the requirements in the statement of requirements in Part 2.}



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

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.}



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 2: STATEMENT OF REQUIREMENTS

PART 2: STATEMENT OF REQUIREMENTS

A: TERMS OF REFERENCE

BOARD EVALUATION FOR ZIMRA

1. Background

- 1.1. The Zimbabwe Revenue Authority (ZIMRA) Board intends to evaluate its performance for the 2020 financial year.
- 1.2. To effectively do the evaluation, Board Members should first receive comprehensive board evaluation briefing. This will then be followed by a board evaluation exercise carried out by Board Members.
- 1.3. The Board agreed to have the board evaluation facilitated by an external consultant.
- 1.4. The briefing and evaluation is targeted to be conducted in the first quarter of 2021.

2. Objectives

- 2.1. The objective for the board evaluation briefing will be to unpack the objectives of a board evaluation and informing Board Members of their roles and responsibilities in performing the board evaluation exercise.
- 2.2. The following are the objectives for the board evaluation exercise;
 - i) For Board Members to evaluate and determine their performance for year 2020.
 - ii) To inform the Board Members of performance areas that need to be focused on for the Board to effectively discharge its responsibilities.

3. Scope of work

- 3.1. The consultant is expected to provide a briefing covering the following scope;
 - i) Board evaluation in general;
 - ii) Focus areas on individual board members' performance evaluation;
 - iii) Focus areas on Board Chairperson's performance evaluation;
 - iv) Focus areas on Board Committees performance evaluation;
 - v) Focus areas on evaluation of the Board as a whole;
 - vi) Use of evaluation questionnaires and confidentiality of evaluation results; and
 - vii) Developing performance improvement plans informed by evaluation results.



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 2: STATEMENT OF REQUIREMENTS

3.2. The consultant is expected to facilitate the ZIMRA Board evaluation focusing on the following scope;

- i) Developing customized evaluation tools, or improving the questionnaires ZIMRA already has, namely:
 - Board Chairperson evaluation questionnaire;
 - Individual Board Members 'evaluation questionnaire;
 - Board evaluation questionnaire; and
 - Board Committees evaluation matrix.

Customization of the tools will also be informed by input from Board Members given at the briefing.

- ii) Assisting Board Members in the evaluation process as may be requested.
- iii) Collecting completed evaluation questionnaires and collating the results.
- iv) Producing a report with evaluation results and presenting the results to the Board.
- v) Making recommendations on observations or gaps identified from the evaluation results.

4. Number of participants

The briefing will be offered to a total of 12 participants, comprising of ZIMRA Board members and Board Secretariat.

All ZIMRA Board Members will participate in the evaluation.

5. Strategy and Methodology

- 5.1. The consultant should utilize a variety of techniques to ensure maximum understanding, comprehension and retention of the information delivered.
- 5.2. The briefing should be mainly for members to practically understand the data gathering process.
- 5.3. The consultant should facilitate the evaluation process through sending out customized evaluation questionnaires to Board Members, focusing on:
 - The performance of individual board members;
 - The performance of the Board Chairperson;
 - The performance of the Board as a whole; and



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 2: STATEMENT OF REQUIREMENTS

- The performance of Board Committees.

- 5.4. The consultant should be available to clarify and explain questions in the questionnaire when requested by Board Members as they complete the evaluation questionnaires.
- 5.5. The consultant will use the evaluation questionnaires to collate results and produce a report for the Board.

6. Output, deliverables and timeframes

- 6.1. The board evaluation exercise will be spread over a period of 10 days, which covers the briefing, distribution of evaluation questionnaires and collection of same after completion, collating of results, analysis of results and production and presentation of the report.

7. Qualifications of the consultant

- 7.1. The Lead Consultant should be a reputable corporate governance trainer.
- 7.2. At least 3 traceable references for board evaluation training offered to boards of public entities.
- 7.3. Traceable reference of providing training to public entities Boards with particular focus on Public Entities Corporate Governance legislation promulgated in 2018.
- 7.4. The Lead Consultant should have more than 5 years' experience in corporate governance training.
- 7.5. The Lead Consultant should have the practical experience of sitting on boards of at least 3 companies or institutions in the recent past (i.e. 3 years or less).

8. Qualifications for the consulting firm

- 8.1. The consulting firm should:
- i) Be registered with the Procurement Regulatory Authority of Zimbabwe;
 - ii) Submit a valid tax clearance certificate;
 - iii) Submit a company profile; and
 - iv) Submit a CR14, CR6 and certificate of incorporation.

9. Confidentiality

It is acknowledged that in the ordinary course of the briefing and in collecting and analyzing the evaluation forms completed by the Board Members, the consultant will access information about the business of the Zimbabwe Revenue Authority (*the Authority*). The consultant will be



**REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT
BOARD EVALUATION FOR ZIMRA**

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 2: STATEMENT OF REQUIREMENTS

required to sign an oath of secrecy before commencement of briefing and the evaluation.

The consultant will not either during or after the briefing and board evaluation process, for own purposes or for any other purpose and for any reason and in any manner, use or divulge or communicate any confidential information acquired or discovered, to any person, firm, company or organisation, except with the express written permission of the Authority.



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT
BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

Part 3: Contract

PART 3: CONTRACT FOR CONSULTANTS' SERVICES

Lump Sum Contract

Between

[name of the Procuring Entity]

and

[name of the Consultant]

Dated: _____



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

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]*



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

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:	

.....



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

Part 3: Contract

[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:	
[Authorized Representative]
Name of signatory:	
in capacity as:	
Name of Member:	
[Authorized Representative]
Name of signatory:	
in capacity as:	



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

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 or on request) 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	<p>The Authorized Representatives are:</p> <p>For the Procuring Entity: <i>[Insert name and telephone number]</i></p>

REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

Part 3: Contract

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
	<p>For the Consultant: <i>{insert name and telephone number}</i></p> <p><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></p>
1.8	<p>Taxes and duties:</p> <p>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></p>
1.10	<p>Nationals of the following countries are ineligible for performance of this Contract <i>[Insert ineligible countries or state none]</i></p>
2.1	<p>The effectiveness conditions are the following: <i>[insert conditions]</i></p> <p><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></p>
2.3	<p>Latest time for commencement of services <i>[insert time period, e.g.: 30 days]</i> days after the Effective Date.</p>
2.4	<p>The Contract shall expire after <i>[insert time period, e.g.: two weeks]</i> from the Effective Date.</p>
3.5	<p>Insurance to be taken out by the Consultant.</p> <p>The risks and the coverage shall be as follows:</p> <ul style="list-style-type: none"> (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 (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



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

Part 3: Contract

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	<p>the performance of the Services.</p> <p><i>[Note: Delete what is not applicable].</i></p>
3.7	<p>Consultant's actions requiring the Procuring Entity's prior approval: <i>[State any other actions for which the Procuring Entity's prior approval is required or state none.]</i></p>
3.9	<p>Restrictions on the future use of documents and software prepared by the Consultant: <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>Contract Administration Fee: 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 ZW\$ <i>[State applicable fee or delete].</i></p>
4.6	<p>Resident Project Manager: <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>Assistance and exemptions: <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>Services, Facilities and Property of the Procuring Entity: <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>Counterpart Personnel: <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>Contract Price: The contract price is <i>[insert amount(s) and currency(ies)]</i></p>
6.2(b)	<p>Type of Contract: Lump Sum /Time Based contract <i>[Select the type of contract]</i></p>
6.5(a)	<p>The following payment schedule shall apply:</p> <p><i>[insert payment terms agreed]</i></p> <p>[Note on payment schedules for Lump Sum contracts]</p>



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

Part 3: Contract

GCC reference	Amendment or supplement to the General Conditions of Contract for Services
	<p>(a) The following clause is a sample only and must be amended to suit the particular assignment; (b) if payments in different currencies do not follow the same schedule, add separate schedules; (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 (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>[Sample clause for Lump Sum contracts – amend as required]</p> <ul style="list-style-type: none"> • Thirty (30) per cent of the lump-sum amount shall be paid upon submission of the inception report. • Fifty (50) per cent of the lump-sum amount shall be paid upon submission of the draft final report. • Twenty (20) percent of the lump-sum amount shall be paid upon approval of the final report. <p>[Note on payment schedules for Time-Based contracts]</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>[Sample clause for Time-Based contracts – amend as required]</p> <ul style="list-style-type: none"> • 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. • The final payment shall be made after submission and approval of the final report and a final statement of expenditure.”]
6.5(b)	The Consultants Account(s): <i>{Consultant to insert Bank Account details for payment}</i>
6.5(c)	Advance Payment: <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)	Payment period: Payments shall be made within 60 days from submission of a correct payment request. <i>[Amend as necessary]</i>



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01 /2021

Part 3: Contract

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6.6(b)	<p>Payment Documentation: 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>Sample clause for Lump Sum Contracts</p> <p><i>(a) reports or other deliverables</i></p> <p>Sample clause for Time Based Contracts</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)	<p>Interest for late payment: <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></p>
6.7	<p>Price Adjustment: <i>[State whether any price adjustment will be allowed and, if so, the basis for any such adjustment.]</i></p>



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

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].



REQUEST FOR PROPOSAL FOR THE SELECTION OF A CONSULTANT TO CARRY OUT BOARD EVALUATION FOR ZIMRA

PROCUREMENT REFERENCE NO: ZIMRA RFP 01/2021

PART 1: PROPOSAL PROCEDURES

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 remuneration for additional services].

