

Request for Quotation:

ZIMRA RFQ No: 442/2021

**PROVISION OF CONTRACT DRAFTING AND NEGOTIATION TRAINING
SERVICES**



DATE OF ISSUE: 06.10.21

CLOSING DATE: 12.10.21

CATEGORY : LEGAL SERVICES

To: Suppliers

Dear Sir/Madam,

Please provide your Price Quotation for the Provision of Contract Drafting Training Services

1. Shown on the attached Specification of Goods sheet.
2. Please provide the Price Quotation on **your official signed and dated letterhead**.
3. The Procurement Management Unit (PMU) must receive your Price Quotation by 12.10.2021 @1000hrs.
4. Any bid received by the Purchaser after the deadline for submission of bids shall be declared late, rejected, and returned unopened to the Bidder.
5. Unless otherwise stated, bidders must offer for all items & quantities shown on the specification sheet and provide a Grand Total price.
6. Prices should be quoted in both USD and local currency as per SI 185 of 2020. Bidders should indicate whether they charge/ do not charge VAT on their prices.
7. Bidders shall submit their bids electronically to rfqs@zimra.co.zw **ONLY**. Physical/Hard copy submissions will not be acceptable except for Samples where necessary.
8. An order/contract will be placed with the bidder who offers the lowest price quotation, which complies with the attached specifications and the conditions of this Request for Quotations.
9. Payment: 100% within 30 days of invoice date and receipt & acceptance of goods.
10. For further information, contact the undersigned on telephone no. +263242 773 040 or procurement@zimra.co.zw
11. Additional information Required from Bidders:
 - Proof of registration with PRAZ indicating category which the company is registered for.
 - A current and valid tax clearance certificate
12. Prospective bidders dealing with ZIMRA for the first time must attach the following documentation on submission:
 - Certificate of Incorporation, CR6 (CR5 under new Act) and CR14 (CR6 under new Act)
 - Company Profile
 - Proof of registration with PRAZ
 - A Valid NSSA Certificate
13. Expected delivery period is 3 days from Purchase Order issue date. Bidders must state their delivery period and failure to deliver within the stated delivery timeline will result in cancellation of the Purchase Order and records will be kept and sent to the regulator (PRAZ).
14. Award may be done on an item-by-item basis or total items whichever is economic to ZIMRA.

Signed: 
J TARUME

PROCUREMENT MANAGER

Item	Description of Goods	Unit of Measure	Quantity required	Unit Price	Total Price
1	CONTRACT DRAFTING AND NEGOTIATION FACILITATOR SERVICES (Nature of Training - Online Training.) (Number of Days - Three (3) days.) (Number of Participants – Fifteen (15)) Terms of Reference Attached on the Accompanying Document	Each	15		
Grand Total, DAP, ZIMRA KURIMA HOUSE					
Currency					
Delivery Period: _____ weeks from receipt of order					

Delivery: Above items to be delivered to the following final destination(s):

Deliver to: VIRTUAL TRAINING. KURIMA HOUSE, NELSON MANDELA AVENUE, HARARE.

NB : Please state your payment terms on your submitted quotations.

To be signed by the firm

Annex III

FORM OF CONTRACT AGREEMENT

THIS AGREEMENT number ____ made on _____, between
_____ (hereinafter called "the Purchaser") on the one part and
_____ (hereinafter called "the Supplier") on the other part.

WHEREAS the Purchaser has requested for quotation for **the supply and delivery of ---**
----- to be supplied by Supplier, viz. Contract _____ (hereinafter called "Contract") and
has accepted the Quotation by the Supplier for the supply of goods under Contract at the
sum of _____ [in words]
(_____) [in figures] hereinafter called "the Contract Price"

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. The following documents shall be deemed to form and be read and construed as part
of this agreement, viz:
 - a) Copy of Quotation including Technical and Price Schedule
 - b) Schedule of Requirement
2. Taking into account payments to be made by the Purchaser to the Supplier as
hereinafter mentioned, the Supplier hereby concludes an Agreement with the
Purchaser to execute and complete the supply of goods under the Contract and
remedy any defects therein in conformity with the provisions of the Contract.
3. The Purchaser hereby covenants to pay, in consideration of the acceptance of
Contract, supply and delivery of the goods and remedying of defects therein, the
Contract Price in accordance with Payment Conditions prescribed by the Contract.

IN WITNESS whereof the parties hereto have executed the Contract under the Laws of
Zimbabwe on the date indicated above.

Signature and seal of the Purchaser:

Signature and seal of the Supplier:

For and on behalf of

For and on behalf of

Name of Authorized Representative

TERMS OF REFERENCE

Procurement of a Facilitator(s) to train Zimbabwe Revenue Authority (ZIMRA) legal staff in:

- a) Lot 1 - Contract Drafting and Negotiation;**
- b) Lot 2 - Alternative Dispute Resolution**

1. Background

The legal practitioners working for ZIMRA in the Legal Services Division are responsible for negotiating contracts and other legal documents as well as drafting the agreements and legal documents that bind the Authority in various engagements and relationships with third parties. They also represent ZIMRA in the event of any dispute that may flow either from these drafted documents or from its operations. Developments in the law and business processes and transactions and the ever escalating cost of litigation require for the legal practitioners to keep abreast with developments in the law and its practice and to be able to avoid litigation and utilize other methods of dispute resolution. It is against this background that it has been found necessary to have refresher courses and continuous training.

2. Objectives

ZIMRA is seeking the services of experienced facilitators (legal practitioners or other knowledgeable persons) to provide refresher courses to its legal practitioners in the areas of (i) contract drafting and negotiation and (ii) alternative dispute resolution.

It is expected that at the end of the two workshops, participants therein should with respect to:

a) Lot 1 - Contract Drafting and Negotiation:

- i) be able to identify common drafting errors and improve their writing and drafting skills;
- ii) be aware of developments in the area of contract law and its implementation in practice in commercial transactions; and
- iii) learn advanced negotiation skills for lawyers.

b) Lot 2 - Alternative Dispute Resolution:

- i) be aware of all the alternative dispute resolution mechanisms and the law pertaining thereto; and
- ii) the application thereof in the business setup.

3. Tasks and Responsibilities

Having regard to the objectives above the facilitator(s) shall:-

- i) Prepare modules and other course material relating to course objectives for distribution to workshop participants.
- ii) Ensure that participants complete the Course Registration form.
- iii) Deliver the refresher training Online:
 - a) **Lot 1 - Contract Drafting and Negotiation:** over 3 days for the contract drafting and negotiation workshop covering the aspects/areas detailed in the course content document attached hereto marked Annexure A.
 - b) **Lot 2 - Alternative Dispute Resolution:** over 2 days for the alternative dispute resolution workshop covering the aspects/areas detailed in the attached course content document marked Annexure B.
- iv) Ensure completion of Daily Attendance Register by all participants.

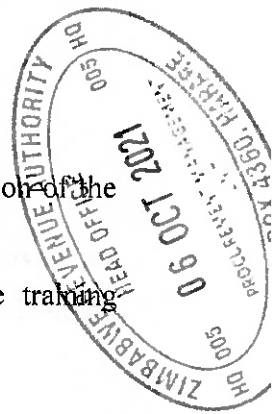
4. Deliverables

The Facilitator(s) will be expected to deliver the following outputs in their provision of the refresher courses under this assignment:

- i) Comprehensive modules in MsWord prior to the commencement of the training assignment.
- ii) Deliver Online training sessions for the stated assignment.
- iii) Ensure that participants evaluate the training using the ZIMRA approved Course Evaluation Form.
- iv) Submit a detailed written report on the training assignment within two (2) weeks from the date of completion of the training assignment.

5. Organizational Setting

The Facilitator(s) will work under the direct supervision of the Head Talent & Organisational Development or her delegated proxy. The Facilitator(s) shall consult with the Training Coordinator during the training assignments.



6. Inputs

The Training Coordinator will provide the Facilitator(s) with the necessary information and materials for fulfilment of the objectives of these refresher trainings and will facilitate the necessary meetings with the legal division if need be.

7. Time-frame

The specific dates for the delivery of the trainings will be discussed with the chosen facilitator(s) who are successful in the bidding process.

8. Qualifications and skills required

a) Experience

- At least 5 years' experience and practical knowledge in contract law, contract drafting and negotiation (**Lot 1 - Contract Drafting and Negotiation**).
- At least 5 years' experience in dispute resolution practice and training (**Lot 2 - Alternative Dispute Resolution**).
- Experience in delivering training programmes relating to business and commercial transactions (Lots 1&2).
- Excellent communication and writing skills (Lots 1&2).

b) Abilities (Lots 1&2)

- Good ability to deliver effective training tools.
- Excellent analytical skills and strong commitment to sharing expertise and experience in order to develop capacity of others.
- A high standard of written and spoken English is essential.



ANNEXURE A

LOT 1 - CONTRACT DRAFTING AND NEGOTIATION COURSE CONTENT

This contract drafting and negotiation refresher course is designed to identify common drafting errors, improve participants' writing and drafting skills and learn advanced negotiation skills. The course should deliver on the following aspects:

1. Negotiating, drafting and structuring legal agreements

1.1 General Contract Law refresher to include:

- Liability risk protection including indemnities, exclusion and limitation of liability clauses.
- Remedial clauses and damages.
- Force majeure.
- Termination.

1.2 Drafting legal agreements

- Legal writing and contract drafting skills.
- How to avoid common drafting pitfalls.
- Effective communication styles.
- Structure of and terms that are common to contracts.
- Complex contractual terms including indemnities, warranties and exclusion clauses.
- The law surrounding breach, termination and liquidated damages.

1.3 Drafting amendments

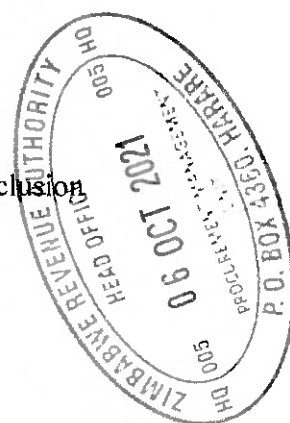
- Correcting mistakes.
- Variation: changing an agreement.
- Variation clauses.

1.4 Overview of the latest developments in e-contract law.

2. Negotiation principles & skills and negotiating key clauses.

3. Tools and techniques for negotiation in business.

4. What are negotiables in any contract?



ANNEXURE B

LOT 2 - ALTERNATIVE DISPUTE RESOLUTION COURSE CONTENT

This Alternative Dispute Resolution course is designed to provide participants with an understanding of the alternative dispute resolution methods available to facilitate amicable and expeditious resolution of business disputes and when any of these methods can be effectively deployed in business. The course should deliver on the following aspects:

1. General alternative dispute resolution mechanisms refresher

- What is alternative dispute resolution?
- The law surrounding alternative dispute resolution.
- Latest developments in the field of alternative dispute resolution and the laws governing it.

2. Resolving legal disputes

- Where do the problems occur?
- Resolving disputes without recourse to the courts.
- Alternative dispute resolution techniques – arbitration, mediation, conciliation.
- Other dispute procedures.

