

**BIDDING DOCUMENT FOR THE SUPPLY AND INSTALLATION OF
ENTERPRISE PATCH MANAGEMENT SOFTWARE
PROCUREMENT REFERENCE NO: POSB63/2023**

PART 1 BIDDING PROCEDURES



BIDDING DOCUMENT

FOR THE

**SUPPLY AND INSTALLATION OF ENTERPRISE PATCH MANAGEMENT
SOFTWARE**

PROCUREMENT REFERENCE NO: POSB63/2023

DATE OF ISSUE	29 NOVEMBER 2023
CLOSING DATE	03 JANUARY 2024
CLOSING TIME	10.00 HOURS

Standard Bidding Document for the Supply And Installation Of Enterprise Patch
Management Software - Procurement Reference No: POSB 63/2023

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ENTERPRISE PATCH MANAGEMENT SOFTWARE
PROCUREMENT REFERENCE NO: POSB63/2023**

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Procurement Reference No: POSB63/2023

Procuring Entity: People's Own Savings Bank

Date of Issue: 29 November 2023

Closing Date 03 January 2024

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PART 1: BIDDING PROCEDURES

References:

References to the Act are to the Public Procurement and Disposal of Public Assets Act [*Chapter22:23*] 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 the Bidder.

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Preparation of Bids

You are requested to bid for the supply of the services specified in the Statement of Requirements below, by completing and returning the following documentation:

1. Fully signed 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. Supplier Registration number showing that you are registered with the Procurement Regulatory Authority of Zimbabwe.
5. A bid securing declaration in the format specified in this Part.
6. The bidder **MUST** attach the following **MANDATORY** documents
 - a. Legal Documents - Certificate of Incorporation.
 - b. CR14 Form (list of directors), 2023.
 - c. Valid Tax clearance certificate ITF 263.
 - d. Valid VAT Certificate
 - e. Detailed Company Profile.
 - f. 3 Reference letters from previous customers indicating supplies of the same nature
 - g. Valid NSSA Clearance Certificate for local companies

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 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

The bidder is not allowed to 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 Bidder owned, directly or indirectly, by the same person.

Clarification

Clarification of the bidding document may be requested in writing by the Bidder before 14 December 2023 1400hrs and should be sent to the Procurement Management Unit, through this email: procurement@posb.co.zw to the attention of Hamunyari Madziwana or Gibson Sibanda.

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Validity of Bids

The minimum period for which the Bidder's bid must remain valid is **120 (one hundred and twenty days)** days from the deadline for the submission of this bid.

Submission of Bids

The technical and financial proposals should be provided as one set of tender documents.

The Bidder must mark the subject matter with the Procurement Reference Number and Description of requirements. **The bids shall be submitted electronically through email.**

Late bids will be rejected. The Procuring Entity reserves the right to extend the bid submission deadline but will notify the bidder if they have made it beyond the screening stage.

Date of deadline: *03 January 2024* **10.00 hours**

Submission address: tenders@posb.co.zw

Means of acceptance: **Electronically through email**

The bid submission documents should be scanned as a single document bearing the tender number and description on the tender.

Bid opening

Due to Covid-19 Virus NO bidders and their representatives may 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.

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.

Delivery Requirements

The delivery period required (from the date of contract signing) and the 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

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any eligible country and similarly may obtain insurance services from any eligible country. Prices quoted must include the following costs and components:

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

Documents establishing conformity of services.

To establish the conformity of the Services to the Bidding Document, the Bidder must furnish as part of its Bid a proposed methodology, work plan and schedule to establish that the services will be carried out in accordance with the required technical specifications and quality standards.

Standards for the provision of the Non-Consulting Services are intended to be descriptive only and not restrictive. The Bidder may offer in the Statement of Methodology, Work Plan and Schedule in this Part other standards of quality, provided that it demonstrates, to the Procuring Entity's satisfaction, that the substitutions ensure substantial equivalence or are superior to those specified.

Bid Securing Declaration

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

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

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 the Bidder in terms of section 28 (1) of the Regulations and to confirm that the Bid is administratively compliant in terms of section 28 (2) of the Regulations.
2. Technical evaluation to determine substantial responsiveness to the specifications in the Statement of Requirements.
3. Financial evaluation and comparison to determine the evaluated price of bids and to determine the lowest evaluated bid.

Failing any stage of the evaluation process will lead to automatic disqualification and the bid will not be considered for subsequent stages.

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Evaluation criteria

The Bids will be examined to confirm that all terms, conditions, and requirements of the bidding document have been complied with by the Bidder. The assessment of responsiveness shall be determined in accordance with the criteria in section 28 of the Regulations.

Evaluation of Technical Bids will include an assessment of the Bidder's technical capacity to mobilize key equipment and manpower which is substantially responsive to the Procuring Entity's Requirements.

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

Participation in this bidding procedure is restricted to *Zimbabwean* bidders only.

Technical Criteria

The Bids will be examined to confirm that all terms, conditions, and requirements of the bidding document have been complied with by the Bidder. The assessment of responsiveness shall be determined in accordance with the criteria in section 28 of the Regulations.

Evaluation of Technical Bids will include an assessment of the Bidder's technical capacity to mobilize key equipment and manpower which is substantially responsive to the Procuring Entity's Requirements.

Bid Currency:

Bids should be priced in United States Dollars (US\$)

Payment Currency:

Payment will be processed in ZWL\$ using the mid-rate of the willing buyer-willing seller interbank rate at the time of payment processing.

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

Right to Reject

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

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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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Bid Submission Sheet

{Note to the Bidder: 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.

The bidder must mark as “CONFIDENTIAL” information in their Bid 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 perform the services listed in the Statement of Requirements to the indicated specifications and standards, 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 2 STATEMENT OF REQUIREMENTS

PART 2: STATEMENT OF REQUIREMENTS

People’s Own Savings Bank intends engage a service provider for the supply and installation of Enterprise Patch Management Software. The following specific requirements to be procured complement, supplement, or amend the provisions in the Bidding Procedures. Whenever there is a conflict, the provisions set out below prevail over those in the Bidding Procedures.

Item Description	Unit of measure	Quantity
Specification Automate patch management. Patch third-party applications Manage endpoints across various networks. Automate patch testing. Decline patches Achieve 100 percent patch compliance. Seamless feature pack and driver update deployment Generate comprehensive reports. License 900 devices Desktops, laptops, and servers	Each	1

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PART 2 STATEMENT OF REQUIREMENTS

Specific Requirements

Subject	Requirement
Services to be performed	Supply and Installation of Enterprise Patch Management Software
Duration of contract	The contract will commence from date of signature by bidder and run for the duration of the licence.
Other requirements	Provide support and maintenance to the procuring entity's Enterprise Patch Management Software
Supervision of performance	The performance of the bidder will be supervised by POSB PMU in conjunction with the IT department.

Declaration by the Accounting Officer

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

G Changunda Signature Date



Chief Executive Officer

Signed on 11 Dec 2023, 2:46 AM CAT

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PART 2 STATEMENT OF REQUIREMENTS

List of Services and Price Schedule

Note to Bidders: Complete the currency of your quotation and the unit and total rates for each item listed below.

Currency of Quotation/Contract: ____USD__

People’s Own Savings Bank intends to engage a service provider for the supply and installation of Patch Management Software

Item No ¹	Description of Services	Unit of measure	Input Quantity	Unit Rate	Total Price ²	Delivery period
1	Automate patch management. Patch third-party applications Manage endpoints across various networks. Automate patch testing. Decline patches. Achieve 100 percent patch compliance. Seamless feature pack and driver update deployment. Generate comprehensive reports.	Each	1			
	License 900 devices Desktops, Laptops, and servers					
Other additional costs						
VAT						
Total						

Note 1: Lots and packages should be shown as separate items.

Note 2: Include any additional costs, such as hire or purchase of equipment to perform the services.

Note 2: The description or quantity must indicate the unit of measure where relevant.

Note 4: Include any additional costs, such as installation or commissioning.

The price to be quoted in the Price Schedule must be the total price of the bid, excluding any discounts offered.

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PART 2 STATEMENT OF REQUIREMENTS

Proposed Methodology, Work Plan and Schedule

{State the methodology and work plan you would propose to complete the required Services, the associated resources and the schedule for commencement and completion.}

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PART 2 STATEMENT OF REQUIREMENTS

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 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.}

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PART 3 CONTRACT

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PART 3 CONTRACT

CONTRACT AGREEMENT

{For completion with the authorised representative of the Procuring Entity following Notification of Contract Award.}

Procurement Reference:

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 Services, viz., *[insert brief description of Services]* and has accepted a Bid by the Contractor for the performance of those Services in the sum of *[insert Contract Price in words and figures, expressed in the Contract currency]* (hereinafter called “the Contract Price”).

THE PROCURING ENTITY AND THE CONTRACTOR AGREE AS FOLLOWS:

1. In this Agreement words and expressions shall have the same meanings as are respectively 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) Schedule of Requirements;
 - (e) The Contractor’s Bid Submission Sheet, List of Services and Price Schedule and Statement of Methodology, Work Plan and 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.
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PART 3 CONTRACT

- 4. In consideration for 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 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 for the performance of the Services and the remedying of any defects in them, the Contract Price or such other sum as may become payable under the Contract at the times and in the manner prescribed by the Contract.

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

For and on behalf of the Procuring Entity

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

For and on behalf of the Contractor

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

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PART 3 CONTRACT

General Conditions of Contract

Any resulting contract is subject to the Zimbabwe General Conditions of Contract (GCC) for the Procurement of Non-Consulting Services (copy available on the Authority’s website) except where modified by the Special Conditions below.

Special Conditions of Contract

Procurement Reference Number:

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 3.6 and 8.1	Authorised representatives: <ol style="list-style-type: none"> 1. The authorised representative of the Procuring Entity is <i>[names and contact details, including address for delivery of notices]</i>. 2. The authorised representative of the Contractor is <i>{names and contact details, including address for delivery of notices}</i>.
GCC 7.4	Ineligible countries: Nationals of the following countries are ineligible to be a Contractor or Sub-Contractor under this Contract. <i>[State none if no countries ineligible.]</i>
GCC 18.1	Liquidated damages: The rate of liquidated damages shall be <i>[State amount as a rate per day or delete if liquidated damages do not apply]</i> .
GCC 19.1	Commencement of Services: The date or period of time for commencement of services is <i>[state date or period of time]</i> .
GCC 20.1	Completion of Services: The date for completion of Services or the period within which the Services are required to be performed is <i>[state date or period of time]</i> .
GCC 22.2	Contract price: Costs specifically excluded from the Contract price are <i>[list excluded cost items]</i> .
GCC 22.3	Payment schedule: The terms of payment shall be <i>[State:</i> <ol style="list-style-type: none"> i. <i>For regularly performed services: the specified period (usually one calendar month) for which payment will be made for the total amount of Services performed during that period;</i> ii. <i>For single or occasional services: the time after completion (usually 60 days) within which payment will be made.]</i>
GCC 23.1	Price adjustment: <i>[State whether prices will be fixed for the Contract Period or any adjustment factor that shall apply.]</i>
GCC 24.2	Payment procedure: <i>[State any other documentation that must accompany the Contractor’s invoice.]</i>
GCC 28.1	Insurance to be taken out by the Contractor:

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PART 3 CONTRACT

GCC reference	Special Conditions
	<p><i>[The risks and the coverage shall be as follows:</i></p> <ul style="list-style-type: none"> <i>(a) Third Party motor vehicle liability insurance in respect of motor vehicles operated in Zimbabwe by the Contractor or its Personnel or any Sub-Contractor or their Personnel, with a minimum coverage of [insert amount and currency];</i> <i>(b) Third Party liability insurance, with a minimum coverage of [insert amount and currency];</i> <i>(c) professional liability insurance, with a minimum coverage of [insert amount and currency];</i> <i>(d) employer’s liability and workers’ compensation insurance in respect of the Personnel of the Contractor and of any Sub-Contractor, in accordance with the relevant provisions of 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</i> <i>(e) insurance against loss of or damage to equipment purchased in whole or in part with funds provided under this Contract.</i> <p style="text-align: right;"><i>[Note: Delete what is not applicable].</i></p>
GCC 30.1	<p>Contract Administration Fee: The Contract Administration Fee set out in Part V of the Fifth Schedule of the Regulations is due upon the signing of the Contract and the applicable Fee is \$ <i>[State applicable Fee or delete].</i></p>
GCC 35.1	<p>Performance Security: <i>[State whether a Performance Security is required and, if so, the amount and form of such security, which must not exceed ten (10) percent of the Contract value.]</i></p>

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PART 3 CONTRACT

Bank Guarantee for Performance Security

[Delete page if no Performance Security is required in the SCC]

[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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