

BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND DELIVERY OF PRINTER
CARTRIDGES UNDER FRAMEWORK AGREEMENT FOR 12 MONTHS TO MMCZ

PROCUREMENT REFERENCE NO: MMCZ DT 30/2024

MINERALS  MARKETING
CORPORATION OF ZIMBABWE

STANDARD

BIDDING

DOCUMENT

FOR THE
PROCUREMENT OF GOODS: SUPPLY AND DELIVERY OF PRINTER
CARTRIDGES FOR A PERIOD OF 12 MONTHS

FEBRUARY 2024



**BIDDING DOCUMENT FOR THE PROCUREMENT OF SUPPLY AND DELIVERY OF PRINTER
CARTRIDGES UNDER FRAMEWORK AGREEMENT FOR 12 MONTHS TO MMCZ**

PROCUREMENT REFERENCE NO: MMCZ DT 30/2024

**Standard Bidding Document for the
Procurement of: Supply and delivery
of PRINTER CARTRIDGES to
MMCZ**

**Procurement Reference No: DOM
MMCZ 24/2024**

Procuring Entity: MMCZ

Date of Issue: 23 FEBRUARY 2024



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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.

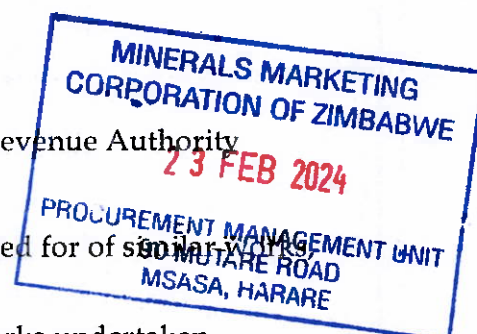
Procurement Reference Number:

Preparation of Bids

You are requested to bid for the supply of the goods 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. Supplier Registration number showing that you are registered with the Procurement Regulatory Authority of Zimbabwe in the categories of Computer Consumables.
5. A bid security of USD1,200.00 or ZWL equivalent in the form specified in this Bidding Document.
6. The following documentation must be submitted
 - copy of Certificate of incorporation with Registrar of Companies
 - Detailed Company profile showing the vision and mission of the organisation, Management philosophy, referees with physical addresses and contact telephone numbers
 - CR14
 - CR6
 - Valid Tax Clearance Certificate from Zimbabwe Revenue Authority
 - Valid NSSA clearance Certificate
 - Reference letters on company letter head and signed for of similar works with verifiable contact details.
 - Experience and /or Information in any similar works undertaken
 - Proof of dealership with the original manufacturer

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,



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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.

Lots and Packages

The requirement is divided into lots, as indicated in Part 2, Statement of Requirements. Bidders are not limited to the numbers of lots they may tender for and the awards of Lots are not conditional of the award of another.

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 before 15 March 2024 and should be sent to

**The Procurement Management Unit
Minerals Marketing Corporation of Zimbabwe
90 Mutare Road Msasa**

Harare

Or email to zaranyika.z@mmcz.co.zw or proc@mmcz.co.zw

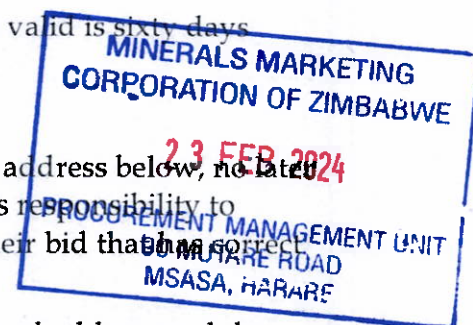
Validity of Bids

The minimum period for which the Bidder's bid must remain valid is sixty days (60days) from the deadline for the submission of bids.

Submission of Bids

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

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



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The Bidder must prepare one original of the documents comprising the Bid and clearly mark it "ORIGINAL." And in addition two of copies of the Bid, which must be clearly marked "COPY." In the event of any discrepancy between the original and the copies, the original will prevail.

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

Date of deadline: **21 March 2024**

**Deadline
Time:
1000hours**

Submission address: **MMCZ Complex Number 90 Mutare Road Msasa, Harare**

Means of acceptance: **Sealed bids are to be placed in a marked bid box located at
MMCZ Reception.**

Bid opening

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.

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.

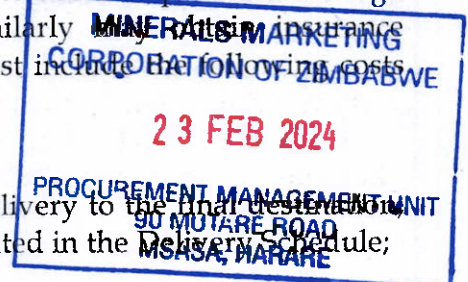
Bid Prices and Discounts

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 use 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;



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- (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).

Bid Security

The Bidder must include a bid security of **US\$1,200.00 or ZWL equivalent** in the following forms

- First Option.** A certified bank cheque; or
- Second Option.** A bank guarantee; or
- Third Option.** A refundable cash deposit of **USD\$1,200.00 or ZWL equivalent** to the Procurement Regulatory Authority of Zimbabwe (PRAZ) – If the third option is chosen, bidders must also submit proof of payment of non-refundable Bid Bond establishment fees of **US\$150.00.00** in terms of part V of S.I.193 of 2022.

**IF A BIDDER CHOOSES SECOND AND THIRD OPTIONS THE FOLLOWING
SHOULD BE NOTED:**

Second Option

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

1. Letterhead of registered commercial bank (i.e. the Supplier of the Bank Guarantee
2. The Header has to clearly state that it is a Bank Guarantee.
3. Purpose of the Bank Guarantee to be clearly stated.
4. The date when the Common Seal of the said Surety was effected, should be clearly shown.
5. Conditions of the said Obligations must be stated.
6. The physical address of the Surety should be given.
7. The validity period of the Bank Guarantee must be clearly stated.



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8. Signature of surety and the date when it was endorsed must be clearly shown.
9. It must be an original document that is date stamped.
10. Bid Bonds from Insurance Companies are not acceptable.
11. All foreign Bank Guarantee to be confirmed by a local corresponding Commercial bank in Zimbabwe.

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

Third Option

IF **OPTION 3** IS CHOSEN BIDDERS MUST PAY US\$1,200.00 FOR THE BID SECURITY THAT SHALL BE REFUNDABLE AT THE END OF THE BID VALIDITY PERIOD PLUS ANOTHER US\$150.00 THAT SHALL BE NON-REFUNDABLE FOR CASH BID BOND ESTABLISHMENT FEE IN LINE WITH PART V OF THE PROCUREMENT REGULATIONS (S.I 193 OF 2022). THE AMOUNT IS PAYABLE AT PROCUREMENT REGULATORY AUTHORITY OF ZIMBABWE (PRAZ), 68 SAMORA MACHEL AVENUE, HARARE OR TO BE DEPOSITED IN THE FOLLOWING ACCOUNT NUMBERS:

1. NON-REFUNDABLE (LOCAL)

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

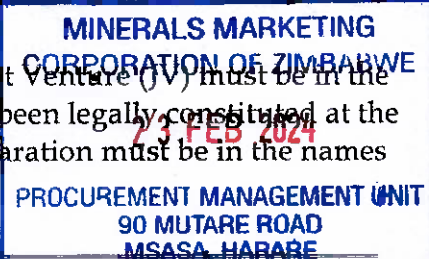
2. REFUNDABLE (LOCAL)

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

NB: The bid security shall be valid for sixty (60) days after the closing of this tender and the original proof of payment must be submitted together with the bid. Failure to submit bid security will lead to automatic disqualification.

Any bid not accompanied by a Bid Security will be rejected by the Procuring Entity as non-responsive.

The Bid Security or 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 Security or Bid-Securing Declaration must be in the names of all intended partners.



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Evaluation of Bids

Bids will be evaluated using the following methodology:

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

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

Review by the Special Procurement Oversight Committee

Section 54 of the Act provides for review by the Special Procurement Oversight Committee for certain especially sensitive or especially valuable contracts. This requirement will not be subject to this review

Evaluation criteria

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

- (a) **Delivery schedule:** The specified Goods are required to be delivered by the date indicated in the Delivery Schedule in Part 2. Bids offering delivery after the date shall be treated as non-responsive.
- (b) **Deviation in payment schedule:** The payment schedule is stated in the Special Conditions of Contract (SCC) in Part 3. A Bidder may propose a deviation from the schedule and if the deviation is considered acceptable to the Procuring Entity, the Bid will be evaluated by calculating interest earned for any earlier payments involved in the terms outlined in the Bid as compared with those stipulated in the SCC, at the rate of interest indicated by the Reserve Bank of Zimbabwe on the closing date for submission of bids.

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;

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CORPORATION OF ZIMBABWE
23 FEB 2024
PROCUREMENT MANAGEMENT UNIT
90 MUTARE ROAD
MSASA, HARARE

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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. Due diligence shall be carried to establish if the bidder has storage facilities for the items being tendered for and existence of such storage facilities shall be considered when awarding the framework agreement.

Origin of Goods

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

Technical Criteria

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.

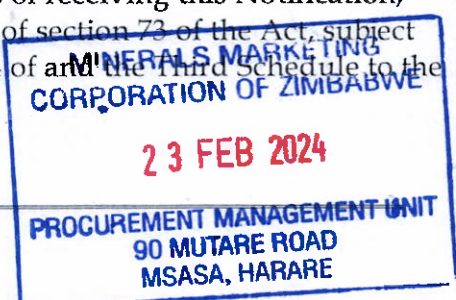
Currency

Bids should be priced in United States Dollars. The currency of evaluation will be United States Dollars. Bids in other currencies will be converted to this currency for evaluation purposes only, using the exchange rates published by the Reserve Bank of Zimbabwe on the date of the submission deadline, see <http://www.rbz.co.zw/>

Award of Contract

The lowest evaluated bid, after application of any additional evaluation criteria, including any margin of preference, which is substantially responsive to the requirements of this bidding document will be recommended for award of contract. The proposed award of contract will be by issue of a Notification of Contract Award in terms of section 55 of the Act which will be effective until signature of the contract documents in accordance with Part 3: Contract. Unsuccessful Bidders will receive the Notification of Contract Award and, if they consider they have suffered prejudice from the process, they may within 14 days of receiving this Notification, submit to the Procuring Entity a Challenge in terms of section 73 of the Act, subject to payment of the applicable fee set out in section 44 of and the Third Schedule to the Regulations.

Right to Reject



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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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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

Position:

**MINERALS MARKETING
CORPORATION OF ZIMBABWE**

Name:

23 FEB. 2024

**PROCUREMENT MANAGEMENT UNIT
90 MUTARE ROAD
MSASA, HARARE**

.....(DD/MM/Y

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Y)

Authorised for and on behalf of:

Company

Address:

.....



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PART 2 STATEMENT OF REQUIREMENTS

PART 2: STATEMENT OF REQUIREMENTS

Name of Bidder:

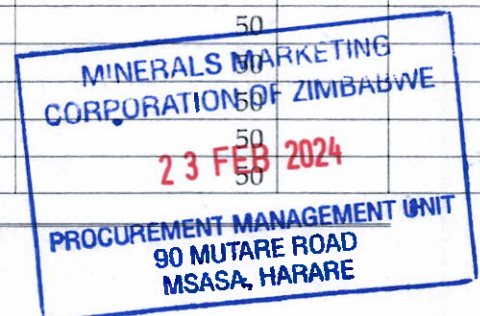
Bidder's Reference Number:

List of Goods and Price Schedule

Currency of Bid:.....

Stationery

Lot	Material description	ESTIMATED QUANTITIES	Unit Price	Total Price
LOT 1	LOT 1			
	HP LAISERJET CF226A (26A)	300		
	HP LASERJET 147A	20		
	HP LASERJET CE255A(55A)	50		
	HP LASERJET CE505A (05A)	50		
	HP LASERJET CE505X (05X)	50		
	HP LASERJET CF226X(26X)	50		
	HP LASERJET CF230A(30A)	50		
	HP LASERJET CF230X(30X)	50		
	HP LASERJET CF280A (80A)	20		
	HP LASER JET CF 259A	100		
	TOTAL PRICE FOR LOT 1			
LOT 2	LOT 2			
	HP 657X BLACK	50		
	HP 657X CYAN	50		
	HP 657X YELLOW	50		
	HP 657X MAGENTA	50		
	HP 655A BLACK	50		
	HP 655A CYAN	50		
	HP 655A YELLOW	50		
	HP 655A MAGENTA	50		
	TOTAL PRICE FOR LOT 2			
LOT 3	LOT 3			
	SAMSUNG CLT C503L	50		
	SAMSUNG CLT C603L	50		
	SAMSUNG CLT K503L	50		
	SAMSUNG CLT K603L	50		
	SAMSUNG CLT M503L	50		
	SAMSUNG CLT M603L	50		
	SAMSUNG CLT Y503L	50		
	SAMSUNG CLT Y603L	50		



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PART 2 STATEMENT OF REQUIREMENTS

	SAMSUNG MLT D203U	60		
	SAMSUNG MLT-D201L TONER	50		
	SAMSUNG MLT-D305s TONER	50		
	TOTAL PRICE FOR LOT 3			
LOT 4	LOT 4			
	HP 415A W2030A	50		
	HP 415A W2031A	50		
	HP 415A W2032A	50		
	HP 415A W2033A	50		

Note 1: The PRINTER CARTRIDGES would be requested as and when required by the procuring entity and the agreement shall be a framework agreement where the procuring entity shall not be required to exhaust all the quantities during the framework agreement of 12 months.

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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90 MUTARE ROAD
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PART 2 STATEMENT OF REQUIREMENTS

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}.

Item No	Description of Goods	Quantity	Physical Unit	Delivery Date Required by Procuring Entity and applicable INCOTERM	Bidder's offered Delivery period
	Genuine Original Cartridges High-Capacity Cartridges			<i>Delivery Period Required</i>	<i>{to be provided by the Bidder}</i>
LOT 1	LOT 1			2 weeks from date of order	
	LOT 1				
	HP LAISERJET CF226A (26A)	300			
	HP LASERJET 147A	20			
	HP LASERJET CE255A(55A)	50			
	HP LASERJET CE505A (05A)	50			
	HP LASERJET CE505X (05X)	50			
	HP LASERJET CF226X(26X)	50			
	HP LASERJET CF230A(30A)	50			
	HP LASERJET CF230X(30X)	50			
	HP LASERJET CF280A (80A)	20			
	HP LASER JET CF 259A	100			
	TOTAL PRICE FOR LOT 1				

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PART 2 STATEMENT OF REQUIREMENTS

	LOT 2				
	HP 657X BLACK	50			
	HP 657X CYAN	50			
	HP 657X YELLOW	50			
	HP 657X MAGENTA	50			
	HP 655A BLACK	50			
	HP 655A CYAN	50			
	HP 655A YELLOW	50			
	HP 655A MAGENTA	50			
	TOTAL PRICE FOR LOT 2				
LOT 3	LOT 3				
	SAMSUNG CLT C503L	50			
	SAMSUNG CLT C603L	50			
	SAMSUNG CLT K503L	50			
	SAMSUNG CLT K603L	50			
	SAMSUNG CLT M503L	50			
	SAMSUNG CLT M603L	50			
	SAMSUNG CLT Y503L	50			
	SAMSUNG CLT Y603L	50			
	SAMSUNG MLT D203U	60			

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PART 2 STATEMENT OF REQUIREMENTS

	SAMSUNG MLT-D201L TONER	50			
	SAMSUNG MLT-D305s TONER	50			
	TOTAL PRICE FOR LOT 3				
LOT 4	LOT 4				
	HP 415A W2030A	50			
	HP 415A W2031A	50			
	HP 415A W2032A	50			
	HP 415A W2033A	50			
	TOTAL PRICE FOR LOT 4				

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

The Project Site for delivery of the goods is the final destination: **MMCZ 90 Mutare Road Harare**



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PART 2 STATEMENT OF REQUIREMENTS

Technical Specification and Compliance Sheet

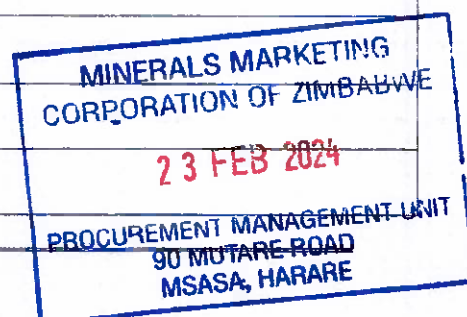
Name of Bidder:

Bidder's Reference Number:

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

[Column d 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)]

a	B	c	d
Item No	Item description and full technical Specification required (including applicable standards)	Quantities	{Confirm full specification of items offered by Bidder and compliance of items to detail in column d}
	LOT 1		
	HP LAISERJET CF226A (26A)	300	
	HP LASERJET 147A	20	
	HP LASERJET CE255A(55A)	50	
	HP LASERJET CE505A (05A)	50	
	HP LASERJET CE505X (05X)	50	
	HP LASERJET CF226X(26X)	50	
	HP LASERJET CF230A(30A)	50	
	HP LASERJET CF230X(30X)	50	
	HP LASERJET CF280A (80A)	20	
	HP LASER JET CF 259A	100	
	TOTAL PRICE FOR LOT 1		
	LOT 2		
	HP 657X BLACK	50	
	HP 657X CYAN	50	

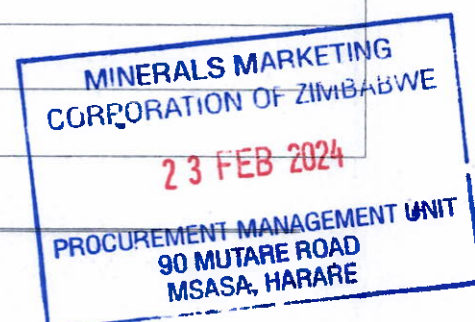


**BIDDING DOCUMENT FOR THE PROCUREMENT OF PRINTER CARTRIDGES
UNDER FRAMEWORK AGREEMENT**

PROCUREMENT REFERENCE No: MMCZ DOM 07/2021

PART 2 STATEMENT OF REQUIREMENTS

	HP 657X YELLOW	50	
	HP 657X MAGENTA	50	
	HP 655A BLACK	50	
	HP 655A CYAN	50	
	HP 655A YELLOW	50	
	HP 655A MAGENTA	50	
	TOTAL PRICE FOR LOT 2		
LOT 3	LOT 3		
	SAMSUNG CLT C503L	50	
	SAMSUNG CLT C603L	50	
	SAMSUNG CLT K503L	50	
	SAMSUNG CLT K603L	50	
	SAMSUNG CLT M503L	50	
	SAMSUNG CLT M603L	50	
	SAMSUNG CLT Y503L	50	
	SAMSUNG CLT Y603L	50	
	SAMSUNG MLT D203U	60	
	SAMSUNG MLT-D201L TONER	50	
	SAMSUNG MLT-D305s TONER	50	
	TOTAL PRICE FOR LOT 3		
LOT 4	LOT 4		
	HP 415A W2030A	50	
	HP 415A W2031A	50	
	HP 415A W2032A	50	



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	HP 415A W2033A	50	
	TOTAL PRICE FOR LOT 4		

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

Declaration by the Accounting Officer

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





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PART 3 CONTRACT



**BIDDING DOCUMENT FOR THE PROCUREMENT OF PRINTER CARTRIDGES
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PART 2 STATEMENT OF REQUIREMENTS

Contract Agreement

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 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)]*.



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PART 2 STATEMENT OF REQUIREMENTS

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

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

For and on behalf of the Procuring Entity

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

For and on behalf of the Contractor

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



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PART 2 STATEMENT OF REQUIREMENTS

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:

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: All countries are eligible, except for <i>[list countries]</i> .
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 <i>[state name of contact and the location where he/she can be found]</i> . 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/shall not <i>[delete as appropriate]</i> apply. <i>[Where applicable, state the percentage of the delivered price of the delayed Goods or unperformed Services for each week or part thereof of delay until actual delivery or performance, up to a maximum deduction after which the Contract may be terminated. State the terms of liquidated damages by specifying the details as required in section 88 of the Act.]</i>



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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 <i>[State any special packing requirements]</i></p> <p>The documents to be furnished by the Contractor are:</p> <p><i>[insert the required documents, such as a negotiable bill of lading, a non-negotiable sea way bill, an airway bill, a railway consignment note, a road consignment note, insurance certificate, Manufacturer's or Contractor's warranty certificate, inspection certificate issued by nominated inspection agency, Contractor's factory shipping details etc]</i></p> <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> <ul 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 original and two copies of the negotiable, clean, on-board through bill of lading marked "freight prepaid" and showing Procuring Entity as the consignee and Notify Party as stated in the Contract, with delivery through to final destination as per the Schedule of Requirements and two copies of non-negotiable bill of lading, road consignment note, truck or air waybill, or multimodal transport document, marked "freight prepaid" and showing delivery through to final destination as per the Schedule of Requirements; (iii) two copies of the packing list identifying contents of each package; (iv) copy of the Insurance Certificate showing the Procuring Entity as the beneficiary; (v) one original of the manufacturer's or Contractor's Warranty Certificate covering all items supplied;

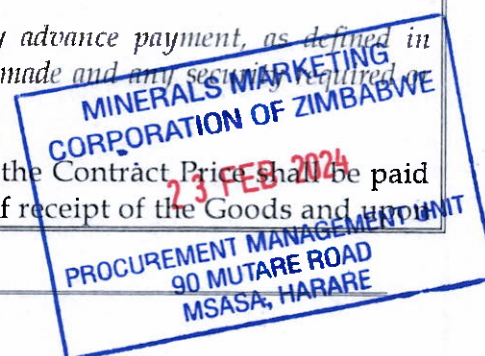
MINERALS MARKETING
CORPORATION OF ZIMBABWE
23 FEB 2024
PROCUREMENT MANAGEMENT UNIT
90 MUTARE ROAD
MSASA, HARARE

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GCC reference	Special Conditions
GCC 22.1	Insurance: The Goods shall be insured <i>[state whether as specified in the Incoterms or any alternative arrangement.]</i> .
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: <i>[provide details including the place where the tests will be carried out or delete]</i> .
GCC 24.1	Performance security: The Contractor shall provide a performance security of <i>[state a fixed amount or percentage, which shall be no more than ten (10) per cent]</i> of the Contract Price. The performance security shall be denominated in the currency of the Contract and issued by a Bank located in Zimbabwe or a foreign Bank through correspondence with a Bank located in Zimbabwe or from another financial institution acceptable to the Procuring Entity. The format shall be based on the template following the Special Conditions of Contract in this Part <i>[Delete if performance security is not required.]</i>
GCC 24.4	Reduction of performance security <i>[State whether the Performance Security will be progressively reduced in line with the Contractor's progress in delivering or completing the procurement requirement to which the security relates]</i>
GCC 25.1	Warranty: The period of the warranty shall be <i>[state number of]</i> months.
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 <i>[state number of months or days]</i> .
GCC 29.1	Price adjustments: The following price adjustments are applicable <i>[State any arrangements for adjustment of the contract price.]</i>
GCC 30.1	<p>Terms of Payment: The structure of payments shall be:</p> <p><i>Sample provision</i></p> <p>Advance payment: <i>[State whether any advance payment, as defined in section 63 (1) of the Regulations is to be made and any security required or delete this provision.]</i></p> <p>On Delivery: Ninety (90) per cent of the Contract Price shall be paid within a maximum of sixty (60) days of receipt of the Goods and</p>



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GCC reference	Special Conditions
	<p>submission of the documents specified in GCC Clause 13.</p> <p>On Acceptance: The remaining ten (10) per cent of 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.</p>
GCC 31.1	<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>



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PART 2 STATEMENT OF REQUIREMENTS

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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