



REPUBLIC OF NAMIBIA

MINISTRY OF SPORT, YOUTH AND NATIONAL SERVICE

PROCUREMENT MANAGEMENT UNIT

BID EXTENSION AND CLARIFICATION NOTICE NO.1

1. As announced on 21 September 2023 the closing date of the following proposal has been extended. The new closing date will be Tuesday, 24 October 2023 @ 14h30.

Proposal No.	Description	Levy Payable
SC/RFP/027 - 05/2023	Provision of lead consultancy services (Architectural, Civil/Structural, Electrical and Mechanical Engineering and Quantity Surveying) required for design, documentation and supervision for the Upgrading and Renovation of the Independence Stadium, Windhoek, to Confederation of African football (CAF) stadium Regulations Category 3	N\$300.00

2. The decision was taken after the Ministry received requests for clarification from potential bidders which warrant for amendments to the bid document. This decision was taken in good faith to ensure that bidders have extra days to prepare their proposals and submit them on the new closing date and time accordingly.
3. In view of the above, the revised bid document will be ready for collection at the below stated address from Thursday, 28 September 2023. Please take note that the Ministry will issue the revised document free of charge to bidders who purchased the original document and a levy of N\$300 will be charged to those who will acquire the document for the first time.
4. Please take note of the following changes to the document:

- a) The cover page has been updated to make provision for the new closing date.
- b) Parts of Clause 6.1 on Award of Contract on page 23 has been deleted.
- c) The method of selection has been revised on page 25.
- d) Clause 3.3(b) on page 26 on the duration of staff-months required to complete the assignment has been revised.
- e) Clause 3.4(g) on page 26 on training has been revised to provide more information.
- f) Clause 3.4(h) on page 27 has been revised to make provision for proof of professional indemnity.
- g) Clause 4.4.&4.5 on page 27 has been updated to make provision for the new deadline.
- h) The Criteria and points system on pages 27 to 28 has been revised.
- i) A new section "Section 2 Evaluation Criteria" on page 30 has been inserted.
- j) Text on page 41 under "A - On the Terms of Reference" has been deleted as this page is reserved for the bidder to complete.
- k) Text on page 41 under "A - On the Terms of Reference" has been deleted as this page is reserved for the bidder to complete.
- l) Text on page 42 under "B - On Counterpart Staff and Facilities" has been deleted as this page is reserved for the bidder to complete.
- m) The terms of reference on page 63 have been revised to provide for scope of work and more information to bidders.
- n) Clause 3.4(a)(ii) on page 113 has been deleted.

5. Kindly Take note of the following clarification questions raised by potential bidders and the responses provided below:

CLARIFICATION	RESPONSE
Page 7, Clause 1.6.1 (i) Conflict of Interest Is it a Conflict of Interest if the team or a member of the team participated in the Namibia/Botswana stadium facilities conditional audit, as the precursor to preparation of the AFCON 2027 bid submission, from which Namibia later withdrew?	Yes
Page 11, Clause 1.11 Only One Proposal Allowing sub consultants to participate in multiple bidding teams, may lead to collusion and sharing of confidential information. It is proposed that sub consultants are committed exclusively to bidding teams.	Clause 1.11 is a standard instruction to bidder which is allowed under the Procurement Act.
Page 25, Clause 1.3 Pre-proposal conference Confirm that this is not compulsory	Pre-proposal meeting was optional

<p>Page 27, Clause 3.3 (b) Professional staff-months: 12 months Is this the estimated duration of the project from commencement of investigative studies, to design and completion of construction, which from our experience is inadequate, or is this 12 "staff-months", which is again grossly understated, given the various disciplines and resources required?</p>	<p>Contract duration is amended, please refer to page 33 of the revised document.</p>
<p>Page 27, Clause 3.4 (h) Performance guarantee (5%) Is this applicable to the Professional team or the Contractor? Performance of professional service providers are managed by the respective professional indemnity insurance and public liability insurance cover.</p>	<p>This clause is amended, please refer to page 27 of the revised document.</p>
<p>Page 28, Clause 5.2 (b) (vi) Participation of nationals among proposed key staff for skills transfer Confirm that this relates to skills transfer to local nationals and not that nationals must be part of the Key Staff (as the relevant experience requirements may not be achieved)?</p>	<p>This clause is amended in the revised document on page 27-28.</p>
<p>Page30, Clause 5.2 (b) (vi) (iv) Certified copy of Affirmative Action Compliance Certificate Certified copy of Affirmative Action - Does this apply to local firms only</p>	<p>Yes.</p>
<p>Page 59, Clause B Background The scope of work is not defined. There is no indication of what infrastructure is noncompliant with the CAF category 3 requirements, nor is there an estimate of the value of works to be renovated or upgraded.</p>	<p>This clause is amended in the revised document on page 63.</p>
<p>Page 66, Clause D TOR for civil/structural engineering consultant There is no provision for geotechnical engineering services. Is this an additional reimbursable expenses or will the existing geotechnical report be provided?</p>	<p>This clause is amended in the revised document on page 63.</p>
<p>Page 99, Clause 3.4 (a) (ii) III SCC, Limitation of Liability An example of the limit of liability for any direct loss or damage is a multiplier of "three" times the Contract value. Can this multiplier be confirmed to</p>	<p>This clause is amended in the revised document on page 113.</p>

<p>ensure consistency from all service providers. It is proposed that the limit of liability is restricted to a maximum of "two times" the Contract value</p>	
<p>Page 99, Clause 3.5 (c) III SCC, Professional Liability Insurance Comment similar to 3.4 (a) (ii) above. Whilst the "minimum coverage of N/A", it is proposed that the limit of liability is restricted to a maximum of "two times" the Contract value</p>	<p>This clause is amended in the revised document on page 113.</p>
<p>Page 27, Clause 3.4 Joint Venture Is the joint venture referred to in paragraph 1 between multiple disciplines (i.e., Engineers Quantity Surveyors and Architects) or specific to partnership between similar disciplines (i.e., Architects to Architects joint venture)?</p>	<p>Multiple discipline joint ventures or consortiums are allowed.</p>
<p>Page 27, Clause 3.3 Consultants may associate with other consultants Kindly provide clarity on this item on whether does the Client requires individual firms and disciplines to form consortiums for the purposes of the submission as in the evaluation criteria item 5.2(iv) a full team of consultants is referred to?</p>	<p>Multiple firms can form multi-discipline joint ventures or consortiums.</p>
<p>Page 15, Clause 2.5 Mandatory documentary evidence required In reference to the Mandatory documents required is this referring to Namibian documents or foreign companies need to provide these from their respective countries and in the case of joint venture between Namibian and Foreign companies do you require both firms to provide the mandatory documents or Namibian partner company documents will suffice?</p>	<p>Namibian bidders are expected to comply with all mandatory documents.</p> <p>Foreign bidders, whether acting alone or in a joint venture with Namibian registered companies, are required to provide proof of compliance with competent government authority in their country of registration. Please refer to page 30 of revised document for more specific guidance.</p>
<p>Page 29, Clause 5.2 (iv) Criteria, sub criteria and point system for the evaluation of full technical Proposal For all the disciplines it requires the key personnel to be registered with relevant statutory professional bodies with a minimum of 5 years' experience, the statutory bodies referred to are they local statutory bodies?</p>	<p>Foreign registered entities are required to provide proof of professional registration with competent government authority in their country of registration.</p>

<p>Page 28, Clause 5.1 (i) Criteria, sub criteria and point system for the evaluation of full technical Proposal The document requires the bidders to have delivered a minimum of 3 or more similar projects of developing stadiums to comply with CAF standards in the last five years (written references or contacts of traceable referees supporting track record) "Bidders that do not meet the above requirements will be disqualified Kindly provide clarity on whether local firms are allowed to form Joint ventures with international firms with relevant experience to meet this requirement and avoid disqualification as stated?"</p>	<p>This clause has been revised. Please refer to page 27-28 of the revised document.</p>
<p>Page 25, Clause 1.1 Method of selection: Least Cost Selection What is the estimated cost for the development as cost for the consultant's fees are based on the Fee Scales for Architects, Quantity Surveyors and Engineers as per gazetted fee scales</p>	<p>This clause has been revised. Please refer to page 25 of the revised document.</p>
<p>Page 25, Clause 1.2 Name of assignment Is there a Project Manager required, as per the general conditions of Contract Item 4.6</p>	<p>Yes</p>
<p>Page 25, Clause 1.2 Financial Proposal Will the gazetted fee scales for Architects, Quantity Surveyors and Engineers apply? Or will the Ministry only ask for a technical proposal?</p>	<p>Bidders are required to submit two proposals as per Section 35 (7) of the Public Procurement Act 15 of 2015 and paragraph 1.2 of the Instruction to bidders.</p> <p>In submitting the financial proposal, bidders are required to comply with the requirements of the Engineering Council of Namibia (ECN) and the Namibia Council for Architects and Quantity Surveyors (NCAQS) in line with the applicable act of parliament and regulations.</p>
<p>Page 27, Clause 3.4 Format of Technical proposal May the description change to accommodate joint ventures with local firms that do not have the experience but comply with statutory requirements for transfer of skills?</p>	<p>This clause has been revised. Please refer to revised document.</p>

<p>Page 27, Clause 3.4 (h) Performance guarantee Consultants have Professional Indemnity which may be submitted as a requirement?</p>	<p>This clause has been revised, please refer to revised document.</p>
<p>Page 28, Clause 4.3 Technical and Financial Proposal Will there be a financial proposal as the fees are regulated by gazetted fees?</p>	<p>Bidders are required to submit two proposals as per Section 35 (7) of the Public Procurement Act 15 of 2015 and paragraph 2.5, 2.6 and 2.7 of the Instruction to bidders.</p> <p>The onus is on Architects and Quantity Surveyors to ensure that their fees are in compliance with the Architects and Quantity Surveyors Act 1978.</p> <p>In addition NCAQS has the authority in terms of the Architects and Quantity Surveyors' Act 1978 (Act No. 13 of 1979) to enforce compliance with this Act its regulations and Codes of Conduct for Architects and Quantity Surveyors, in the event of breach.</p>
<p>Page 30, Clause 5.2 after (vi) If an international firm is submitting a bid, is all these criteria relevant to the country of the international firm?</p>	<p>This clause has been revised, please refer to revised document.</p>
<p>25 of the data sheet The client will provide the following inputs and facilities...May we please have copies of the site plan.</p>	<p>The Ministry shall provide the As-built drawings by email to bidders.</p>
<p>29 of the data sheet Bidders must have delivered minimum of 3 or more projects of developing stadiums to comply with CAT standards in the last five years. This requirement will clearly exclude all Namibian consultants as no stadiums have been developed in Namibia in the last ten years. Please reconsider the requirement to include extensive experience with a certain minimum value or security projects etc</p>	<p>This requirement has been revised. Kindly refer to page 27-28 of the revised document.</p>
<p>29 of the data sheet Key professional staff qualifications and competence for the assignment. Must have demonstrable knowledge of medium-large scale football stadium. Please reconsider the requirement as</p>	<p>This requirement has been revised. Kindly refer to page 27-28 of the revised document.</p>

no stadiums has been developed in Namibia in the last ten years	
30 of the data sheet Participation by national among proposed key staff for skills transfer. Please explain.	This requirement has been revised. Kindly refer to page 27-28 of the revised document.
N/A Can locally registered companies submit bids in JV with other companies from SADC?	Yes.
N/A Does the ministry have a Preliminary Budgeted at this stage? Is there a scope of works or are we to follow the provided CAF Standards as guidelines for preparing proposals.	Yes The scope of work has been provided in the revised document, please refer to page 63.
Can locally registered companies submit bids in JV with other companies from SADC?	Yes
Will the Ministry provide the As-built drawings?	Yes
Is this an upgrading or renovation project?	Please refer to page 63 in the revised document for the full scope of work.
Has the quantities already been measured?	No. Please refer to page 63 in the revised document for the full scope of work.
Why are the requirements so high? No, Namibian company meets such requirements. There has not been a construction of a stadium in Namibia for more than 20 years.	This requirement has been revised. Kindly refer to page 27-28 of the revised document.

Documents to be collected from:

Procurement Management Unit, Government Office Park, Ministry of Sport, Youth and National Service (Ministry of Education, Arts and Culture Building), Windhoek, second 2nd floor, Room 242 from 8h00 to 13h00.

Sealed requests for proposals must be delivered on or before the closing date and time, to:

Procurement Management Unit, Government Office Park, Ministry of Sport, Youth and National Service (Ministry of Education, Arts and Culture Building), Windhoek, second 2nd floor, Room 230 from 8h00 to 13h00.

Enquiries should be forwarded to Leonie.vanwyk@msyns.gov.na (Administrative) Musweu.Kolokwe@msyns.gov.na and Jo-Ann.Manuel@msyns.gov.na (Technical).

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Late and electronic proposals will be rejected.