

ADDRESS BY MR. AMON NGAVETENE, CPBN ADMINISTRATIVE HEAD AT THE MEDIA CONFERENCE TO CLARIFY THE BID FOR THE PROCUREMENT OF SUPPLY AND DELIVERY OF CLINICAL PRODUCTS

20 January 2023

1. The Central Procurement Board of Namibia (“CPBN”) issued the Notice for Selection of Procurement Award and the Executive Summary on 11 January 2023 for the Procurement of Supply and Delivery of Clinical Products on behalf of the Ministry of Health and Social Services.

The Public Procurement Act (PPA), 15 of 2015, as amended, provides that bidders who are aggrieved by a decision of the CPBN, or any public entity, may apply for reconsideration of the decision. It should be noted that the Notice for Selection of Procurement Award is not a final award and may change upon the reconsideration of any issues that may be raised by bidders during the standstill period which was from the 12th-20th January 2023. The standstill period is provided for in the PPA and thus does not in any way delay the finalization of the procurement process.

CPBN will respond to each reconsideration request after considering the merits in relation to the bidding document and applicable provisions of the law. Any bidder who remains aggrieved after the Board pronounces itself on the reconsideration applications, may approach the Review Panel for a review of the procurement process in terms of section 59 of the PPA. Furthermore, any bidder who continues to be aggrieved after having filed an application for review with the Review Panel, may approach the High Court of Namibia for further relief.

Bidders who have filed reconsideration applications must take note that the CPBN is in the process of assessing the reconsideration applications received and will respond within the prescribed timeframe to each reconsideration. In total, the CPBN received applications for reconsideration from twenty-nine (29) bidders out of the ninety (90) bidders who participated in the bidding process.

2. In addition, the CPBN wishes to inform the public that there was a discrepancy in the requested quantities of item number 270 (*disposable surgeons' gloves*), which stated 30 million whilst the correct quantity is 3 million. A revised Notice for Selection of Procurement Award will be issued in this regard. The rectification of these errors may result in the reduction of the current recommended amounts from hundreds of millions to tens of millions.
3. It should be noted that this is a rate-based procurement in terms of Instruction To Bidders (ITB) 38.1 of the Standard Bidding Document. This means that the quantity indicated in the bidding document is an estimate and can vary, therefore, the total award amount is not fixed.
4. CPBN wishes to confirm that some bidders who were more expensive than others were allotted awards on the basis of being local manufacturers in terms of sections 28(2) & 2(b) of the Public Procurement Act, which allows public entities to confer an advantage. This requirement is provided for in the Standard Bidding Document on page 6 under the Invitations for Bids. Based on further assessment of documentations, these allocations will be reviewed during the standstill period for reconsiderations.
5. Furthermore, CPBN wishes to clarify the misconception that a condom is costing more than N\$100. The rates depicted in the Notice for Selection of Procurement Award is for a box containing 144 condoms. For example, if a bidder's unit rate is N\$100, this translates to N\$0.69 per condom.

6. It is also important to note that the Bid Evaluation Committee (“BEC”) evaluated all bidder’s documents according to the documentation which were submitted to CPBN. The bidders were required to submit financial statements for the past two years of which all recommended bidders met this requirement. The issue of a bidder being registered two years ago is factually incorrect, as the documentation in CPBN’s possession indicates that the company in question has been in operation for more than two years.

CPBN wishes to re-assure the public that we are committed to deliver our mandate within the prescripts of the Public Procurement Act as amended.

-Signed via-email-

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