

REVISED EXECUTIVE SUMMARY OF THE BID EVALUATION REPORT (SECTION 55(8))

1.	Name of Procurement	Periodic Maintenance of Gravel Roads: Re-Gravelling Contract in the Keetmanshoop Region (Contracts: GRU-KHP 01), on behalf of Roads Authority (RA)
2.	CPBN Procurement Reference No	W/OAB/CPBN-01/2021
3.	Date of Submission of Report	31 May 2022
4.	Contract Number	W/OAB/CPBN-01/2021
5.	Scope of Contract	Periodic Maintenance of Gravel Roads: Re-Gravelling Contract in the Keetmanshoop Region (Contracts: GRU-KHP 01),
6.	Estimated Cost:	N\$89,413,944.29
7.	Funding Agency	Roads Authority (RA)
8.	Procurement Method Used	Open Advertised Bidding
9.	Date of Invitation of Bids	22 February 2021
10.	Closing Date of Submission of Bids	24 May 2021
11.	Date and Place of Opening of Bids	24 May 2021, at Central Procurement Board of Namibia
12.	Number of Bids Received by Closing Date	Thirty (30)

13. Responsiveness of Bid(s)

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
2	Windhoek Sandworx CC	Not Considered and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	Not Considered	The bidder is conflicted as the three (3) listed owners/members of Windhoek Sandworx CC are also listed as owners/members of Brandberg Construction CC. Thus, constituting a conflict of interest in terms of ITB 5.3 (d) & (e) .
8	Brandberg Construction CC	Not Considered and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	Not Considered	The bidder is conflicted as the three (3) listed owners/members of Brandberg Construction CC are also listed as owners/members of Windhoek Sandworx CC. Thus, constituting a conflict of interest in terms of ITB 5.3 (d) & (e) .

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1	West Trading CC JV ETN Technical Services CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 as one of the ID copies submitted for the Close Corporation member is not signed or initialed as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.
4	SUMSENO Contracting CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 as page 42 was not signed or initialed and page(s) 90, 101 & 112 of the BOQ were not signed on behalf of the bidder as required in the BOQ and Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.

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5	Dunedin Investments CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 as page 46 of the Health Plan of the supporting documents, Power of Attorney, Affirmative Action Compliance Certificate, SME certificate and ID copy for one of the key personnel are not initialled. Furthermore, amendments made on pages 103, 108 & 114 of the BOQ are not initialled or signed as per ITB 21.3 and Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.

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6	Ketu Trading Enterprises CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 as page 123 of the BOQ was not initialled. Furthermore, amendments made on Form CON 2 are not initialled or signed as per ITB 21.3 and Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.
7	Omatende Trading CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 as one of the ID copies submitted for the Close Corporation member is not initialled as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
10	Globex Investments CC JV Pisces Investment Holding No 8 CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 and ITB 21.3 as correction fluid was used to make amendments on page 54 but was not signed or initialled. Furthermore, amendments made on page 55 were not initialled or signed as per ITB 21.3 and Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.
11	Silver Gate Trading Enterprises JV Naftal Trading Enterprises CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 as page 119 of the BOQ was not initialled as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.

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12	Oshikoto Building Construction CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 and ITB 21.3 as the amendment made on page 104 of the BOQ was not initialled or signed as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.

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15	Khan Trading CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	<p>The bidder failed to comply with ITB 21.2 as the following documents were not initialled.</p> <ul style="list-style-type: none"> ▪ Letter of Acceptance from Road Authority ▪ Page 3 of the Foreman's CV ▪ Reference page of the Site Agent's CV ▪ Good Standing Social Security Certificate ▪ Good Standing Tax Certificates ▪ Affirmative Compliance Action Certificate ▪ Company Profile <p>Furthermore, page 106-107 of BOQ and Clarification No. 1 & 2 were not initialled as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.</p>

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19	John Namusheshe Construction and Investments CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered		<p>The bidder failed to comply with ITB 21.2 as the following documents were not initialled.</p> <ul style="list-style-type: none"> ▪ Bid submission form in volume 3 ▪ Bid Acknowledgement receipt for clarification no. 5-11 as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
20	Andjamba Construction CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	<p>The bidder failed to comply with ITB 21.2 as page 52 of the SBD and pages 95 and 96 of the BOQ were not initialled.</p> <p>Furthermore, all supporting documents submitted were not initialled as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.</p>
22	Flame Denga JV (Flame Investment CC JV Denga Trading 230 CC)	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	<p>The bidder did not comply with ITB 21.2 as the Balance Sheet for Denga Trading 230 CC was not initialled by the authorised signatory as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.</p>

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24	NGC Investment CC JV Neu Olulya Trading CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 and ITB 21.3 as amendments made on page 61 was not initialled as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.
26	Ndalikamwe Investments CC JV Zero Six Five Trading CC	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 and ITB 21.3 as item no. 5606 of the BOQ on page 114 was amended but not initialled as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
30	Tulu Trading Enterprises CC JV Vero Group CC & NCCS Investment Holdings (Pty) Ltd	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	Not Considered	Not Considered	The bidder failed to comply with ITB 21.2 and ITB 21.3 as amendments made on page 82 of BOQ was not initialled as required in Section 1.5.1: Preliminary Examination requirement no. 3 of the standard bidding document.
3	Brumar Construction CC JV Ojormuise Construction CC	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	The bidder failed to comply with Section III-Evaluation Criteria item no. 7 (a) of Legal Admissibility Evaluation, as the JV agreement was not duly signed, as none of the parties signed the agreement as required in Section 1.5.3: Legal Admissibility Evaluation requirement no. 7 of the standard bidding document.

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9	CSV Construction Namibia (Pty) Ltd	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	The bidder failed to comply with Section III Evaluation Criteria item 3.1.1 of Eligibility, ITB 5.2 and Section 28 (2) read together with Section 2 (b) of the Public Procurement Act, 15 of 2015. as 46.296% shareholding percentage is not owned by a Namibian citizen but by a South African individual and a South African company. Furthermore, the bidder failed to provide proof of identification document for one of the shareholders and the founding statement for Intle Construction and Maintenance Services CC was not provided to determine ownership as required in Section 1.5.3: Legal Admissibility Evaluation requirement no. 1 of the standard bidding document.

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
13	Namibia Construction (Pty) Ltd JV Otesa Civil Engineering (Pty) Ltd (Namib JV)	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	The bidder failed to comply with the requirement as Form CON – 2: Historical Contract Non-Performance, item 3.2.1 on page 36 was not duly completed in accordance with ITB 13.1 on page 11 of the SBD as required in Section 1.5.3: Legal Admissibility Evaluation requirement no. 8 of the standard bidding document. The bidder failed to comply with ITB 21.2 of the BDS as the two (2) Joint venture partners submitted conflicting Power of Attorneys, indicating different representatives to act on behalf of the JV as required in Section 1.5.3: Legal Admissibility Evaluation requirement no. 9 of the standard bidding document.

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23	Quiver Tree Investments One Three CC	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	The bidder failed to comply with the requirement as Form CON – 2: Historical Non-Performance, item 3.2.1 on page 36 was not duly completed in accordance with ITB 13.1 on page 11 of the SBD as required in Section 1.5.3: Legal Admissibility Evaluation requirement no. 8 of the standard bidding document.

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25	Geckoh Fifty- Investment Group (Pty) Ltd JV Namibia Investments Contracts CC	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	The bidder failed to comply with the requirement as the submitted company registration documents for Namibia Investments Contracts CC is not certified by a Commissioner of Oath appointed in terms of the Justices of the Peace Commissioners of Oaths Act, 1963 (Act No. 16 of 1963) as required in Section 1.5.3: Legal Admissibility Evaluation requirement no. 8 of the standard bidding document.

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
								<p>The bidder failed to comply with the requirement as Form CON – 2: Historical Contract Non-Performance, item 3.2.1 on page 36 was not duly completed in accordance with ITB 13.1 on page 11 of the SBD as required in Section 1.5.3: Legal Admissibility Evaluation requirement no. 8 of the standard bidding document.</p>

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
27	Namibeton (Pty) Ltd	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	Not Considered	Not Considered	The bidder failed to comply with Section III Evaluation Criteria item 3.1.1 of Eligibility, ITB 5.2 and Section 28 (2) read together with Section 2 (b) of the Public Procurement Act, 15 of 2015, as the bidder did not provide a Company Registration or Certificate of Incorporation as required Section 1.5.3: Legal Admissibility Evaluation requirement no. 1 of the standard bidding document.

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
17	New Success Investments CC	Responsive	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	Not Considered	The Bidder failed to provide a valid Company Registration/Founding Statement as they only provided a Certificate to Commence Business, which does not indicate shareholding particulars as required in Section 1.5.3: Legal Admissibility Evaluation requirement no. 2 of the standard bidding document.
								The bidder failed to comply with the requirement as the proof of similar project records provided only indicates the project name but does not have a project amount and project period as required in Section 1.5.4: Technical Evaluation requirement no. 4 of the standard bidding document.

Bidder No.	Bidder's Name	ITB 5.3 Conflict of Interest	Section 1.5.1: Preliminary Examination	Section 1.5.2: Eligibility Evaluation	Section 1.5.3: Legal Admissibility Evaluation	Section 1.5.4: Technical Evaluation	Section 2.1: Technical Score	Reasons why bid is NOT responsive
28	Palladium Civil Engineering (Pty) Ltd	Responsive	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	Not Considered	The bidder failed to comply with the requirement as there is no letter of authorisation that the Foreman will be dedicated to this particular project, as required in Form PER-2 on page 54 of the SBD. ("Provide letter of authorisation to be included in the bid from the individual mentioned in each CV", pg. 54). The Foreman's CV indicates that the personnel is no longer employed by Palladium Civil Engineering (Pty) Ltd as required in Section 1.5.4: Technical Evaluation requirement no. 1 of the standard bidding document.
16	Facility Investments CC	Responsive	Responsive	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	The bidder failed to meet the minimum score of 70 points and only scored 66 points contrary to Section 2.1: Technical Score of the standard bidding document.

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21	Odjove Trading and Constructions JV Royal Contractors CC	Responsive	Responsive	Responsive	Responsive	Responsive	Non-Responsive and Disqualified	The bidder failed to meet the minimum score of 70 points and only scored 55 points contrary to Section 2.1: Technical Score of the standard bidding document.
14	Adaptive Building Land Construction CC	Responsive	Responsive	Responsive	Responsive	Responsive	Responsive	Bidder not Disqualified
18	Octagon Construction (Pty) Ltd	Responsive	Responsive	Responsive	Responsive	Responsive	Responsive	Bidder not Disqualified
29	Nexus Civils (Pty) Ltd	Responsive	Responsive	Responsive	Responsive	Responsive	Responsive	Bidder not Disqualified

14. Price Comparison for the Responsive Bid(s):

Bidder No.	Bidder's Name	Bid Price Quoted (Incl. VAT) (N\$)	Bid Price Corrected (Incl. VAT) (N\$)	Rank
14	Adaptive Building Land Construction CC	95,829,822.96	95,916,074.09	1
29	Octagon Construction (Pty) Ltd	100,971,672.16	100,971,672.16	2
18	Nexus Civils (Pty) Ltd	121,104,146.81	121,104,146.81	3

15. Best Evaluated Bid(s)

Selected for Award of Contract:

Lowest Evaluated Substantially Responsive Bidder.

Given the recommendation(s) in the Bid Evaluation Committee (BEC) Report, the Board approved in terms of Section 9 (1) (k) and (l) (i) of the Public Procurement Act, 2015.

Name: Adaptive Building Land Construction CC

Address: Unit 135, Maerua Mall Windhoek

Description		Adaptive Building Land Construction CC
Bid Price	Currency	Amount (Inclusive of VAT)
Bid Price Read-Out	N\$	95,829,822.96
Price After Corrections of Errors (Inc. VAT)	N\$	86,251.13
Discounts	N\$	None
Proposed Award	N\$	95,916,074.09

Bid Price, Excluding VAT: Eighty-Three Million, Four Hundred and Five Thousand, Two Hundred and Eighty-One Namibia Dollars and Eighty-Two Cents (N\$83,405,281.82)

Bid Price, Including VAT: Ninety-Five Million, Nine Hundred and Sixteen Thousand and Seventy-Four Namibia Dollars and Nine Cents (N\$95,916,074.09)

31 May 2022



A. Ngavetene
Chairperson



ACKNOWLEDGEMENT OF RECEIPT FORM

**PERIODIC MAINTENANCE OF GRAVEL ROADS: RE-GRAVELLING CONTRACT IN THE KEETMANSHOOP REGION (CONTRACTS: GRU-KHP 01), ON BEHALF OF ROADS AUTHORITY (RA)
(PROCUREMENT REFERENCE NO. W/OAB/CPBN-01/2021)**

I/We _____ hereby
acknowledge receipt of this Executive Summary dated _____ and undertake to
immediately return the signed acknowledgment of receipt to CPBN as proof of receipt.

Name: Signature:

Date: Company Stamp: