

**GEOLOGICAL SURVEY OF TANZANIA  
(GST)**



**Pre-Qualification No: AE059/2010/2011/QG/01**

**for**

**Supply of Laboratory Chemicals and Equipments and Motor Vehicle Spare Parts**

**Invitation for Pre-qualification**

1. This invitation for prequalification follows the general procurement notice for this project that appeared in the **Daily News, of 06<sup>th</sup> October, 2010. ISSN: 0856-3812**
2. The Geological Survey of Tanzania *has set aside funds* and it intends to apply part of the proceeds of this fund to payments under the contract for Supply of Laboratory Chemical and Equipments and Motor Vehicle Spare Parts. *Application may be made for more than one contract.* The Geological Survey of Tanzania intends to pre-qualify Applicants for *Supply of Laboratory Chemicals and Equipments and Supply of Motor Vehicle Spare Parts.* It is expected that invitations to bid will be made in 2010/2011.
3. Pre-qualification will be conducted through the procedures specified in Regulation 15 of the Public Procurement (Goods, Works, Non-Consultant Services and Disposal of Public Assets by Tender) Regulations- Government Notice 97 of 2005, and is open to all firms and voluntarily formed joint ventures.
4. Interested applicants may obtain further information from and inspect the pre-qualification documents at the Secretary of Tender Board, Geological Survey of Tanzania, P.O Box 903 Dodoma from **8.00 to 15.30hrs**. A complete set of pre-qualification documents in English may be purchased by interested applicants on the submission of a written application to the address below and upon payment of a non-refundable fee of Fifty Thousands only, *This 50,000.* The method of payment will be cash.

5. Applications for pre-qualification should be submitted in sealed envelopes, delivered to the address below by **14:30hrs, 11<sup>th</sup> November 2010**, and be clearly marked "Application to Pre-qualify for *supply of Laboratory Chemicals and Motor Vehicles*."

**CHIEF EXECUTIVE OFFICER**

**GEOLOGICAL SURVEY OF TANZANIA.**

## **SECTION 1: INVITATION FOR PRE-QUALIFICATION**

**[Insert Name of Procuring Entity]**

**[Insert logo]**

**Pre-Qualification No: .....**

**for**

**[Insert brief description of Goods/Plants and Equipment to be supplied and/or installed]**

### **Invitation for Pre-qualification**

1. This invitation for prequalification follows the general procurement notice for this project that appeared in the *(insert name of newspaper)*, of *(insert date)* and *[insert name of Gazette or Journal]* *[insert number]* of *[insert date]*.
2. The *[insert name of Procuring Entity]* *[has set aside funds]/ [has received a loan/credit/Grant from the [insert name of authority who has indicated willingness to finance]* towards the cost of the *[insert name of project]*, and it intends to apply part of the proceeds of this *[fund/loan/credit/Grant]* to payments under the contract for *[insert name/no. of contract-if prequalification is being invited for more than one contract, describe each contract and indicated whether applications may be made for pre-qualification for one or more of the contract]*. The *[insert name of Procuring Entity]* intends to pre-qualify Applicants for *[insert description of goods/ plant and equipment to be procured]*. It is expected that invitations to bid will be made in *[insert month and year]*.
3. Pre-qualification will be conducted through the procedures specified in Regulation 15 of the Public Procurement (Goods, Works, Non-Consultant Services and Disposal of Public Assets by Tender) Regulations- Government Notice 97 of 2005, and is open to all firms and voluntarily formed joint ventures.
4. Interested applicants may obtain further information from and inspect the pre-qualification documents at the *[insert name of Procuring Entity]* (address below) *[state address at end of document]* from *[insert office hours]*. A complete set of pre-qualification documents in English may be purchased by interested applicants and voluntarily formed joint ventures on the submission of a written application to the address below and upon payment of a non-refundable fee of *[insert amount in words, figures and currency]* or in *[insert amount in specified convertible currency]*. The method of payment will be cash, bank draft or bankers cheque to *[state the title of the Accounting Officer to which payments are to be made]*.
5. Applications for pre-qualification should be submitted in sealed envelopes, delivered to the address below by *[insert time and date]*, and be clearly

marked "Application to Pre-qualify for *[insert name of project and the contract name(s) and number(s)]*."

**SECRETARY**

**[Insert the physical address of the Tender Board of the PE to which the documents will be delivered]**

## **SECTION II: GENERAL INSTRUCTIONS TO APPLICANTS**

## GENERAL INSTRUCTIONS TO APPLICANTS (GITA)

### 1. Source of Funds and Scope of Works

- Source of Funds** 1.1 The Procuring Entity (PE) named in the Particular Instructions to Applicants (**PITA**) has set aside funds or has applied for or received a loan or credit or grant (hereinafter called “funds”) as specified in the **PITA** towards the cost of the project named in the **PITA**. The **PE** intends to apply a portion of the funds to eligible payments under the contract(s) for which this prequalification is issued.
- Scope of Work** 1.2 The **PE**, as named in the **PITA**, intends to pre-qualify Applicants for the supply of Goods/Installation of Plants and Equipment described in the **PITA**
- Slice and Package** 1.3 If so indicated in the **PITA**, the total Goods/Plants and Equipment to be procured have been divided into a number of similar individual contracts (slices) and bids will be invited concurrently for the combinations of contracts (packages). Applicants can bid on individual contracts only or on a combination of contracts within their pre-qualified capacity as assessed by the **PE**. Qualification criteria for slice and package bidding are described in GITA sub-Clause 4.15.
- Bid Invitation** 1.4 It is expected that pre-qualified applicants will be invited to submit bids during the month and year indicated in the **PITA**
- Type of Contract** 1.5 The bidding documents, type of Contract, and method of payment, whether prices will be fixed or adjustable, and the time for completion are indicated in the **PITA**

### 2. Fraud and Corruption

- Fraudulent and Corrupt Practices** 2.1 It is the policy of the Government of the United Republic of Tanzania to require that **PEs** (including beneficiaries of public funds), as well as applicants under public-financed contracts, to observe the highest standard of ethics during the procurement and execution of such contracts. In pursuit of this

policy, the Government of the United Republic of Tanzania:

- (a) Defines, for the purposes of this provision, the terms set forth below as follows:
  - (i) “corrupt practice” means the offering, giving, receiving, or soliciting, of anything of value to influence the action of a public official in the procurement process or in contract execution and includes interalia, bribery, extortion or coercion, which involves threats of injury to person, property or reputation.
  - (ii) “fraudulent practice” means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of the procuring entity, and includes collusive practices among applicants (prior to or after bid submission) designed to establish bid prices at artificial, noncompetitive levels and to deprive the procuring entity of the benefits of free and open competition
- (b) will not accept application for award if it determines that the applicant recommended for pre-qualification has engaged in corrupt or fraudulent practices in competing for the Contract in question; and
- (c) will declare a firm ineligible, for a period of ten (10) years, to be awarded a public-financed contract if it at any time determines that the firm has engaged in corrupt or fraudulent practices in competing for, or in executing, a public-financed contract.

**Debarment**                      2.2              The Government of the United Republic of Tanzania reserves the right, where the applicant has been found by a national or international entity to have engaged in corrupt or fraudulent practices to declare that such applicant is ineligible, for a stated period of ten (10) years to be awarded a public-financed contract

**Right of**                              2.3              The Government of the United Republic of Tanzania



**Inspection and Audit**

will have the right to require that, in public-financed contracts, a provision be included requiring applicants to permit the Government of the United Republic of Tanzania inspect their accounts and records relating the performance of the contract and to have them audited by auditors appointed by the Government of the United Republic of Tanzania.

**3. Eligibility of Countries and Applicants**

**Eligible Countries**

- 3.1
- a) Except as provided in sub-Clauses 3.1 (a) and 3.2 (a), this Invitation for Prequalification is open to all eligible source countries. Joint Ventures that include member from ineligible source countries, or otherwise ineligible applicants shall not be permitted to submit application.
  - b) Applicants from eligible country may be excluded if, (i) as matter of law or official regulation, the United Republic of Tanzania prohibits commercial relations with that country, (ii) by an act of compliance with a decision of the United Nations Security Council taken under Chapter VII of the Charter of the United Nations, the United Republic of Tanzania prohibits any import of goods from that country or any payments to persons or entities in that country.

**Eligible Applicants**

- 3.2
- a) An applicant that has been engaged by the PE to provide consulting services for the preparation or implementation of a project, and any of its affiliates, shall be disqualified from subsequently providing goods/plants and equipment (other than a continuation of the firm's earlier consulting services) for the same project.
  - b) Government and public owned enterprises in the United Republic of Tanzania may participate only if they can establish that they (i) are legally and financially autonomous, and (ii) operate under commercial law. No dependent agency of the PE shall be permitted to bid or submit a proposal for the procurement of goods or works under the project.
  - c) A firm declared ineligible by the Government of the United Republic of Tanzania in accordance

with GITA sub-Clause 2.1(c) and GITA sub-Clause 2.2 above shall be ineligible to bid for a public-financed contract during the period of ten years.

#### 4. Qualification Criteria

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| <b>General</b>                   | 4.1 | Pre-qualification will be based on Applicants meeting all minimum pass-fail criteria regarding their general and particular supply and/or installation experience, financial position, personnel and equipment capabilities, and other relevant information as demonstrated by the Applicant's responses in the Information Forms attached to the Letter of Application. Additional requirements for joint ventures are given in GITA Clause 5. The qualifications, capacity, and resources of proposed subcontractors will not be taken into account in assessing those of individual or joint venture Applicants, unless they are named specialist subcontractors pursuant to sub-Clause 4.4 |
| <b>Nominated Subcontracting</b>  | 4.2 | If so listed in the <b>PITA</b> , the <b>PE</b> intends to procure certain specialized elements of the goods/plants and equipment by <b>Nominated Suppliers</b> .  |
| <b>Subcontracting</b>            | 4.3 | If an Applicant intends to subcontract part of the Supply such that the total of subcontracting is more than the percentage stated in the <b>PITA</b> , the applicant shall be ineligible. The intention to subcontract shall be stated in the Letter of Application, together with a tentative listing of the elements of the Goods/Plants and Equipment to be subcontracted.   |
| <b>Specialist Subcontracting</b> | 4.4 | If an Applicant intends to subcontract any highly specialized elements of the Goods/Plants and Equipment to specialist subcontractors, such elements and the proposed subcontractors shall be clearly identified, and the experience and capacity of the subcontractors shall be described in the relevant Information Forms   |
| <b>Acceptable Substitutes</b>    | 4.5 | With reference to sub-Clauses 4.3 and 4.4, the <b>PE</b> may require Applicants to provide more information about their applications. If any proposed subcontractor is found ineligible or unsuitable to carry out an assigned task, the <b>PE</b> may request the Applicant to propose an acceptable substitute, and  |

may conditionally pre-qualify the Applicant accordingly, before issuing an invitation to bid

**Supplier's Responsibility**

4.6 After award of contract, the subcontracting of any part of the supply shall require prior consent of the PE. Notwithstanding such consent, the Supplier shall remain responsible for the acts, defaults, and neglects of all subcontractors during contract implementation.

**General Supply Experience**

4.7 The Applicant shall provide evidence that:

- (a) it has been actively engaged in the Supply and/or Installation business for at least the period stated in the **PITA** immediately prior to the date of submission of applications, in the role of prime supplier, management supplier, partner in a joint venture, or subcontractor, and
- (b) that the Applicant has generated an average annual supply turnover during the above period greater than the amount stated in the **PITA**.

The average annual turnover is defined as the total of certified payment certificates for supplies in progress or completed by the firm or firms comprising the Applicant, divided by the number of years stated in the **PITA**.

**Similar Supply Experience**

- 4.8
- (a) The Applicant shall provide evidence that it has successfully completed or substantially completed at least the number of contracts stated in the **PITA**, of a nature and complexity similar to the proposed contract, within the period stated in the **PITA**. The Goods /Plants and Equipment may have been supplied by the Applicant as a prime supplier, management contractor or proportionately as member of a joint venture or subcontractor, with reference being submitted to confirm satisfactory performance.
  - (b) The Applicant shall also provide evidence that it has achieved the minimum monthly and/or annual delivery rates described in the **PITA** under similar contract conditions.

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| <b>Financial Capabilities</b>         | 4.9  | The Applicant shall demonstrate that it has access to, or has available, liquid assets, unencumbered real assets, lines of credit, and other financial means (independent or any contractual advance payment) sufficient to meet the supply cash flow requirements for the subject contract(s) in the event of stoppage, start-up, or other delays in payment, of the minimum estimated amount stated in the <b>PITA</b> , net of the Applicant's commitments for other contracts.                            |
| <b>Current and Future Commitments</b> | 4.10 | In the relevant Information Form, the Applicant shall also demonstrate, to the satisfaction of the <b>PE</b> , that it has adequate sources of finance to meet the cash flow requirements on contracts currently in progress and for future contract commitments.   |
| <b>Financial Statements</b>           | 4.11 | The audited balance sheets or, if not required by the laws of the Applicant's country, other financial statements acceptable to the <b>PE</b> , for the last five years (unless otherwise stated in the <b>PITA</b> ) shall be submitted and must demonstrate the current soundness of the Applicant's financial position and indicate its prospective long-term profitability. If deemed necessary, the <b>PE</b> shall have the authority to make inquiries with the Applicant's bankers.                   |
| <b>Personnel Capabilities</b>         | 4.12 | The Applicant shall supply general information on the management structure of the firm, and shall make provision for suitably qualified personnel to fill the key positions listed in the <b>PITA</b> , as required during contract implementation. The Applicant shall supply information on a prime candidate and on an alternate for each key position, both of whom shall meet the experience requirement specified.  |
| <b>Equipment Capabilities</b>         | 4.13 | The Applicant shall own, or have assured access (through hire, lease, purchase agreement, other commercial means, or approved subcontracting) to key items of equipment, in full working order, as listed in the <b>PITA</b> , and must demonstrate that, based on known commitments, they will be available for timely use in the proposed contract. The Applicant may also list alternative types of equipment that it would propose for use on the contract, together with an explanation of the proposal. |

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| <b>Litigation History</b> | 4.14 | The Applicant shall provide accurate information on the related Application Form about any litigation or arbitration resulting from contracts completed or ongoing under its execution over the last five years. A consistent history of awards against the Applicant or any partner of a joint venture may result in failure of the application.  |
| <b>Slice and Package</b>  | 4.15 | <p>When applying for pre-qualification on more than one contract under the slice and package arrangements, the Applicant must provide evidence that it meets or exceeds the sum of all the individual requirements for the slices or lots being applied for in regard to:</p> <ul style="list-style-type: none"> <li>(a) average annual turnover (sub-Clause 4.7[b]);</li> <li>(b) particular experience including key production rates (sub-Clause 4.8);</li> <li>(c) financial means, etc. (sub-Clause 4.9, 4.10, and 4.11);</li> <li>(d) personnel capabilities (sub-Clause 4.12); and</li> <li>(e) equipment capabilities (sub-Clause 4.13)</li> </ul> <p>In case the Applicant fails to fully meet any of these criteria, it may be qualified only for those slices for which the Applicant meets the above requirements.</p> |
| <b>Right to Waive</b>     | 4.16 | The PE reserves the right to waive minor deviations in the qualification criteria if they do not materially affect the capability of an Applicant to perform the contract.   |

## 5. Joint Ventures

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| <b>Eligibility</b>            | 5.1 | If the Applicant comprises a number of firms combining their resources in a joint venture and the individual partners in the joint venture shall be registered in eligible source countries and shall otherwise meet the requirements of GITA Clause 3 above.   |
| <b>Qualification Criteria</b> | 5.2 | <p>The joint venture must satisfy collectively the criteria of Clause 4. For this purpose the following data of each member of the joint venture may be added together to meet the collective qualifying criteria:</p> <ul style="list-style-type: none"> <li>(a) average annual supply turnover (GITA sub-Clause 4.7[b]);</li> </ul> |

- (b) similar supply experience (GITA sub-Clause 4.8[a]) and key delivery rates (GITA sub-Clause 4.8[b]);
- (c) financial capabilities (GITA sub-Clause 4.9);
- (d) personnel capabilities (GITA sub-Clause 4.12); and
- (e) equipment capabilities (GITA sub-Clause 4.13)

Each partner must satisfy the following criteria individually:

- (i) general supply experience for the period of years stated in PITA sub-Clause 4.7(a);
- (ii) adequate sources to meet financial commitments on other contracts (PITA sub-Clause 4.10);
- (iii) financial soundness (PITA sub-Clause 4.11); and
- (iv) litigation history (PITA sub-Clause 4.14)

In accordance with the above, the Applicant shall include all related information required under GITA Clause 4 for individual partners in the joint venture

**Partner in Charge** 5.3

One of the partners, who is responsible for performing a key function in contract management or is executing a major component of the proposed contract, shall be nominated as being in charge during the pre-qualification and bidding periods and, in the event of a successful bid, and during contract execution. The partner in charge shall be authorized to incur liabilities and receive instructions for and on behalf of any and all partners of the joint venture; **this authorization shall be evidenced by submitting a power of attorney signed by legally authorized signatories of all the partners.**

**Partner Limitation** 5.4

Unless otherwise stated in the **PITA**, there shall be no limit on the number of partners in a JV; however, the attention of Applicants is drawn to the provision of sub-Clause 5.5.

**Joint and Several Liability** 5.5

All partners of the joint venture shall be legally liable, jointly and severally, during the bidding process and for the execution of the contract in accordance with the contract terms, and a statement to this effect shall be included in the authorization mentioned under

sub-Clause 5.3 above.

**Joint Venture Agreement** 5.6 A copy of the Joint Venture Agreement (JVA) entered into by the partnership shall be submitted with the Application. Alternatively, a Letter of Intent to execute a JVA in the event of a successful bid shall be signed by all partners and submitted with the Application together with a copy of the proposed Agreement. Pursuant to sub-Clause 5.3 and 5.5 above, the JVA shall include among other things: the JV's objectives; the proposed management structure; the contribution of each partner to the joint venture operations; the commitment of the partners to the joint and several liability for due performance; recourse/sanctions with the JV in the event of default of withdrawal of a partner; and arrangements for providing the required indemnities.

**Dissolution of Joint Venture** 5.7 The pre-qualification of a joint venture does not necessarily pre-qualify any of its partners to bid individually or as a partner in any other joint venture or association. In case of dissolution of a joint venture, prior to the submission of bids, any of the constituent firms may pre-qualify if they meet all of the prequalification requirements, subject to the written approval of the Tender Board. Individual members of a dissolved joint venture may participate as subcontractor to qualified Applicants, subject to the provisions of GITA sub-Clause 10.3

## **6. Domestic Applicant Price Preference**

**Eligibility** 6.1 Unless otherwise specified in the **PITA**, a margin of preference for domestic bidders shall not apply in the bidding process resulting from this pre-qualification.

## **7. Request for Clarification**

**Notification and Response** 7.1 Applicants are responsible for requesting any clarification of the pre-qualification documents. A request for clarification shall be made in writing to the **PE's** address indicated in the **PITA**. The **PE** will respond to the request for clarification that it receives earlier than fourteen (14) days prior to the deadline for submission of applications. Copies of the **PE's** response, including a description of the inquiry but without identifying its source, will be forwarded to

all purchasers of the pre-qualification documents.

**Time to Respond** 7.2 The response by the **PE** shall be given within three (3) working days so as to enable Applicants to make a timely submission of its application to pre-qualify

## **8. Preparation of Applications**

**Cost of Applications** 8.1 The Applicant shall bear all costs associated with the preparation and submission of its application. The **PE** will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the pre-qualification process.

**Signing of the Application and Number of Copies** 8.2

- a) The Applicant shall prepare one original of the documents comprising the application as described in **GITA** and clearly mark it "ORIGINAL". The original of the application shall be typed or written in indelible ink and shall be signed by a person duly authorized to sign on behalf of the Applicant.
- b) The Applicant shall submit copies of the signed original application, in the number specified in the **PITA**, and clearly mark them "COPY". In the event of any discrepancy between the original and the copies, the original shall prevail.

## **9. Submission of Applications**

**Delivery** 9.1 Submission of applications for pre-qualification must be received in sealed envelopes either delivered by hand or by registered mail to the address, and not later than the date stated in the **PITA**. The name and mailing address of the Applicant shall be indicated on the envelope, which shall be clearly marked as indicated in the **PITA**. A receipt will be given for all applications submitted.

**Late Applications** 9.2 The **PE** will reject late applications.

**Language** 9.3 All information requested for pre-qualification shall be provided by Applicants in the language indicated in the **PITA**. Information may be provided in another language, but it shall be accompanied by an accurate translation of its relevant passages into the language indicated in the **PITA**. This translation will govern and will be used for interpreting the information.



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| <b>Lack of information</b> | 9.4 | Failure of an Applicant to provide comprehensive and accurate Information that is essential for the PE's evaluation of the Applicant's qualifications, or to provide timely clarification or substantiation of the information supplied, may result in disqualification of the Applicant.   |
| <b>Material Changes</b>    | 9.5 | Applicants and those subsequently pre-qualified or conditionally pre-qualified, shall inform the PE of any material change in information that might affect their qualification status. Applicants shall be required to update key pre-qualification information at the time of bidding. Prior to award of contract, the lowest evaluated bidder will be required to confirm its continued qualified status in a post-qualification review process. |

### **10. Procuring Entity's Notification and Bidding Process**

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| <b>Invitation for Bid</b>            | 10.1 | Within the period stated in the PITA from the date for submission of applications, the PE will notify all Applicants in writing of the results of their application, including eligibility for domestic Applicant price preference, in accordance with GITA Clause 6, and of the names of all pre-qualified and conditionally pre-qualified applicants (see sub-Clause 10.2 below). At the same time, successful applicants will be invited to submit a bid, in the format of the Invitation for bids annexed to the PITA. |
| <b>Conditional Pre-qualification</b> | 10.2 | An Applicant may be "conditionally pre-qualified," that is, qualified subject to certain specified non-material deficiencies in the pre-qualification requirements being met by the Applicant to the satisfaction of the PE, before submitting a bid. Upon full compliance with the pre-qualification requirements, other pre-qualified applicants will be notified accordingly.   |
| <b>One Bid per Bidder</b>            | 10.3 | Only firms and joint ventures that have been pre-qualified under this procedure may submit a bid. A firm shall submit only one bid in the same bidding process, either individually as a applicant or as a partner of a joint venture. No firm can be a subcontractor while submitting a bid individually or as a partner of a joint venture in the same bidding process. A firm, if acting in the capacity of   |

subcontractor in any bid, may participate in more than one bid, but only in that capacity. An applicant who submits, or participates in, more than one bid will cause all the bids in which the applicant has participated to be disqualified

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| <b>Bid Security</b>                    | 10.4 | Applicants will be required to provide bid security in the form and amount indicated in the bidding documents. The successful applicant will be required to provide performance security in the form and amount indicated in the bidding documents.  |
| <b>Changes after pre-qualification</b> | 10.5 | <p>Any change in the structure or information of an Applicant after being pre-qualified and invited to bid shall be subject to written approval of the Tender Board prior to the deadline for submission of bids. Such approval will be denied if as a consequence of change:</p> <ul style="list-style-type: none"><li>(a) an individual firm, or a joint venture as a whole, or any individual member of the JV fails to meet any of the collective or individual qualifying requirements;</li><li>(b) the new partners to a joint venture were not pre-qualified in the first instance, either as individual firms or as another joint venture; or</li><li>(c) in the opinion of the appropriate Tender Board, a substantial reduction in competition may result.</li></ul> |
| <b>Procuring Entity's Rights</b>       | 10.6 | <p>The PE reserves the right to take the following actions, and shall not be liable for any such actions:</p> <ul style="list-style-type: none"><li>(a) amend the scope and cost of any contract to be bid under this project, in which event bids will be invited only from those applicants who meet the resulting amended pre-qualification requirements;</li><li>(b) reject or accept any pre-qualification application; or</li><li>(c) cancel the pre-qualification process and reject all applications.</li></ul>  |

## 11. Review of Procurement Decisions

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| <b>Right to Review</b>  | 11.1 | Applicant who claims to have suffered or that may suffer any loss or injury as a result of breach of a duty imposed on a <b>PE</b> or an approving authority in the course of these procurement proceedings may seek a review in accordance with the procedure set out under this Section.   |
| <b>Time Limit on Review</b>   | 11.2 | The Applicant shall submit an application for review within twenty eight (28) days, of the Applicant becoming or the Applicant should have become aware of the circumstances giving rise to the complaint or dispute.  |
| <b>Submission of Applications for Review</b>                          | 11.3 | Any application for administrative review shall be submitted in writing to the head of a <b>PE</b> and a copy given to the Public Procurement Regulatory Authority (PPRA) at the address shown in the <b>PITA</b> .  |
| <b>Content of Application to Head of PE for Administrative Review</b> | 11.4 | <p>The application for administrative review shall include:</p> <ul style="list-style-type: none"><li>a) details of the procurement requirements to which the complaint relates;</li><li>b) details of the provisions of the Act, Regulation or provision that has been breached or omitted;</li><li>c) an explanation of how the provisions of the Act, Regulation or provision has been breached or omitted, including the dates and name of the responsible public officer, where known;</li><li>d) documentary or other evidence supporting the complaint where available;</li><li>e) Remedies sought; and</li><li>f) any other information relevant to the complaint.</li></ul> |
| <b>Condition for PE not to Entertain Disputes</b>                     | 11.5 | The head of a <b>PE</b> shall not entertain a complaint or dispute or continue to do so after the procurement contract has entered into force.   |
| <b>Decision by the</b>  | 11.6 | The head of a <b>PE</b> shall, within thirty (30) days after   |

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| <b>Head of Procuring Entity</b>   |       | receipt of the complaint or dispute, deliver a written decision which shall indicate: <ul style="list-style-type: none"> <li>a) whether the application is upheld in whole, in part or rejected;</li> <li>b) the reasons for the decision; and</li> <li>c) any corrective measures to be taken.</li> </ul>   |
| <b>Cease of Competence by Head of PE</b>                                    | 11.7  | Where the head of a <b>PE</b> does not issue a decision within the time specified in sub-Clause 11.6, the Applicant submitting the complaint or dispute or the <b>PE</b> shall be entitled immediately thereafter to institute proceedings under sub-Clause 11.8 and upon instituting such proceedings, the competence of the head of a <b>PE</b> to entertain the complaint or dispute shall cease.   |
| <b>Administrative Review by the Public Procurement Regulatory Authority</b> | 11.8  | An Applicant may submit an application for review by the PPRA at the address shown in the <b>PITA</b> where the head of a <b>PE</b> does not issue a decision within the time specified in sub-Clauses 11.6 or the Applicant is not satisfied with the decision by the head of a <b>PE</b> .   |
| <b>Time to Submit Review to PPRA</b>  | 11.9  | The application to the PPRA for administrative review shall be submitted within fourteen (14) working days from the date of communication of the decision by the head of a <b>PE</b> .   |
| <b>Administrative Review Fees</b>   | 11.10 | The application for administrative review shall be accompanied by a payment of a fee prescribed in the <b>PITA</b> .   |
| <b>Contents of Application to PPRA for Administrative Review</b>            | 11.11 | The application to the PPRA for administrative review shall be copied to the respective head of a <b>PE</b> and shall include: <ul style="list-style-type: none"> <li>a) a copy of the application to the head of a <b>PE</b> including the supporting documents;</li> <li>b) a copy of relevant correspondence to and from the head of a <b>PE</b>;</li> <li>c) a statement by the Applicant that the head of a <b>PE</b> failed to issue a decision and the relevant dates,</li> </ul> |

where applicable; and

- d) an explanation of why the Applicant is not satisfied with the decision of the head of a **PE**, where applicable.

**Decision by the  
Public  
Procurement  
Regulatory  
Authority**

- 11.12 a) The PPRA shall within thirty (30) days after receipt of a application for administrative review deliver a written decision which shall indicate:
- i) whether the application is upheld in whole, in part or rejected;
  - ii) the reasons for its decision; and
  - iii) the corrective measures to be undertaken.
- b) The decision of the PPRA shall be copied to the head of the respective **PE**.
- c) The decision of the PPRA shall be final unless the Applicant institutes an appeal with the Public Procurement Appeals Authority (PPAA).

**Review by the  
Public  
Procurement  
Appeals Authority**

- 11.13 The Applicant not satisfied with the decision of the PPRA or whose complaint cannot be entertained by the head of the **PE** or the PPRA shall appeal to the PPAA.

**Address of PPAA**

- 11.14 PPAA may be contacted at the address shown in the **PITA**.

### **SECTION III: PARTICULAR INSTRUCTIONS TO APPLICANTS**

## Part A: General

The Particular Instructions to Applicants (PITA) below is formatted for prequalification related to either a single (individual) contract or multiple contracts (“slice and package”). Part A relates to general matters that are common to both processes. Part B relates to Specific requirements for an individual contract to each contract (slice) within a package.

| PITA Clause | GITA Clause Reference | These particular instructions and related Information are intended to complement, amend or supplement the provisions in the GITA. In the event of conflict or ambiguity, the provisions in the PITA shall prevail over those in the GITA                              |
|-------------|-----------------------|---|
| 1           | 1.1                   | <p><b>Source of Funds</b></p> <p>The Procuring Entity is Geological Survey of Tanzania, P. O Box 903, Kikuyu Avenue/Boma Road, Dodoma. Email: madini_do@gst.go.tz</p> <p>Name of Project: Supply of Laboratory Chemicals and Supply of Motor vehicles Spare Parts</p> |
| 2           | 1.3                   | <p><b>Slice and Package</b></p> <p>Concurrent bidding on more than one contract: <i>no</i></p>  |
| 3           | 1.4                   | <p><b>Bid Invitation</b></p> <p>Expected date of Invitation for Bids: <b>11<sup>th</sup> October,2010</b></p>   |
| 4           | 5.4                   | <p><b>Joint Ventures: NA</b></p>  |
| 5           | 6.1                   | <p><b>Domestic Applicant Price Preference: “Shall Not “</b>apply for eligible domestic bidders.</p>   |
| 6           | 7.1                   | <p><b>Request for clarification should be addressed to:</b></p> <p><i>The Secretary, GST Tender Board, P.O. Box 903, Kikuyu Avenue/Boma Road, Dodoma. Tel: 026-2323509</i></p>  |
| 7           | 8.2                   | <p><b>Preparation of Applications</b></p> <p>In addition to the original, number of copies to be submitted with the application is: <i>one</i></p>  |

|    |       |  |
|----|-------|--|
| 8  | 9.1   | <p><b>Submission of Applications</b></p> <p>Applications should be submitted to <i>The Secretary, Geological Survey of Tanzania Tender Board, P.O Box 903, Kikuyu Avenue/Boma Road, Room No: 62, Dodoma.</i></p> <p>Date for Submission: <b>14:30 hrs 11<sup>th</sup> November, 2010</b></p> <p>Envelope Marking</p> <p>Pre-qualification Application for: Supply of Laboratory Chemical or Supply of Motor Vehicles Spares Parts. AE059/2010/2011/QG/01</p> |
| 9  | 9.3   | <p><b>Language: English</b></p>  |
| 10 | 10.1  | <p><b>Procuring Entity's Notification</b></p> <p>Time period from submission of applications: 21 days from the date of invitation.</p> <p>The format of the Invitation for Bids is under Section IV of this pre-qualification document.</p>  |
| 11 | 11.3  | <p><b>Submission of Applications for Review</b></p> <p>The address to submit complaints:</p> <p>Chief Executive Officer,<br/>Public Procurement Regulatory Authority (PPRA)<br/>PPF Tower 8th Floor,<br/>P.O. Box 49,<br/>DAR ES SALAAM.<br/>Tel: 2133466, 2121236/7<br/>Fax: 2121238<br/>email: <a href="mailto:ceo@ppra.go.tz">ceo@ppra.go.tz</a><br/>Website: <a href="http://www.ppra.go.tz">www.ppra.go.tz</a></p>                                      |
| 12 | 11.10 | <p><b>Fee for Administrative Review</b></p> <p>Fee for administrative review shall be Ten Thousands (10,000/=) Tanzanian shillings.</p>  |
| 13 | 11.16 | <p><b>Address of PPAA:</b></p> <p>The address for Appeal to PPAA:<br/>The Secretary,<br/>Public Procurement Appeals Authority,<br/>Sukari House 1st Floor,</p>   |



|  |  |  |
|--|--|--|
|  |  | P.O. Box 9310,<br>DAR ES SALAAM.<br>Tel: 2120451 |
|--|--|--|

## Part B: Specific Contract Requirements

*A separate Part B should be completed by the Procuring Entity for each contract in a multiple contract ("slice and package") prequalification.*

| PITA Clause | GITA Clause Reference | These particular instructions and related Information Formation (IF) are intended to complement, amend or supplement the provisions in the GITA. In the event of conflict or ambiguity, the provisions in the PITA shall prevail over those in the GITA  |
|-------------|-----------------------|--|
| 1           | 1.2                   | <p><b>Scope of Work</b></p> <p>Contract Reference: _____ Title: _____</p> <p>The Goods/Plants and Equipment</p> <p><i>[Give a contract reference number and title, and describe the goods/plants and equipment in sufficient detail to identify location, nature, and complexity. Approximate quantities of major items of good should be indicated, but the estimated cost should not be disclosed in these instructions or in the Invitation for Prequalification.]</i></p>  |
| 2           | 1.5                   | <p><b>Type of Contract</b></p> <p>Bidding Documents:</p> <p><i>[State whether, either the Public Procurement Regulatory Authority's SBD for Goods or Supply and Installation of Plants and Equipment will be used]</i></p> <p>Method of Payment: _____ Prices: _____</p> <p><i>[State whether: unit rate with Schedule of Price, lump sum against completed activities, or other, and whether prices are fixed or adjustable.]</i></p> <p>Time for Completion:</p> <p><i>[State time in weeks; if variable times are to be invited, give the range of acceptable times. With multiple slice and package contracting, additional time may be permitted for combinations of slices, and evaluated accordingly on the basis of benefits foregone for the longer times of completion.]</i></p> |
| 3           | 4.2                   | <p><b>Nominated Subcontracting</b></p> <p>The PE intend to procure the following specialized elements of</p>   |

|   |         |   |
|---|---------|---|
|   |         | <p>the Goods/Plants and Equipment by Nominated Supplier:</p> <p>1)</p> <p>2)</p> <p><i>[describe briefly the specialized items to be subcontracted; if none enter "Not Applicable"]</i></p>   |
| 4 | 4.3,4.4 | <p><b>Subcontracting by Applicant:</b></p> <p>Provide information if more than about <i>[insert allowable percentage of work to be subcontracted]</i> percent will be subcontracted.</p> <p><i>[Insert a figure when the procuring entity wishes to have advance information about all subcontracting by the Applicant. Noting that all specialist subcontracting has to be fully detailed, a figure of up to, say 20 percent may be appropriate.]</i></p>  |
| 5 | 4.7     | <p><b>General Supply Experience</b></p> <p>(a) Time period in the Supply Business:</p> <p><i>[the time period is normally five years or more, but may be reduced to not less than three years (in agreement with PPRA) under special project circumstances, such as to provide opportunities for the new Suppliers with only a short record of experience, etc.]</i></p> <p>(b) Required Average annual turnover: Tshs <i>[insert amount in words and figure]</i> equivalent</p> <p><i>[The amount stated should normally not be less than twice the estimated annual turnover or cash flow in the proposed goods/plant and equipment contract (based on a straight -line projection of the PE's estimated cost, including contingencies, over the contact duration. The multiplier of two may be equivalent) but should not be less than 1.5.]</i></p> |
| 6 | 4.8     | <p><b>Particular Supply Experience</b></p> <p>(a) Required number of similar contracts completed:</p> <p><i>[The range should be one to three (and is normally two), depending on the size and complexity of the subject contract, the exposure of the PE to risk of Supplier default and country conditions. For example, for small -to medium sized contracts in the United Republic of Tanzania with newly privatized, but competitive supply firms (which have had some experience as parastatals), a PE may be prepared to risk an</i></p>   |

|   |      |   |
|---|------|---|
|   |      | <p><i>award to an applicant with only one previous similar contract completed. For contracts in a developed environment with a high potential supply of services, three similar contracts may not limit applications, but would reduce the risk of contractor default.</i></p> <p>Within time period of:</p> <p><i>[the range is normally five to ten years, and should be related to the number of similar contracts stated above and to the duration of the subject contract, e.g. ten years for two contracts of about five years' duration, or six years for two contracts of about three year's duration.]</i></p> <p>(b) Minimum Key Delivery rates:</p> <p>1)</p> <p>2)</p> <p><i>[List the monthly or annual delivery rate for the key goods]</i></p>   |
| 7 | 4.9  | <p><b>Financial Capabilities</b></p> <p>Minimum Required Cash Flow amount: Tshs <i>[insert amount in words and figure]</i> equivalent</p> <p><i>[calculate the supply cash flow requirement for a number of months (to the nearest half-month), determined as the total time needed by the PE to pay a Supplier's invoice, allowing for (a) the time of supply from the beginning of the month invoiced, (b) the time needed by the Contract/Project Manager to issue the monthly payment certificate, (c) the time needed by the PE to pay the amount certified, and (d) a contingency period of one month to allow for unforeseen delays. The total period should not exceed six months. The assessment of the monthly amount should be based on a straight-line project of the estimated cash flow requirement over the particular contract period, neglecting the effect of any advance payment and retention monies, but including contingency allowances in the estimated contract cost.]</i></p> |
| 8 | 4.11 | <p><b>Audited Balance Sheets</b></p> <p>Time period if less than five years <i>[insert period]</i></p> <p><i>[The time period may be reduced to three years minimum (in agreement with the PPRA) under special project circumstances, such as to provide opportunities for the new suppliers with a limited period of existence, but with suitable experience, etc. Firms owned by individuals and partnerships may not be required to maintain audited balance sheets by the laws of their countries of origin, in such cases, the PE may relax the audit requirement, but should request other</i></p>  |

|   |                                    | <i>acceptable financial statements.]</i>   |   |                                    |                                    |          |          |       |          |       |       |          |       |       |
|---|------------------------------------|--|---|------------------------------------|------------------------------------|----------|----------|-------|----------|-------|-------|----------|-------|-------|
| <b>9</b>                                  | <b>4.12</b>                        | <p><b>Personnel Capabilities</b></p> <table border="1"> <thead> <tr> <th><u>Position</u></th> <th><u>Business Experience (years)</u></th> <th><u>In similar Contract (years)</u></th> </tr> </thead> <tbody> <tr> <td>1) _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>2) _____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>3) _____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table> <p>Etc.</p> <p><i>[List only key supply management and specialist positions required of the subject contract(s) (e.g., contract manager and deputy manager, equipment manager, etc.)]</i></p> <p>The Applicant shall provide further details of the proposed personnel and their experience record in the relevant Information Forms.</p>  | <u>Position</u>                           | <u>Business Experience (years)</u> | <u>In similar Contract (years)</u> | 1) _____ | _____    | _____ | 2) _____ | _____ | _____ | 3) _____ | _____ | _____ |
| <u>Position</u>                           | <u>Business Experience (years)</u> | <u>In similar Contract (years)</u>   |   |                                    |                                    |          |          |       |          |       |       |          |       |       |
| 1) _____                                  | _____                              | _____  |   |                                    |                                    |          |          |       |          |       |       |          |       |       |
| 2) _____                                  | _____                              | _____  |   |                                    |                                    |          |          |       |          |       |       |          |       |       |
| 3) _____                                  | _____                              | _____  |   |                                    |                                    |          |          |       |          |       |       |          |       |       |
| <b>10</b>                                 | <b>4.13</b>                        | <p><b>Equipment Capabilities</b></p> <table border="1"> <thead> <tr> <th><u>Equipment Type and Characteristics</u></th> <th><u>Minimum Number Required</u></th> </tr> </thead> <tbody> <tr> <td>1) _____</td> <td>_____</td> </tr> <tr> <td>2) _____</td> <td>_____</td> </tr> <tr> <td>3) _____</td> <td>_____</td> </tr> </tbody> </table> <p>etc.</p> <p><i>[Insert a list of anticipated key equipment needs only, describe as specific items or by performance criteria, as appropriate. The items listed should be limited to major item of equipment that are crucial to the proper and timely execution of the contract, and items that Applicants may not readily be able to purchase, hire, or lease in the required time frame.]</i></p> <p>The Applicant shall provide further details of proposed item of equipment in the relevant Information Form.</p> | <u>Equipment Type and Characteristics</u> | <u>Minimum Number Required</u>     | 1) _____                           | _____    | 2) _____ | _____ | 3) _____ | _____ |       |          |       |       |
| <u>Equipment Type and Characteristics</u> | <u>Minimum Number Required</u>     |  |   |                                    |                                    |          |          |       |          |       |       |          |       |       |
| 1) _____                                  | _____                              |  |   |                                    |                                    |          |          |       |          |       |       |          |       |       |
| 2) _____                                  | _____                              |  |   |                                    |                                    |          |          |       |          |       |       |          |       |       |
| 3) _____                                  | _____                              |  |   |                                    |                                    |          |          |       |          |       |       |          |       |       |

## **SECTION IV: SAMPLE BASIC FORM**

*[Insert Name of Procuring Entity]*

*[Insert logo]*

*[insert bid identification number]*

**for**

*[Insert title or brief description of the goods/ plant and equipment to be supplied and/or installed]*

## **INVITATION FOR BIDS**

Date *[insert date]*

To: *[name of Supplier]*  
*[address]*

Dear Sir:

We hereby inform you that you are pre-qualified for Bidding for the above cited contract. A list of pre-qualified and conditionally pre-qualified Applicants is attached to this invitation.

On the basis of information submitted in your application, you would [not] *(insert if appropriate)* appear eligible for application of the domestic applicant price preference in bid evaluation. Eligibility is subject to confirmation at bid evaluation.

We now invite you and other pre-qualified Applicants to submit sealed bids for the execution and completion of the cited contract.

You may obtain further information from and inspect and acquire the Bidding documents at, our offices at *[insert mailing address, street address, and electronic mail, telex/facsimile numbers]*.

A complete set of bidding documents may be purchased by you at the above office on or after *[insert time and date]* and upon payment of a non-refundable fee of *[insert amount in words, figures and currency]*.

All bids must be accompanied by a security in the form and amount specified in the bidding documents, and must be delivered to *[insert address and exact location]* at or before *[insert time and date]*. Bids will be opened immediately thereafter in the presence of bidders' representatives who choose to attend.

Please confirm receipt of this letter immediately in writing by registered mail, fax or telex. If you do not intend to bid, we would appreciate being so notified also in writing at your earliest opportunity.

Yours Sincerely,

Authorized signature \_\_\_\_\_

Name and title \_\_\_\_\_

Procuring Entity \_\_\_\_\_



*[insert letterhead paper of the Applicant or partner responsible for a joint venture, including full postal address, and telephone, facsimile and telex numbers and cable address]*

Date: \_\_\_\_\_

## LETTER OF APPLICATION

*Note: Spaces marked \* on this and on subsequent forms are to be completed by the Procuring Entity.*

To: \_\_\_\_\_  
*[name and address of the procuring entity]\**

Name of Project: \* *[insert name and description of the project]*

1. Being duly authorized to represent and act on behalf of *[insert name of applicant]* (hereinafter referred to as "the Applicant"), and having reviewed and fully understood all of the pre-qualification requirements and information provided, the undersigned hereby applies for prequalification to bid on the contract or contracts indicated below:

*\*\*Note: if pre-qualification refers to only one contract, delete the following paragraph and table, and insert the single contract reference and title.*

\*\* We have indicated (by signature) in column (3) below our preference for individual contract consideration, and for any combination thereof within our pre-qualified capacity as assessed by you.

| Contract reference*<br>(1) | Contract title*<br>(2) | Preferred individual contract<br>(3) |
|----------------------------|------------------------|--------------------------------------|
| 1.                         |                        |                                      |
| 2.                         |                        |                                      |
| 3.                         |                        |                                      |
| 4.<br>etc.                 |                        |                                      |

2. Attached to this letter are copies of original documents defining<sup>1</sup>:
  - (a) the Applicant's legal status;
  - (b) the principal place of business; and
  - (c) the place of incorporation (for Applicants that are corporations), or the place of registration and the nationality of the owners (for Applicants that are partnerships or individually owned firms).
  
3. With reference to GITA sub-Clause 4.3, it is our intention to subcontract approximately [*insert percentage*] percent of the Contract, details of which are provided herein.
  
4. Your Procuring Entity and its authorized representatives are hereby authorized to conduct any inquiries or investigations to verify the statements, documents, and information submitted in connection with this application, and to seek clarification from our bankers and clients regarding any financial and technical aspects. This Letter of Application will also serve as authorization to any individual or authorized representative of any institution referred to in the supporting information to provide such information deemed necessary and as requested by you to verify statements and information provided in this application, such as the resources, experience, and competence of the Applicant.
  
5. Your Procuring Entity and its authorized representatives may contact the following persons for further information<sup>2</sup>:

| <b>General and managerial inquiries</b> |                                      |
|---|--------------------------------------|
| Contact 1                               | Address and communication facilities |
| Contact 2                               | Address and communication facilities |

---

<sup>1</sup> For applications by joint ventures, all the information requested in the pre-qualification documents is to be provided for the joint venture, if it already exists, and for each party to the joint venture separately. The lead partner should be clearly identified. Each partner in the joint venture shall sign the letter.

<sup>2</sup> Applications by joint ventures should provide on a separate sheet equivalent information or each party to the application.

|                            |                                      |
|----------------------------|--------------------------------------|
| <b>Personnel inquiries</b> |                                      |
| Contact 1                  | Address and communication facilities |
| Contact 2                  | Address and communication facilities |

|                            |                                      |
|----------------------------|--------------------------------------|
| <b>Technical inquiries</b> |                                      |
| Contact 1                  | Address and communication facilities |
| Contact 2                  | Address and communication facilities |

|                            |                                      |
|----------------------------|--------------------------------------|
| <b>Financial inquiries</b> |                                      |
| Contact 1                  | Address and communication facilities |
| Contact 2                  | Address and communication facilities |

6. This application is made with the full understanding that:
- (a) bids by qualified Applicants will be subject to verification of all information submitted for pre-qualification at the time of bidding;
  - (b) Your Procuring Entity reserves the right to:
    - i) amend the scope and value of any contracts to be bid under this project; in which event, bids will be invited only from those Applicants who meet the resulting amended pre-qualification requirements; and
    - ii) reject or accept any application, cancel the pre-qualification process and reject all applications.
  - (c) Your Procuring Entity shall not be liable for any such actions under 6 (b) above.

---

Applicants who are not joint ventures should delete paragraphs 7 and 8 and initial the deletions. The attention of Applicants who are Joint Ventures is drawn to GITA sub-Clause 5.6 regarding Letters of Intent.

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7. Appended to this application, we give details of the participation of each party, including capital contribution and profit/loss agreements, in the joint venture or association. We also specify the financial commitment in terms of the percentage of the value of the <each> contract, and the responsibilities for execution of the <each> contract.
8. We confirm that if we bid, that bid, as well as any resulting contract, will be:
  - (a) signed so as to legally bind all partners, jointly and severally; and
  - (b) submitted with a joint venture agreement providing the joint and several liability of all partners in the event the contract is awarded to us.
9. The undersigned declare that the statements made and the information provided in the duly completed application are complete, true and correct in every detail.

|   |  |
|---|--|
| Signed<br>Name  | Signed<br>Name                         |
| For and on behalf of (name of Applicant or lead partner of a joint venture) | For and on behalf of (name of partner) |

|  |  |
|--|--|
| Signed<br>Name                         | Signed<br>Name                         |
| For and on behalf of (name of partner) | For and on behalf of (name of partner) |

|  |  |
|--|--|
| Signed<br>Name                         | Signed<br>Name                         |
| For and on behalf of (name of partner) | For and on behalf of (name of partner) |

## SECTION V: INFORMATION FORMS

**Supplementary information may be provided by Applicants as deemed necessary.**

*These basic Information Forms should be finalized by the Procuring Entity with appropriate minor changes to suit the particular prequalification requirements of the specific contract or contracts.*

## INFORMATION FORM (1)

### General Information

All individual firms and each partner of a joint venture applying for pre-qualification are requested to complete the information in this form. Nationality information should be provided for all owners of Applicants that are partnerships or individually owned firms.

Where the Applicant proposes to use named subcontractors for highly specialized components of the Goods/Plants and Equipment (reference sub-Clause 4.4 of the GITA), the following information should also be supplied for the subcontractor(s), together with the information in Forms 2, 3, 3A, 4, and 5.

|    |                                       |                                      |
|----|---------------------------------------|--------------------------------------|
| 1. | Name of firm                          |                                      |
| 2. | Head office address                   |                                      |
| 3. | Telephone                             | Contact                              |
| 4. | Fax                                   | Telex                                |
| 5. | Place of incorporation / registration | Year of incorporation / registration |

| Nationality of owners <sup>3</sup> |      |             |
|------------------------------------|------|-------------|
|                                    | Name | Nationality |
| 1.                                 |      |             |
| 2.                                 |      |             |
| 3.                                 |      |             |
| 4.                                 |      |             |
| 5.                                 |      |             |

---

<sup>3</sup> To be completed by all owners of partnerships or individually owned firms.

## INFORMATION FORM (2)

### General Supply Experience Record (ref. GITA sub-Clause 4.7)

Name of Applicant or partner of a joint venture

All individual firms and all partners of a joint venture are requested to complete the information in this form with regard to the management of Goods/Plants and Equipment contracts generally. The information supplied should be the annual turnover of the Applicant (or each member of a joint venture), in terms of the amounts billed to clients for each year for work in progress or completed, converted to Tanzanian Shillings or United States Dollars at the rate of exchange at the end of the period reported. The annual periods should be calendar years, with partial accounting for each year up to the date of submission of applications.

A brief note of each contract should be appended, describing the nature of the goods/plant and equipment, duration and amount of contract, managerial arrangements, procuring entity, and other relevant details.

Use a separate sheet for each partner of a joint venture.

Applicants should not enclose testimonials, certificates, and publicity material with their applications; they will not be taken into account in the evaluation of qualifications.

| Annual turnover data (supply only) |          |                                     |
|------------------------------------|----------|-------------------------------------|
| Year*                              | Turnover | Tshs or US\$ (select)<br>Equivalent |
| 1.                                 |          |                                     |
| 2.                                 |          |                                     |
| 3.                                 |          |                                     |
| 4.                                 |          |                                     |
| 5.                                 |          |                                     |

\* *The same period as in 4.7 of the PITA, commencing with the partial year up to the date of submission of applications.*

INFORMATION FORM (2A)

**Joint Venture Summary**

|   |
|---|
| Name of all partners of a joint venture |
| 1. Partner in charge                    |
| 2. Partner                              |
| 3. Partner                              |
| 4. Partner                              |
| 5. Partner                              |
| 6. etc                                  |

Total value of annual supply turnover, in terms of goods/plant and equipment billed to clients, in Tshs or US\$ (Select) equivalent, converted at the rate of exchange at the end of the period reported:

| Annual turnover data (supply only; Tshs or US\$ (Select) equivalent) |                       |        |        |        |        |        |
|--|-----------------------|--------|--------|--------|--------|--------|
| Partner  | Form 2<br>page<br>No. | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
| 1. Partner in charge   |                       |        |        |        |        |        |
| 2. Partner   |                       |        |        |        |        |        |
| 3. Partner   |                       |        |        |        |        |        |
| 4. Partner   |                       |        |        |        |        |        |
| 5. Partner   |                       |        |        |        |        |        |
| 6. etc   |                       |        |        |        |        |        |
| <b>Totals</b>  |                       |        |        |        |        |        |



INFORMATION FORM (3)

**Similar Supply Experience Record**  
(ref. GITA sub-Clauses 4.4 and 4.8)

Name of Applicant or partner of a joint venture or named subcontractor

To pre-qualify, the Applicant shall be required to pass the specific requirements applicable to this form, as set out in the PITA.

On separate pages, using the format of Form (3A), the Applicant is requested to list contracts of a similar nature, complexity, and requiring similar supply/ and or installation or contracts for which the Applicant wishes to qualify, and which the Applicant has undertaken during the period, and of the nature, stated in 4.8 of the PITA. Each partner of a joint venture should provide details of similar contracts on which they have had proportionate experience. The contract value should be based on the payment currencies of the contracts converted into Tanzania Shillings at the date of substantial completion, or for ongoing contracts at the time of award. The information is to be summarized, using Form (3A), for each contract completed or under execution, by the Applicant or by each partner of a joint venture.

Where the Applicant proposes to use named subcontractors for highly specialized elements of the Goods/Plants and Equipment (reference sub-Clause 4.4 of the GITA), the information in the following forms should also be supplied for each subcontractor (or alternate, if any).

INFORMATION FORM (3A)

**Details of Contracts of Similar Nature and Complexity**

|   |
|---|
| Name of Applicant or partner of a joint venture |
|---|

Use a separate sheet for each contract

|     |   |  |
|-----|---|--|
| 1.  | Number of contract  |  |
|     | Name of contract  |  |
|     | Country   |  |
| 2.  | Name of Employer  |  |
| 3.  | Employer address  |  |
| 4.  | Nature of Goods/ Plant and Equipment and special features relevant to the contract for which the Applicant wishes to pre-qualify  |  |
| 5.  | Contract role (check one)<br><input type="checkbox"/> Prime Supplier <input type="checkbox"/> Management Contractor <input type="checkbox"/> Subcontractor<br><input type="checkbox"/> Partner in a joint venture |  |
| 6.  | Amount of the total contract/subcontract/partner share (in specified currencies at completion, or at date of award for current contracts)   |  |
| 7.  | Equivalent amount Tshs/US\$<br><br>Total contract: Tshs/US\$ _____;<br><br>Subcontract: Tshs/US\$ _____<br><br>Partner share: Tshs/US\$ _____   |  |
| 8.  | Date of award/completion  |  |
| 9.  | Contract was completed [ <i>insert number of months</i> ] months ahead/behind original scheduled (if behind, provide explanation).  |  |
| 10. | Contract was completed Tshs/US\$ [ <i>insert amount in words and figures</i> ] equivalent under/over original contract amount (if over, provide   |  |

|     |   |
|-----|---|
|     | explanation).   |
| 11. | Special contractual requirements, including monthly/annual delivery rates of the key supplied goods described in PITA 4.8   |
|     |   |
|     |   |
| 12. | Indicate the approximate percent of total contract value (and Tshs/US\$ amount) of goods/plants and equipment undertaken by subcontract, if any, and the nature of such Goods/Plants and Equipment. |
|     |   |
|     |   |

INFORMATION FORM (4)

**Summary Sheet: Current Contract Commitments / Contracts in Progress**

|   |
|---|
| Name of Applicant or partner of a joint venture |
|---|

Applicants and each partner to an application should provide information on their current commitments on all contracts that have been awarded, or for which a letter of intent or acceptance has been received, or for contracts approaching completion, but for which an unqualified, full completion certificate has yet to be issued.

| Name of contract | Employer , contract address/ tel/fax | Value of outstanding goods/plants and equipment (current Tshs/US\$ equivalent) | Estimated completion date | Average monthly invoicing over last six months (Tshs/US\$/mon) |
|------------------|--------------------------------------|--|---------------------------|--|
| 1.               |                                      |  |                           |  |
| 2.               |                                      |  |                           |  |
| 3.               |                                      |  |                           |  |
| 4.               |                                      |  |                           |  |
| 5.               |                                      |  |                           |  |
| etc              |                                      |  |                           |  |

In accordance with GITA sub-Clause 4.10, the Applicant shall provide evidence (in similar manner to the requirements of sub-Clause 4.9) to substantiate the adequacy of sources of finance to meet the Applicant's cash flow requirements on the above contracts.

## INFORMATION FORM (5)

### Financial Capabilities

|   |
|---|
| Name of Applicant or partner of a joint venture |
|---|

Applicants, including each partner of a joint venture, shall provide financial information to demonstrate that they meet the requirements stated in the GITA sub-clause 4.9. Each application or partner of a joint venture shall fill this form. If necessary, separate sheets shall be used to provide complete banker information. Audited balance sheets shall be attached.

Autonomous supply sub-divisions of parent conglomerate businesses shall submit financial information related only to the particular activities of the sub-division.

|        |                   |                        |  |
|--------|-------------------|------------------------|--|
| Banker | Name of Banker    |                        |  |
|        | Address of Banker |                        |  |
|        | Telephone         | Contact name and title |  |
|        | Fax               | Telex                  |  |

Summarize actual assets and liabilities in Tshs or US\$ equivalent (at the rates of exchange current at the end of each year) for the previous five calendar years, or such period as stated in PITA 4.11. Based upon commitments, summarize projected assets and liabilities in Tshs or US\$ equivalent for the next two calendar years, unless the withholding of such information by stock market listed public companies be substantiated by the Applicant.

| Financial information in Tshs equivalent | Actual:<br>Previous five years |    |    |    |    | Projected:<br>Next two years |    |
|--|--------------------------------|----|----|----|----|------------------------------|----|
|  | 5.                             | 4. | 3. | 2. | 1. | 1.                           | 2. |
| 1. Total assets                          |                                |    |    |    |    |                              |    |
| 2. Current assets                        |                                |    |    |    |    |                              |    |
| 3. Total liabilities                     |                                |    |    |    |    |                              |    |
| 4. Current liabilities                   |                                |    |    |    |    |                              |    |
| 5. Profits before taxes                  |                                |    |    |    |    |                              |    |
| 6. Profits after taxes                   |                                |    |    |    |    |                              |    |

Specify proposed sources of financing, such as liquid assets, unencumbered real assets, lines of credit, and other financial means, net of current commitments, available to meet the total supply cash flow demands of the subject contract or contracts as indicated in PITA 4.9.

| Source of financing | Amount (Tshs or US\$ equivalent) |
|---------------------|----------------------------------|
| 1.                  |                                  |
| 2.                  |                                  |
| 3.                  |                                  |
| 4.                  |                                  |

Attach audited financial statements - including, as a minimum, profit and loss account, balance sheet, and explanatory notes - for the period stated in PITA 4.11 (for the individual Applicant or each partner of a joint venture).

If audits are not required by the laws of Applicants' countries of origin, partnerships and firms owned by individuals may submit their balance sheets certified by a registered accountant, and supported by copies of tax returns.

INFORMATION FORM (6)

**Personnel Capabilities**

|                   |
|-------------------|
| Name of Applicant |
|-------------------|

For specific positions **essential** to contract management and implementation, Applicants should provide the names of at least two candidates qualified to meet the specified requirements stated for each position. The data on their experience should be supplied on separate sheets using Form (6A) for each candidate.

Applicants may propose alternative management and implementation arrangements requiring different key personnel, whose experience records should be provided.

|    |                               |
|----|-------------------------------|
| 1. | Title of position*            |
|    | Name of prime candidate       |
|    | Name of alternative candidate |
| 2. | Title of position*            |
|    | Name of prime candidate       |
|    | Name of alternative candidate |
| 3. | Title of position*            |
|    | Name of prime candidate       |
|    | Name of alternative candidate |
| 4. | Title of position*            |
|    | Name of prime candidate       |
|    | Name of alternative candidate |

*\*As listed in PITA 4.12*





INFORMATION FORM (7)

**Equipment Capabilities**  
(ref. GITA sub-Clause 4.13)

|                   |
|-------------------|
| Name of Applicant |
|-------------------|

The Applicant shall provide adequate information to demonstrate clearly that it has the capability to meet the requirements for each and all items of equipment listed in the PITA 4.13. A separate Form (7) shall be prepared for each item of equipment listed in the PITA, or for alternative equipment proposed by the Applicant.

|                       |  |                        |
|-----------------------|--|------------------------|
| Item of equipment     |  |                        |
| Equipment information | Name of manufacturer   | Model and power rating |
|                       | Capacity   | Year of manufacture    |
| Current status        | Current location   |                        |
|                       | Details of current commitments   |                        |
| Source                | Indicate source of the equipment<br><input type="checkbox"/> Owned <input type="checkbox"/> Rented <input type="checkbox"/> Leased <input type="checkbox"/> Specially manufactured |                        |

Submit the following information for equipment owned by the Applicant or partner.

|           |  |                        |
|-----------|--|------------------------|
| Owner     | Name of owner  |                        |
|           | Address of owner   |                        |
|           | Telephone  | Contact name and title |
|           | Fax  | Telex                  |
| Agreement | Details of rental / lease / manufacture agreements specific to the project |                        |
|           |  |                        |
|           |  |                        |



**SECTION VI: INTEGRITY**

## **UNDERTAKING BY APPLICANT ON ANTI - BRIBERY POLICY / CODE OF CONDUCT AND COMPLIANCE PROGRAMME**

1. Each Applicant must submit a statement, as part of the bid documents, in either of the two given formats which must be signed personally by the Chief Executive Officer or other appropriate senior corporate officer of the bidding company and, where relevant, of its subsidiary in the United Republic of Tanzania. If a bid is submitted by a subsidiary, a statement to this effect will also be required of the parent company, signed by its Chief Executive Officer or other appropriate senior corporate officer.
2. Applicants will also be required to submit similar No-bribery commitments from their subcontractors and consortium partners; the Applicant may cover the subcontractors and consortium partners in its own statement, provided the Applicant assumes full responsibility.
3.
  - a) Payment to agents and other third parties shall be limited to appropriate compensation for legitimate services.
  - b) Each Applicant will make full disclosure in the bid documentation of the beneficiaries and amounts of all payments made, or intended to be made, to agents or other third parties (including political parties or electoral candidates) relating to the bid and, if successful, the implementation of the contract.
  - c) The successful Applicant will also make full disclosure [quarterly or semi-annually] of all payments to agents and other third parties during the execution of the contract.
  - d) Within six months of the completion of the performance of the contract, the successful Applicant will formally certify that no bribes or other illicit commissions have been paid. The final accounting shall include brief details of the goods and services provided that are sufficient to establish the legitimacy of the payments made.
  - e) Statements required according to subparagraphs (b) and (d) of this paragraph will have to be certified by the company's Chief Executive Officer, or other appropriate senior corporate officer.
4. Bids which do not conform to these requirements shall not be considered.
5. If the successful Applicant fails to comply with its No-bribery commitment, significant sanctions will apply. The sanctions may include all or any of the following:
  - a) Cancellation of the contract;
  - b) Liability for damages to the public authority and/or the unsuccessful competitors in the Bidding possibly in the form of a lump sum representing a pre-set percentage of the contract value (liquidated).

6. Applicants shall make available, as part of their bid, copies of their anti-Bribery Policy/Code of Conduct, if any, and of their-general or project - specific - Compliance Program.
  
7. The Government of the United Republic of Tanzania has made special arrangements for adequate oversight of the procurement process and the execution of the contract, and has invited civil society and other competent Government Departments to participate in the oversight. Those charged with the oversight responsibility will have full access to all documentation submitted by Applicants for this contract, and to which in turn all Applicants and other parties involved or affected by the project shall have full access (provided, however, that no proprietary information concerning a Applicant may be disclosed to another Applicant or to the public).

MEMORANDUM (Format 1)

***(Regulation 100(2) of the Public Procurement (Goods, Works, Non-Consultant Services and Disposal of Public Assets by Tender) Regulations, 2005 - Government Notice No. 97 of 15th April, 2005***

This company \_\_\_\_\_(*name of company*) places importance on competitive Bidding taking place on a basis that is free, fair, competitive and not open to abuse. It is pleased to confirm that it will not offer or facilitate, directly or indirectly, any improper inducement or reward to any public officer their relations or business associates, in connection with its bid, or in the subsequent performance of the contract if it is successful.

This company has an Anti-Bribery Policy/Code of Conduct and a Compliance Program which includes all reasonable steps necessary to assure that the No-bribery commitment given in this statement will be complied with by its managers and employees, as well as by all third parties working with this company on the public sector projects, or contract including agents, consultants, consortium partners, sub- contractors and suppliers. Copies of our Anti-Bribery Policy/Code of Conduct and Compliance Program are attached

Authorized Signature: \_\_\_\_\_

Name and Title of Signatory: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

MEMORANDUM (Format 2)

***(Regulation 100(2) of the Public Procurement (Goods, Works, Non-Consultant Services and Disposal of Public Assets by Tender) Regulations, 2005 - Government Notice No. 97 of 15th April, 2005***

This company \_\_\_\_\_ (*name of company*) has issued, for the purposes of this bid, a Compliance Program copy attached -which includes all reasonable steps necessary to assure that the No-bribery commitment given in this statement will be complied with by its managers and employees, as well as by all third parties working with this company on the public sector projects or contract including agents, consultants, consortium partners, subcontractors and suppliers)"

Authorized Signature: \_\_\_\_\_

Name and Title of Signatory: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_