

MARCHÉ COMMUN DE
L'AFRIQUE ORIENTALE
ET AUSTRALE

COUR DE JUSTICE

Tel: +260762457594

E-mail: info@comesacourt.org

COMMON MARKET FOR EASTERN AND
SOUTHERN AFRICA



COMESA



COURT OF JUSTICE

السوق المشتركة للشرق
والجنوب الأفريقي
محكمة العدل

COMESA Centre
Ben Bella Road
P O Box 30051
LUSAKA 10101
Zambia

OFFICE OF THE REGISTRAR

REQUEST FOR BIDS
HOTEL ACCOMMODATION AND CONFERENCE FACILITY SERVICES
(ON FRAMEWORK AGREEMENT BASIS)

RFB Ref: CCJ/PRM/LUN/1/12/23

DECEMBER 2023

1. Background

The COMESA Court of Justice (CCJ) is undertaking a primary procurement process through competitive tendering with a view to concluding a framework agreement(s) for accommodation and conference facility services.

The CCJ now invites bids/tenders from eligible hotels with a strong market position to conclude a Framework Agreement for the Provision of Hotel Accommodation and Conference Facility Services in accordance with the CCJ's requirements for lots in three (3) countries as indicated in the tender document.

The contract shall be concluded with three hotel establishments in each country as indicated in the tender document.

Bidders shall submit only one bid for the country in which they are registered and operate. The duration of the framework agreement(s) will be TWO years. However, the conclusion of a framework contract shall not impose any obligation on the CCJ to procure the services under a call-off contract. The conclusion of a framework agreement does not guarantee that a service provider will be awarded a call-off contract.

Queries may be submitted to the following email address: esimon@comesacourt.org with copy to: Lsinnary@comesacourt.org on or before the **08 January 2024** not later than 17.00hours SAST.

Bidders interested in submitting a bid may notify the CCJ through the above address so that clarifications to queries may be shared with them. Clarifications will be provided by the close of business on **15 January 2024**.

Bids must be delivered electronically to the address procurement@comesacourt.org with copy to: info@comesacourt.org on or before **04 February 2024** not later than 17.00 hours SAST clearly worded 'Tender for Hotel Accommodation and Conference Facility Services' in the title of the email.

Registrar
COMESA COURT OF JUSTICE

SECTION I - INSTRUCTIONS TO TENDERERS

A. Introduction

- 1. General**
- 1.1 The COMESA Court of Justice invites sealed bids from eligible and qualified bidders to provide services in the *following lots*:
- (a) *Lot 1: Accommodation and Conference Facility Services in Lusaka, Zambia.*
 - (b) *Lot 2: Accommodation and Conference Facility Services in Nairobi, Kenya*
 - (c) *Lot 3: Accommodation and Conference Facility Service in Kigali, Rwanda*
- 1.2 Bidders are allowed to participate in **One** Lot only.

B. Invitation to Tender

- 2. Contents of the Invitation to Tender**
- 2.1 This Invitation to Tender describes the procedure; the goods/services required; and the terms and conditions of this contract. It contains the following:
- (a) Instructions to Bidders
 - (b) Schedule of Requirements (Technical Specifications)
 - (c) List of Services and Price Schedule
 - (d) Form of Tender Submission Letter

2.2 The Tenderer should examine the instructions, sample documents and specifications provided in the Invitation to Tender.

3. Eligibility Criteria

3.1 Bidders are required to meet the following criteria to be eligible:

- (a) Have the legal capacity to enter into a contract (Bidder must be legally incorporated in the country they are doing business);
- (b) Not be insolvent, in receivership, bankrupt or being wound up or subject to legal proceedings for any of these circumstances;
- (c) Not having their business activities suspended or debarred from public procurement by a competent body with authority to sanction;

3.2 Bidders should submit copies of the following documents to be considered to be responsive and eligible to tender:

- (i) valid trading licence or equivalent;
- (ii) valid certificate of registration or equivalent;
- (iii) Valid tax clearance certificate;
- (iv) Hotel catalogues or brochures attesting compliance with Technical Specifications;
- (v) List of 5 Major Corporate Clients accompanied by at least three up-to-date Letters of recommendations from the aforementioned clients.
- (vi) Curriculum Vitae of:
 - Resident/Hotel Manager
 - Conference and Events Coordinator/Manager
 - Chief Chef

- 4. Duties and Taxes:** 4.1 Quoted prices should be net of custom duties and taxes. As an institution of COMESA, the CCJ is exempt from all direct taxes, except charges for utilities services, and is exempt from customs duties and charges of a similar nature.
- 5. Delivery Schedule:** 5.1 Delivery will be *as per call off* Purchase Order. The exact number of vehicles required will be specified in the purchase order.
- 6. Terms of Payment:** 6.1 No advance payment will be made. Payment shall be made on the last day of service delivery after submission of invoice for services offered.
- 6.2 Any Order resulting from the framework agreement awarded under this tender procedure shall be by placement of a Purchase Order.

C. Preparation of Tenders

- 7. Language** 7.1 The Tender and all related correspondence should be in English.
- 8. Tender Documents** 8.1 The Tender should contain the following documents:
- (a) Written Tender Letter, signed and dated
 - (b) Price Schedule and quantities, dated and signed
- 9. Tender** 9.1 The Tenderer should indicate in the Tender Submission Letter the place of delivery and the nature of the price:

- (a) Without taxes and duties;
- (b) Taxes and duties listed separately.

9.2 The Tenderer completes the price schedule and quantities furnished with the Invitation to Tender, indicating the services in the required space, the unit prices for each item and the proposed location to carry out the contract.

10. Currency of the Tender 10.1 The tender should be priced in United States Dollars (USD).

11. Validity of the Tenders 11.1 The Tenders should be valid for Ninety (90) days after the closing date of the tender.

12. Delivery: 12.1 Prices should be quoted for the named location.

D. Submission of Tenders

13. Sealing and marking of Tenders 13.1 The Tenderers should submit their password-protected tender documents by email as follows:

Addressed to the Purchaser and bearing the ITT ref. number and Lot number of the Tender in the email subject line and submitted to the following address:

The Registrar
The COMESA Court of Justice
Email: procurement@comesacourt.org
with copy to info@comesacourt.org

- 14. Deadline for the Submission of Tenders** 14.1 Tenders must be received by the Purchaser at the address specified in paragraph 13.1 on the date and time specified in paragraph 15.1.
- 14.2 Any Tender received by the Purchases after the deadline for the submission specified in paragraph 15.1 will be rejected.

E. Opening and Evaluation of Tenders

- 15. Opening of Tenders by the Purchaser** 15.1 Tenders must be delivered electronically to the address indicated in 13.1 on or before 04 February 2024 not later than 17:00-hours SAST. Late bids will be rejected.
- 16. Evaluation and Comparison of Tenders** 16.1 The Purchaser will evaluate and compare the Tenders as follows:
- (a) Examine if the Tender conforms to technical specifications and the delivery time;
 - (b) Verify any arithmetical errors. For example, if the Tender in figures is different from the Tender in words, the amount in words will prevail. If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected;
 - (c) Tabulate the Tenders thus arrived at.
- 17. Best Evaluated Tender:** 17.1 The best evaluated Tender shall be the lowest priced Tender, which is eligible and technically responsive

F. Award of Contract

- 18. Award of Contract** 18.1 The Purchaser will award the contract to the Tenderer whose Tender has been determined to be substantially responsive to the requirements of the Invitation to Tender and the lowest *evaluated* price, that is, based on the quality of the services quoted for in accordance with the specifications.
- 19. Notification of Award** 19.1 Prior to Notification of the Award constituting the formation of the contract, a Notification of the Intention to Award will be communicated to all bidders. The contract will be awarded 10 days after the date of transmission of the Notification of Intention to Award, if there shall be no challenges during the Standstill Period.
- 20. Signing of the Contract** 20.1 Within fifteen days following the Notification of the Award, the Purchaser will sign and date the Framework Agreement and send it back to the Tenderer.
- 21. Fraud and Corruption** 21.1 The personnel of the Purchaser and the Tenderers should adhere to the highest ethical standards, both during the selection process and throughout the execution of the contract. In pursuance of this principle, they should abstain at all times from corruption or fraudulent practices. Corruption and fraudulent practices are defined as follows:
- (i) "Corrupt practice" means the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the action of a public

official in the selection process or in contract execution;

- (ii) “Fraudulent practice” means a misrepresentation or omission of facts in order to influence a selection process or the execution of a contract;
- (vii) “Collusive practices” means a scheme or arrangement between two or more Tenderers with or without the knowledge of the Borrower, designed to establish prices at artificial, noncompetitive levels;

21.2 The Purchaser will reject a proposal for award if it determines that the Tenderer recommended for award has, directly or through an agent, engaged in corrupt, fraudulent, collusive or coercive practices in competing for the contract in question.

**22. Bid
Challenge**

22.2 The Tenderer may challenge the results of a procurement only according to the rules established in the Bid Challenge System as provided in the CCJ Procurement Rules and Regulations.

SECTION II. TECHNICAL REQUIREMENTS.

Required Services

The specific requirement from CCJ covers Hotel accommodation and conference facilities for Meetings, Conferences, Trainings and other Events.

A. ACCOMODATION

- (a) Single/double bedroom on a Bed and Breakfast basis with Internet access in the room (included in the per night price).
- (b) Late Check in/Check out subject to availability.
- (c) Tea/Coffee making facility with no extra charges in the rooms.
- (d) Parking for participants
- (e) Any additional expenses like telephone, minibar, or extra days including upgrade of the accommodation will be considered personal expenses and shall be covered directly by the person.

B. CONFERENCE FACILITIES

Conference Rooms with:

- (a) A Conference Room with capacity of up to 15 -20 people
- (b) A Conference Room with capacity of up to 50 people
- (c) LCD projector per Conference Room per day
- (d) Wireless microphones; two for Medium-Sized Conference Rooms (up to 50 people)
- (e) A White Board per Conference Room per day with set of markers and
- (f) eraser
- (g) Internet connectivity with minimum speed of 32 MB
- (h) Free Wi-Fi Internet Connection for all participants
- (i) Pens and Notepads
- (j) Still or Sparkling Water 1 Litre per person per day
- (k) One dedicated event manager during the event
- (l) Participants' Check-in and Check-out list from the hotel's electronic registration system.

9.Criteria for Evaluation of Service providers

Bidders must provide both Technical and financial proposals. The Procuring Entity will start by examining all tenders to ensure they meet in all respects the eligibility criteria and other mandatory requirements in the Request for Bids, and that the tender is complete in all aspects in meeting the requirements provided for in Article 3.2 above.

10. The technical evaluation shall be based on the following attributes:

	Evaluation Attribute	Weighting Score	Max Score %
T1	<p>Experience</p> <p>-Evidence of experience in similar assignments for at least 10 Public Entity clients or Intergovernmental/International Organizations in the past 5 years demonstrated by LPOs or contracts, or award Letters etc.</p>	<ul style="list-style-type: none"> • 10 or more clients: 30Marks • Each Public Entity client/IGO/IO in the last 10 years scores 3 marks up to a maximum of four (10) clients 	30
T2	<p>Establishment</p> <p>Number of years in business of hospitality/hotel management (Attach Evidence e.g Certificate of incorporation)</p>	<ul style="list-style-type: none"> • 5 years and above – 10 Marks • From 1 to 4 years – 2 Marks for each year in business 	10

T3	<p>Reputation</p> <p>Proof of satisfactory service – letters of reference from five (5) major clients complete with value of contract, contact persons, address and telephone numbers.</p>	<p>Each client (2) marks up to a maximum of five (5) clients</p>	10
T4	<p>Company profile/fact sheet</p> <p>Provide printed brochures and detailed services provided by the hotel.</p>	<p>Provision of brochures, profiles, clarity of services provided</p>	5
T5	<p>Quality Certificate – Star rating accredited by relevant body and or other similar certificates, accreditations, and awards (6 marks)</p>	<p>Document showing star rating (5 marks)</p> <p>Other relevant accreditations/awards received - two (2) – 4 marks</p> <p>One (1) – 2</p> <p>None – Zero (0)</p>	5
T6	<p>Qualification and Experience of 3(Three) Key Personnel – Hotel Manager, Chief Chef and Conference & Events Manager.</p>	<p>Hotel Manager</p> <ul style="list-style-type: none"> • Relevant Degree Certificate in Hospitality Management (5 marks) <p>or</p> <ul style="list-style-type: none"> • Relevant Diploma in Hotel Management (3marks) • Certificate in Hospitality Management (2 Mark) 	30

- More than 5 years of experience in Hospitality Industry (5 marks)
- Less than 5 years' of experience in Hospitality Industry (3 Marks)

Chief Chef

- Relevant Degree
- Certificate in Hospitality Management (5 Marks) or
- Relevant Diploma
- Certificate in Hospitality Management (3 Mark)
- Relevant
- Certificate in Hospitality Management (2 Mark)
- More than 5 years of experience in Hospitality Industry (5 marks) or
- Less than 5 years
- Experience in Hospitality Industry (3 Marks)

Conference & Events Manager

- Relevant Degree
- Certificate in Hospitality Management (5 Marks) or
- Relevant Diploma (3 marks)
- Certificate in Hospitality

		<ul style="list-style-type: none"> • Management (1 Mark) • More than 5 years of experience in Hospitality Industry (5 marks) or • Less than 5 years • Experience in Hospitality Industry (3 Marks) 	
T7	Occupational Health and Safety	<p>Registration of work place certificate from Occupational Safety and Health department (3marks)</p> <p>Copy of current health clearance certificate for the last three Months (4 marks)</p> <p>current health certificates for chef/cooks/food handlers – each certificate 1 mark up to a max. of 3 certificates (3 marks)</p>	10
	Total		100

Note:

- Due diligence may be carried out to ascertain that the information provided is correct.

SECTION III: PRICE SCHEDULE

Lot No..... Lot Title

PRICE SCHEDULE

	TYPE OF HOTEL	NAME OF HOTEL FOR THE RESPECTIVE STAR HOTEL AND LOCATION	DESCRIPTION	SERVICE DESCRIPTION	INDICATE ROOM CAPACITY / EQUIPMENT CAPACITY AS APPLICABLE	AMOUNT IN KSHS. RATE PER PERSON PER DAY FOR ACCOMODATION AND RATE PER DAY FOR CONFERENCE FACILITIES EQUIPMENT
1	FIVE STAR HOTEL		Standard Room Single occupancy	Full Board		
				Half Board		
				Bed and Breakfast		
				Full day conferencing per person		
				Half day conferencing per person		

	TYPE OF HOTEL	NAME OF HOTEL FOR THE RESPECTIVE STAR HOTEL AND LOCATION	DESCRIPTION	SERVICE DESCRIPTION	INDICATE ROOM CAPACITY / EQUIPMENT CAPACITY AS APPLICABLE	AMOUNT IN KSHS. RATE PER PERSON PER DAY FOR ACCOMODATION AND RATE PER DAY FOR CONFERENCE FACILITIES EQUIPMENT
2	FOUR STAR HOTEL		Standard Room Single occupancy	Full Board		
				Half Board		
				Bed and Breakfast		
				Full day conferencing per person		
				Half day conferencing per person		

	TYPE OF HOTEL	NAME OF HOTEL FOR THE RESPECTIVE STAR HOTEL AND LOCATION	DESCRIPTION	SERVICE DESCRIPTION	INDICATE ROOM CAPACITY / EQUIPMENT CAPACITY AS APPLICABLE	AMOUNT IN KSHS. RATE PER PERSON PER DAY FOR ACCOMODATION AND RATE PER DAY FOR CONFERENCE PACKAGE
3	THREE STAR HOTEL		Standard Room Single occupancy	Full Board		
				Half Board		
				Bed and Breakfast		
				Full day conferencing per person		
				Half day conferencing per person		
4	Any other Category		Standard Room Single occupancy	Full Board		
				Half Board		
				Bed and Breakfast		

				Full day conferencing per person		
				Half day conferencing per person		

NOTE: All costs must be inclusive of all charges and must remain fixed for the period of the Agreement (2 Years).

Tender authorised by:

Signature: _____ Name: _____

Position: _____ Date _____

Authorized for and on behalf of Company: _____ Company Seal/Stamp. ____

11. Comparison of Tenders

The Procuring Entity shall compare the evaluated costs of all substantially responsive Tenders established in accordance with ITT 9 to determine the tender that has the lowest evaluated cost.

SECTION IV – SAMPLE FORMS

Tender Submission Letter

Procurement Reference Number: **CCJ/PRM/LUN/1/12/23**

1. We offer to supply the services listed below in accordance with the terms and conditions stated in your Invitation to Tender (ITT) referred to above.

2. We confirm that we are eligible to participate in the procurement for Lot no.....and meet the eligibility criteria as specified in the ITT.
3. The validity period of our tender is.....days
4. We confirm that the prices quoted in the List of Services and Price Schedule are fixed and firm for the duration of the validity period and will not be subject to revision or variation.
5. We further confirm that we have the capability/capacity to provide or mobilize more rooms and conference space as may be required by the CCJ.
6. Currency of Tender.....