



READVERTISEMENT

CALL FOR EXPRESSION OF INTEREST

CONSULTANCY SERVICES FOR THE DEVELOPMENT OF TENDER DOCUMENTATION FOR THE DESIGNING, CONSTRUCTION AND SUPERVISION OF THE COMESA COMPETITION COMMISSION OFFICE COMPLEX AND OTHER ASPECTS RELATED TO THE PROJECT

REFERENCE NUMBER: CCC/REOI/07/01/2023

PROCUREMENT ENTITY: COMESA COMPETITION COMMISSION

LOCATION: LILONGWE, MALAWI

JULY 2023

CONSULTANCY SERVICES FOR THE DEVELOPMENT OF TENDER DOCUMENTATION FOR THE DESIGNING, CONSTRUCTION AND SUPERVISION OF THE COMESA COMPETITION COMMISSION OFFICE BUILDING AND OTHER ASPECTS RELATED TO THE PROJECT

1.0. INTRODUCTION

The COMESA Competition Commission (the “**Commission**”) is a regional competition authority established under Article 6 of the COMESA Competition Regulations (the “**Regulations**”). It enjoys an independent legal personality. It may acquire, hold and dispose of property and assets. It may sue and be sued in its corporate name.

The Commission is mandated to promote and encourage competition by preventing restrictive business practices that deter the efficient operation of markets, thereby enhancing the welfare of consumers in the Common Market for Eastern and Southern Africa (the “**Common Market**”) and to protect consumers against offensive conduct by market actors.

The Commission is hereby seeking to procure the services of a suitably qualified and competent Consultancy Firm to manage the Construction of the Commission’s Office Complex (the “**Project**”) from inception to completion including any related aspects.

The Consultancy Firm shall work under the supervision of an “Internal Building Committee” established by the Commission. The Internal Building Committee shall represent the Commission in all matters related to the Project.

The Terms of Reference (“**TORs**”) for the Consultancy Services are set out in the sections below:

2.0. SCOPE OF SERVICES REQUIRED

The Consultancy Firm shall perform all the services necessary to execute the Project from inception to completion. Among the services required shall include:

- a. Assist in the preparation of tender documentation for the various services required by the Commission to facilitate the Construction of the Office Building and incorporation of all the bidding requirements into the documentation.
- b. Evaluation of tender documents and assist the Commission in the award of tenders.
- c. Preparation of detailed artistic impressions which shall include the Structural and Civil Engineering Design for the Office Complex.
- d. Supervise the Construction of the Office Complex from inception to completion through comprehensive inspections’ analysis, collection of data, and interviews with relevant stakeholders, among other related aspects of this process.
- e. Incorporation of advice and comments from the Commission into the designing and construction of the Office Complex.
- f. Any matter connected and incidental to the foregoing.

A more comprehensive description of the works is presented below.

3.0. OFFICE COMPLEX ACCOMODATION REQUIREMENTS

The Office Complex will be located in the City of Lilongwe on **Plot Number 34/527** in Area 34 whose approximate site is **1.249 hectares**. The Site Plan shall be made available to the Consultancy Firm for reference.

The Office Complex is contemplated to comprise five (5) floors, two (2) of which shall be occupied by the CCC Staff and the COMESA Competition Training Law Centre. It is intended that the remainder of the three (3) floors shall be leased out to prospective clients.

4.0. CONDUCT OF SERVICE

The Consultancy Firm shall co-operate fully with the Internal Building Committee of the Commission and any other structures of the Commission where needs be. The Consultancy Firm shall familiarize itself with, and comply with all laws, customs and practices in Malawi in relation to the works.

The Office Building designs will be produced in accordance with international technical standards including applicable standards in Malawi for projects of this nature.

5.0. TENDER DOCUMENTATION

The Consultancy Firm shall prepare the tender documentation for the Project in the format required for Commission tenders, the originals shall be the property of the Commission. The tender documents shall be designed to require the contractors to take account of gender issues where necessarily affecting construction personnel as well as construction activities.

The Consultancy Firm will provide hard and/or soft copies of all documents to the Commission.

5.1. Notice of Invitation to Tender

This shall be published Internationally.

5.2. Notice of General Information

This shall include, in sufficient details, such information to enable potential tenders to make informed decisions.

6.0. TENDER PROCEDURES FOR WORKS

The tender procedures for the works shall be guided by the Commission's Procurement Rules which shall be communicated to the Contractor. The Consultancy Firm shall prepare eight (8) sets of tender documents and issue them to the Commission and if requested to do so will issue them to companies who apply for them.

During the tender period, the Consultancy Firm shall organise and conduct an official visit to the site and a pre-tender conference, which will be attended by prospective tenderers. Tenderers will be availed an opportunity to ask questions at these sessions and the Consultancy Firm will record the questions and prepare written answers to the questions and circulate both to all tenderers.

7.0. EVALUATION OF TENDERS

The Consultancy Firm will be required to assist the Commission in evaluating the tenders which shall be done in line with the Commission's Procurement Rules.

On receipt of the tenders, the Consultancy Firm will carry out an arithmetic check on all tenders received and report any corrections of the tender sums to the Commission.

It will then carry out a full analysis of all the tenders, in accordance with the Commission Procurement Rules and shall consider the following, among other things:

- The rates and prices
- Programmes
- Methods of constructions
- Plant
- Personnel

➤ Financing of the works

The Consultancy Firm shall present the results of its analysis in a report to the Commission with recommendations for award of contract(s) within 14 days of receipt of documents. **For avoidance of doubt days means calendar day.** It should provide full substantiation of its recommendation and advise on the issue, which should be clarified in negotiations with the tenderer(s) to explore if and/or when possibilities of reducing/downgrading the quantities and/or design specifications or launching a new tender.

8.0. AWARD OF CONTRACT

If requested to do so, the Consultancy Firm will assist the Commission in negotiations with the prospective contractor(s) to resolve any technical or contractual matters prior to the award of the contract. The Consultancy Firm shall then prepare a full set of contract documents for signature and working copies as required.

9.0. REPORTING

The Consultancy Firm shall submit reports and documents from time to time during the subsistence of the Project and as may be required by the Commission.

10.0. COMPLETION

The Consultancy Firm shall submit a Completion of Works Report and hand over the Project to Commission and provide guidance on activities after completion of the contract.

11.0. REQUIRED PROFESSIONAL EXPERIENCE OF THE CONSULTANCY FIRM

The minimum required professional experience of proposed key staff:

- a. Architect – Seven (7) years of active design work, with project/construction supervision/management experience. Must be full member registered with Architects Board or the relevant professional Board in the practicing country.
- b. Quantity surveyor – Seven (7) years' experience in projects of similar nature. Must be full member registered with the Quantity Surveyors Board or the relevant professional Board in the practicing country.
- c. Civil/Structural Engineer – 7 (7) years' experience in projects of similar nature. Must be full member registered with the Engineering Institution or the relevant professional Board in the practicing country.
- d. Geomatic Engineer – 5 (5) years' experience in projects of similar nature. Must be full member registered with Land Surveyors Registration Board or the relevant professional Board in the practicing country.
- e. Services Engineer – 7 (7) years' experience in projects of similar nature. Must be full member registered with the Engineering Institution or the relevant professional Board in the practicing country.
- f. Clearly demonstrable evidence of having done artistic impressions related to construction projects of this nature and
- g. Any other services relevant for the effect execution of the Protect.

1. The COMESA Competition Commission (the “**Commission**”) is therefore, inviting Consultancy Firms to submit Expressions of Interest for the following:

CONSULTANCY SERVICES FOR THE DEVELOPMENT OF TENDER DOCUMENTATION FOR THE DESIGNING, CONSTRUCTION AND SUPERVISION OF THE COMESA COMPETITION COMMISSION OFFICE COMPLEX AND OTHER ASPECTS RELATED TO THE PROJECT

The procurement method used for this call for Expression of Interest is Request for Proposals as defined in the COMESA Competition Commission Procurement Rules and COMESA Procurement manual.

2. The Expression of Interest is open to Consultancy Firms who satisfy the eligibility requirements as stated in the Terms of Reference (ToRs).
3. **Purpose of this Expression of Interest**

This Call for Expression of Interest targets Consultancy Firms to offer consultancy services as described in this document.

Applicants fulfilling the evaluation criteria will be prequalified and invited to submit full proposals for rendering the services described in this Expression of Interest document.

4. **Submission of Expression of Interest**

The Expressions of Interest shall be submitted on or before the Deadline in any of the following manners:

- i. Email and/or
- ii. Hand delivery
- iii. Registered mail/courier service

For avoidance of doubt, submission by email is mandatory in addition to either hand delivery or registered mails/courier services.

The Deadline for the submission of Expression of Interests at the physical address and email address indicated below is 17 August 2023 at 13:00 Hours Malawi Local Time.

**COMESA Competition Commission
Procurement Unit
Kang’ombe House, Floor 5
P O Box 30742
Lilongwe
Malawi
E-mail: procurement@comesacompetition.org**

This deadline applies to all modes of submissions mentioned above. Expression of Interests received after the deadline will be automatically rejected, and there shall be no exception on this.

The Expression of Interest shall indicate the reference number of the call for Expression of Interest, the name of the Applicant and shall bear the reference to the subject below:

“EXPRESSION OF INTEREST – CONSULTANCY SERVICES FOR THE DEVELOPMENT OF TENDER DOCUMENTATION FOR THE DESIGNING, CONSTRUCTION AND SUPERVISION OF THE COMESA COMPETITION COMMISSION OFFICE COMPLEX AND OTHER ASPECTS RELATED TO THE PROJECT (REF: CCC/REOI/07/01/2023)”.

Aspects concerning this procurement process, including modification of the results of the evaluation of the EXPRESSION OF INTEREST or cancellation notices, will be published on the COMMISSION’s website: <https://www.comesacompetition.org/>

5. Interested Consultancy Firms may seek clarification or/and additional information concerning this call, only in writing and by Thursday, 10 August 2023 **at 15:00 Hours**, from the following contact points:

COMESA Competition Commission
Procurement Unit
Kang’ombe House, Floor 5
P O Box 30742
Lilongwe
Malawi
E-mail: procurement@comesacompetition.org

6. **The request for clarification in paragraph 5 of this Expression of Interest does not and shall not alter the deadline for submission of the Expression of Interest. For avoidance of doubt, the deadline remains 17 August 2023 in all circumstances.**

7. **Description of the assignment:**

Short descriptions of the assignment including more details on the scope of the contract are provided in the **Terms of Reference** below.

8. The Commission herewith invites Consultancy Firms to express interest as per the Terms of Reference.

9. **Eligibility Assessment**

In order to participate in this procurement, consultants must meet the following criteria:

- (a) possess the necessary professional and technical qualifications; competence; financial resources, equipment and other physical facilities; managerial capability; experience in the procurement of construction firm; reputation in the industry, and the required personnel, to perform the contract;
- (b) have the legal capacity to enter into the contract; (provide copy of certificate of registration);
- (c) have a permit to operate in the construction industry (provide copies of registration from relevant bodies)

- (d) is not insolvent, in receivership, bankrupt or in the process of being wound up, the business activities have not been suspended, and is not the subject of legal proceedings for any of the foregoing; (provide copies of recent financial audited accounts for three consecutive previous years);
 - (e) have fulfilled their obligations to pay taxes, (provide copy of valid and current tax compliance certificate); and
 - (f) their employee, or agents have not offered any inducement to any employees of the Commission. (Provide written declaration)
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