

***Head Office***

**NATIONAL HANDLING  
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Zimbabwe  
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**MINUTES FOR THE EVALUATION OF TENDER NO. NHS RFP 04/2024: PROPOSAL FOR THE SELECTION OF LEGAL SERVICES FOR NATIONAL HANDLING SERVICES ON THE 23<sup>RD</sup> OF OCTOBER 2024 AT 1100 HOURS IN NHS BOARDROOM.**

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**PROCUREMENT EVALUATION COMMITTEE MEMBERS**

M. MAHLANGU	COMPANY SECRETARY(CHAIRING)
K. DHLIWAYO.	HR ADMINISTRATOR
T. MUGAURI	LEGAL MANAGER
B. NYIKAVARANDA	FINANCE
V. TEKERE	LOUNGE MANAGER

**PMU**

F. SITHOLE.	SUPERVISOR PMU
E. TAIYANA	PROCUREMENT OFFICER (Minuting)

**DECLARATION OF INTEREST**

All committee members declared not having any conflict of interest on the tender nor having any relationship to the Companies and their directors as shown in their CR14.

**BACKGROUND**

National Handling Services P/L advertised the tender in the Government Gazette of the 13<sup>TH</sup> of September 2024 and the Sunday Mail of the 15<sup>th</sup> of September 2024 in line with Section 38 of the PPDPA Act. The tender closed on the 15<sup>th</sup> of October 2024. The tender closed with fifteen (15) bids as follows:

List of Directors

<b>Bid No.</b>	<b>Company Name</b>	<b>Directors</b>	<b>Business Address</b>
1	Chikwengo Law Chambers	<ul style="list-style-type: none"><li>• Rebecca Chikwengo</li></ul>	15 Oarkney Road, Eastlea, Harare
2	Dube Banda	<ul style="list-style-type: none"><li>• Christopher Dube-Banda.</li><li>• Munyaradzi Nzarayapenga</li></ul>	19 Windsor Close, Mt Pleasant, Harare
3	Kadzere Hungwe	<ul style="list-style-type: none"><li>• Kudzayi E. Kadzere</li></ul>	67 Kwame Nkrumah Ave, Harare

4	Kantor and Immerman	<ul style="list-style-type: none"> <li>• Chatapiwa Malaba</li> </ul>	MacDonald House, 10 John Landa Nkomo Ave, Harare
5	Mafongonya and Matapuya	<ul style="list-style-type: none"> <li>• Takudzwa J. Mafongoya</li> </ul>	3 Cinnabar Court, 103 Baines Ave, Harare
6	Mangwana and Partners	<ul style="list-style-type: none"> <li>• Munyaradzi P. Mangwana</li> </ul>	3 Devon Close, Meyrick Park, Harare
7	Matsikidze Attorneys	<ul style="list-style-type: none"> <li>• Rodgers Matsikidze</li> </ul>	20 Wembley Crescent, Eastlea, Harare
9	Mahembe Attorneys	<ul style="list-style-type: none"> <li>• Prince Mahembe</li> </ul>	1 <sup>st</sup> Floor Block A, Smatsatsa Office Park, 10667 Borrowdale Road, Harare
10	Mishi Nkomo Legal Practice	<ul style="list-style-type: none"> <li>• Lloyd Mhishi</li> </ul>	86 McChlery Avenue, Eastlea, Harare
11	Moyo and Nyoni	<ul style="list-style-type: none"> <li>• Godfrey Nyoni</li> </ul>	Suite 706 7 <sup>th</sup> Floor Fidelity Life Tower, Corner 11 <sup>th</sup> St/Fife Avenue, Bulawayo
12	Mushoriwa Moyo	<ul style="list-style-type: none"> <li>• Farai Mushoriwa</li> </ul>	37 Lawson Ave, Milton Park, Harare
13	Nenjy Nyamapfeni	<ul style="list-style-type: none"> <li>• Petronella Nyamapfeni</li> </ul>	4 Edmonds Avenue, Belvedere, Harare
14	Sawyer and Mkhushi	<ul style="list-style-type: none"> <li>• Jingini R. Tsvima</li> </ul>	11 <sup>th</sup> Floor, SSC Building, Corner S. Nujoma St/ J. Nyerere Way, Harare
15	Zvimba Law Chambers	<ul style="list-style-type: none"> <li>• Meme R. Zvimba</li> </ul>	37 Bradfield Road, Hillside, Harare

### STAGE 1: ADMINISTRATIVE EVALUATION

No	Requirement	Chikwengo Law	Dube Banda	Kadzer e Hungwe	Kantor & Immerman	Mafongonya & Matapuya	Mangwana & Partners	Matsidzike Attorneys	Mahembe
1	The Technical Proposal Submission Sheet in this Part	C	C	C	C	C	C	C	C
2	Deed of Partnership	NC	C	C	C	NC	NC	C	NC
4	Proof of supplier registration with the Procurement Regulatory Authority of Zimbabwe (PRAZ)	C	C	C	C	C	C	C	C
5	Copy of valid Law Society of Zimbabwe registration/membership	C	C	NC	C	C	C	C	C
6	A copy of company profile	C	C	C	C	C	C	C	C
7	A valid tax clearance certificate	C	C	C	C	C	C	C	C
8	Bid Validity period minimum of 60 days	C	C	C	C	NC – Not stated	NC – Not stated	C	C
9	Three (3) reference letters where similar	C	C	NC-only 2 valid	C	C	C	C	C

	services were successfully provided within the past three (3) years.								
10	Bid securing declaration in the format specified in Part 2	C	C	C	C	C	C	C	C
11	The Consultant should have registered legal practitioners with at least 10 years' experience for the Senior Partner	C	C	C	C	C	C	C	C
12	Curriculum Vitaes of key staff who will be assigned for performing the services	C	C	C	C	C	C	C	C
13	Copies of current practising certificate as highlighted in the technical evaluation criteria.	C	C	C	C	C	C	C	C
<b>Overall Remarks</b>		<b>NC</b>	<b>C</b>	<b>NC</b>	<b>C</b>	<b>NC</b>	<b>NC</b>	<b>C</b>	<b>NC</b>

No	Requirement	Mhishi Nkomo	Moyo & Nyoni	Mushoriwa Moyo	Mvingi & Mugadza	Nenjy Nyamapfeni	Sawyer & Mkhushi	Zvimba
1	The Technical Proposal Submission Sheet in this Part	C	C	C	C	C	C	C
2	Deed of partnership	C	C	C	C	NC	C	NC
4	Proof of supplier registration with the Procurement Regulatory Authority of Zimbabwe (PRAZ)	C	C	C	C	C	C	C
5	Copy of valid Law Society of Zimbabwe registration/membership	NC	C	C	C	C	C	C
6	A copy of company profile	C	C	C	C	C	C	C
7	A valid tax clearance certificate	C	C	C	C	C	C	C
8	Bid Validity period minimum of 60 days	C	C	C	C	C	C	C
9	Three (3) reference letters where similar services were successfully provided within the past three (3) years.	C	C	C	C	C	NC – No dates	C
10	Bid securing declaration in the format specified in Part 2	C	C	C	C	C	C	C
11	The Consultant should have registered legal practitioners with at least 10 years' experience for the Senior Partner	C	C	C	C	C	C	C
12	Curriculum Vitaes of key staff who will be assigned for performing the services	C	C	C	C	C	C	C
13	Copies of current practising certificate as highlighted in the technical evaluation criteria.	C	C	C	C	C	C	C

Overall Remarks	NC	C	C	C	NC	NC	NC
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**NOTE:**

- The committee noted that Chikwengo Law Chambers, Matsikidze Attorneys, Nenjy Nyamapfeni, Mahembe and Zvimba Law Chambers did not provide proof of Deed of partnership/ company documents. This is a historic document, as such in terms of Section 47 and 48 of the Public Procurement and Disposal of Public Assets (PPDPA) Act as read with Section 28 and 29 of the PPDPA (General) Regulations they will be requested to submit the missing historical document within 2 days through an email

**REJECTED BIDDERS**

<b><u>Bid No</u></b>	<b><u>Bidder Name</u></b>	<b><u>Comments</u></b>
1	Kadzere Hungwe	<ul style="list-style-type: none"> <li>Submitted only two valid reference letters, third one did not meet the required timeline.</li> </ul>
2	Mafongonya and Matapuya	<ul style="list-style-type: none"> <li>Did not state bid validity</li> </ul>
3	Mangwana and Partners	<ul style="list-style-type: none"> <li>Did not state bid validity</li> </ul>
4	Sawyer and Mkhushi	<ul style="list-style-type: none"> <li>Reference letters had no dates</li> </ul>

**STAGE 2: TECHNICAL EVALUATION**

<b>Technical Requirements</b>		<b>Chikwengo Law</b>	<b>Dube Banda</b>	<b>Mhishi Nkomo</b>	<b>Kantor &amp; Immerman</b>	<b>Moyo &amp; Nyoni</b>
Experience of the Law Firm at least 5 years from date of establishment.		5	5	5	5	1
Reference letters for related services		12	12	10	12	8
Size and diversity of the law firm. Attach valid copies, front and back of the Practising certificates of lawyers in the firm		5	12	17	15	6
Qualifications of the lead Legal Practitioner who will be assigned to work on National Handling Services matters. Attach Proof		15	10	15	10	10
Experience in years of the lead Legal Practitioner who will be assigned to National Handling Services matters		20	15	20	20	10
Core competencies and details and details of the main services to be	Aviation Law (Standard Ground Handling Agreements)	5	5	5	5	5
	Debt Recovery	5	5	5	5	5

offered by the firm (20 marks)	Labour Law	5	5	5	5	5
	Civil Litigation	5	5	5	5	5
<b>Total Marks</b>	<b>100 Marks</b>	<b>77</b>	<b>74</b>	<b>87</b>	<b>82</b>	<b>50</b>

Technical Requirements		Mvingi & Mugadza	Nenjy Nyamapfeni	Zvimba	Mushoriwa Moyo	Matsidzike Attorneys	Mahembe
Experience of the Law Firm at least 5 years from date of establishment.		5	5	5	3	5	0
Reference letters for related services		10	10	8	12	12	3
Size and diversity of the law firm. Attach valid copies, front and back of the Practising certificates of lawyers in the firm		10	5	9	12	6	6
Qualifications of the lead Legal Practitioner who will be assigned to work on National Handling Services matters. Attach Proof		15	15	10	15	20	10
Experience in years of the lead Legal Practitioner who will be assigned to National Handling Services matters		20	20	15	20	20	15
Core competencies and details of the main services to be offered by the firm (20 marks)	Aviation Law (Standard Ground Handling Agreements)	5	5	5	5	5	5
	Debt Recovery	5	5	5	5	5	5
	Labour Law	5	5	5	5	5	5
	Civil Litigation	5	5	5	5	5	5
<b>Total Marks</b>	<b>100 Marks</b>	<b>80</b>	<b>75</b>	<b>67</b>	<b>82</b>	<b>83</b>	<b>54</b>

**NOTE:** The Committee noted that the requirement for having Aviation Law was inappropriate as only Law firms who have worked at the Airport before could participate and applying that requirement all bidders would have scored nil marks.

## REJECTED BIDDERS

<b>Bid No</b>	<b>Bidder Name</b>	<b>Comments</b>
1	Chikwengo Law	• Failed to reach the pass mark of 80 points.
2	Dube Banda	• Failed to reach the pass mark of 80 points.
3	Moyo and Nyoni	• Failed to reach the pass mark of 80 points.
4	Nenjy Nyamapfeni	• Failed to reach the pass mark of 80 points.
5	Zvimba	• Failed to reach the pass mark of 80 points.
6	Mahembe	• Failed to reach the pass mark of 80 points.

## RECOMMENDATIONS

The Evaluation Committee after going through the bid documents submitted is recommending that **Tender NHS RFP 04/2024** for the Provision of Legal Services the following bidders who scored above the minimum pass park of 80 points proceed to the Financial Evaluation stage:

<b>No</b>	<b>Bidder Name</b>	<b>Points</b>
1	Mhishi Nkomo	87
2	Kantor and Immerman	82
3	Muvingi and Mugadza	80
4	Mushoriwa Moyo	82
5	Matsidzike Attorneys	83

The meeting ended 1545hrs.

**AGREED AND SIGNED BY PROCUREMENT EVALUATION COMMITTEE MEMBERS AS THE TRUE RECORD OF EVALUATION PROCEEDINGS FOR TENDER NO. NHS RFP04/2024 FOR THE SELECTION OF LEGAL SERVICES.**

..... (Chairperson)  
M. MAHLANGU DATE

..... (Member)  
B. NYIKAVARANDA DATE

..... (Member)  
K. DHLIWAYO DATE

..... (Member)  
T. MUGAURI DATE

.....(Member)  
V. TEKERE DATE