



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 BUILDING AND OTHER ASPECTS RELATED TO THE PROJECT

REFERENCE NUMBER: CCC/REOI/10/01/2022

PROCUREMENT ENTITY: COMESA COMPETITION COMMISSION

LOCATION: LILONGWE, MALAWI

OCTOBER 2022

1. The COMESA Competition Commission (the “**Commission**”) is inviting individual Consultants and Firms to submit Expressions of Interest for the following contract:

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

The procurement method used for this contract is Request for Proposals as defined in the COMESA Competition Commission Procurement Rules.

2. The Expression of Interest is open to individual Consultants and/or 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 Consultants (individuals and firms) from the Common Market for Eastern and Southern Africa (the “**Common Market**”) to offer consultancy services as described in this document.

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

4. **Submission of Expression of Interest**

The Expression of Interests shall be submitted on or before the Deadline **either** by (i) e-mail **and/or** (ii) hand delivery, registered mail or courier service.

The Deadline for the submission of Expression of Interests at the address and email address indicated below is 18 November 2022 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: agmkandawire@comesa.int; with a copy to: compcom@comesa.int

This deadline applies to both electronic submission (e-mail) and/or hand delivered, registered mail or courier service. 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 and the name of the Applicant and shall bear the subject:

“EXPRESSION OF INTEREST – CONSUTLANCY 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 (REF: CCC/REOI/10/01/2022)”.

All notifications 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 individual Consultants and/or Firms may seek clarification or/and additional information concerning this call, only in writing and by latest **12 November 2022 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: agmkandawire@comesa.int; with a copy to: compcom@comesa.int

6. All emails sent to agmkandawire@comesa.int without a copy to compcom@comesa.int shall be automatically rejected without exception.
7. The request for clarification in paragraph 5 of this Expression of Interest does and shall not alter the deadline for submission of the Expression of Interest. For avoidance of doubt, the deadline remains 18 November 2022 in all circumstances.

8. **Description of the assignment:**

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

9. The Commission herewith invites Individual Consultants and Firms to express interest as per the Terms of Reference.

10. **Evaluation Criteria**

Candidates successfully fulfilling the eligibility assessment will undergo a Qualitative Assessment scored on the basis of the criteria in the following table:

Evaluation Attribute	Percentage Points
Firm's understanding of the Commission's requirements	15
Approach and methodology	30
Specific Experience in carrying out similar assignments. Evidence in the form of reference letters, offer letters, orders or copies of contracts should be presented	30
Qualifications and Experience of proposed team: Consultant(s) Team Leader – 15 Support Consultants – 10	25
Total	100

The proposal shall be considered unsuitable and shall be rejected if it does not respond to important aspects of the Terms of Reference and/or fails to achieve a minimum technical score of 70%.

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1.0. INTRODUCTION

The COMESA Competition Commission (the “**CCC**”) 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 CCC 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 CCC is hereby seeking to procure the services of a suitably qualified and competent Consultancy Firm to manage the Construction of the CCC Office Building (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 CCC. The Internal Building Committee shall represent the CCC 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 CCC 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 CCC in the award of tenders.
- c. Preparation of detailed artistic impressions which shall include the Structural and Civil Engineering Design for the Office Building.
- d. Supervise the Construction of the Office Building from inception to completion through comprehensive inspections’ analysis, collection of data, and interviews with relevant stakeholders, among others.
- e. Incorporation of advice and comments from the CCC into the designing and construction of the Office Building.
- f. Any matter connected and incidental to the foregoing.

A more comprehensive description of the works is presented below.

3.0. OFFICE BLOCK ACCOMODATION REQUIREMENTS

The Office Building 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 Building 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 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 CCC. 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 CCC tenders, the originals shall be the property of the CCC. 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 in the Common Market.

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 CCC'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 CCC 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 CCC in evaluating the tenders which shall be done in line with the CCC'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 CCC.

It will then carry out a full analysis of all the tenders, in accordance with the CCC 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 results of its analysis in a report to the CCC with recommendations for award of contract(s) within 45 days of receipt of documents. 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 CCC 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 CCC.

10.0. COMPLETION

The Consultancy Firm shall submit a Completion of Works Report and handover the Project to CCC and also 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 – Fifteen (15) years of active design work, with project/construction supervision/management experience
- b. Quantity surveyor – Fifteen (15) years' experience in projects of similar nature
- c. Civil/Structural Engineer – Fifteen (15) years' experience in projects of similar nature
- d. Geomatic Engineer – Ten (10) years' experience in projects of similar nature.
- e. Services Engineer – Fifteen (15) years' experience in projects of similar nature:
- f. Clearly demonstrable evidence of having done artistic impressions related to construction projects; and
- g. Any other services relevant for the effect execution of the Protect.