



REPUBLIC OF NAMIBIA

MINISTRY OF FINANCE

PUBLIC PROCUREMENT REVIEW PANEL

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**IN THE PUBLIC PROCUREMENT REVIEW
HELD ON 10 FEBRUARY 2020**

IN THE MATTER BETWEEN

NEW POINT ELECTRONIC SOLUTION

1st APPLICANT

VIRTUA TECHNOLOGIES PTY LTD

2nd APPLICANT

AND

NATIONAL PETROLEUM CORPORATION OF NAMIBIA PTY (NAMCOR)

1st RESPONDENT

GREEN ENTERPRISE SOLUTION

2nd RESPONDENT

**IN A REVIEW APPLICATION MADE IN TERMS OF SECTION 59 OF THE PUBLIC
PROCUREMENT ACT, ACT 15 OF 2015**

**BID NO: G/OIB/NC-01/2019 THE SUPPLY, INSTALLATION, IMPLEMENTATION,
TESTING, TRAINING AND COMMISSIONING OF AN ERP SYSTEM FOR
NAMCOR**

Present: Michael Gaweseb (Chairperson) with, Hellen Amupolo, Ono-Robby
Nangolo, Paulina Kandali Iyambo and Selma-Penna Utonih concurring.

Heard : 10 February 2020

Decided : 10 February 2020

REVIEW PANEL ORDER

Having heard Mr. Johannes Ortmann for the 1st Applicant, Mr. Kadhila Amoomo for the 2nd Applicant and Mr. Kanguuehi for the 1st Respondent, and also having heard other interested parties who were in attendance, and having read the Applications for review and other 2nd Respondent's documents filed as part of the record, the Panel subsequently found the following:

1. That the 1st Respondent acted contrary to Regulation 7(2) of the Public Procurement Act 15 of 2015 by setting up an evaluation committee 8 days after the closing date of this bid.
2. That the 1st Respondent selected the 2nd Respondent on the basis of not having complied with Instructions to Bidders (ITB) 28.4, when the bidding document of the 2nd Applicant contains evidence to the contrary.

In the result the Review Panel make the following order:

1. That the application against the 1st Respondents is competent.
2. In the premise and in accordance with Section 60(f) and resolved to order that the procurement proceedings be terminated and start afresh.



MICHAEL GAWESEB
CHAIRPERSON: REVIEW PANEL (FINANCE MATTER)

