



REPUBLIC OF NAMIBIA
MINISTRY OF FINANCE

PUBLIC PROCUREMENT REVIEW PANEL

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IN THE PUBLIC PROCUREMENT REVIEW
HELD ON 18 NOVEMBER 2019

IN THE MATTER BETWEEN

JAZAPO INVESTMENTS CC

AND

KHOMAS REGIONAL COUNCIL

APPLICANT

RESPONDENT

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

BID NO: W/ONB/KRC-DWM-34/2018 FOR THE INSPECTION, FAULT FINDING,
REPAIR, AND REPORT, REPAIR, AND/OR OVERHAUL, MOUNT INSTALL, TEST
RUN AND COMMISSIONING, SERVICE AND SUPPLY OF PARTS FOR AIR-
CONDITIONERS, REFRIGERATION AND VENTILATION PLANTS, IN THE
KHOMAS REGION FOR THE DIVISION MAINTENANCE, KHOMAS REGIONAL
COUNCIL, FOR THE PERIOD 01 AUGUST 2019 TO 31 JULY 2021.

Present: Dr. Petrina Johannes (Chairperson), with Dr. Rainer Trede, Ms. Selma-
Penna Utonih, Ms. Hellen Amupolo and Mr. Brown Mutrifa concurring.

Heard: 18 November 2019

Decided: 18 November 2019

REVIEW PANEL ORDER

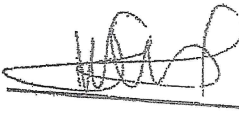
Having heard Mr. Elvis Uataviza Uuazakuani for the Applicant, and Mr. Clement Mawfila for the Respondent, and other interested parties who were in attendance, and having read the application for review and other documents filed of record:

Whereas the Review Panel noted the submissions made during the hearing and subsequently found the following:

1. That the Respondent conducted the procurement process in relation to this bid in violation of Regulations 7(2) and Regulation 7(3) of the Public Procurement Regulations because the evaluation timeframes were not adhered to.
2. That the Respondent failed to comply with Section 49 (1) of the Public Procurement Act 15 of 2015, because a proper bid validity period was not correctly specified and was also not adhered to.
3. That the Respondent did not adhere to Section 52 (13) of the Public Procurement Act 15 of 2015 because the Bid Evaluation Committee did not prepare an evaluation report detailing the examination and evaluation of bids and identifying the lowest evaluated bid that meets the qualification criteria.

In the result the Review Panel make the following order:

1. That the application against the Respondent is competent and upheld.
2. In the premise and in accordance with Section 60(b) of the Public Procurement Act 15 of 2015, the Respondent is hereby directed to act and proceed in a manner that is in compliance with the Public Procurement Act 15 of 2015.


20/11/2019
DR. PETRINA JOHANNES
CHAIRPERSON: REVIEW PANEL (IRO THIS MATTER)

