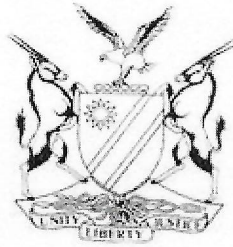


REPUBLIC OF NAMIBIA



PUBLIC PROCUREMENT REVIEW PANEL

Case number: RA/10-08/2025

ORDER

In the matter between:

PANMED INVESTMENT CC

APPLICANT

and

NAMIBIA AIRPORTS COMPANY (PTY) LTD

1ST RESPONDENT

THE CENTRAL PROCURMENT BOARD

2ND RESPONDENT

DR. H ALI EL SHERRIF t/a CITY MEDICAL CENTRE

3RD RESPONDENT

VALOR PSYCHOLOGY SERVICES CC

4TH RESPONDENT

OKAANDA INVESTMENT CC

5TH RESPONDENT

MEDIXX OCCUPATIONAL HEALTH SERVICE

6TH RESPONDENT

OCCUCARE NAMIBIA CC

7TH RESPONDENT

OYETWENI HEALTH CENTRE (PTY) LTD

8TH RESPONDENT

Coram: Lukas Kudumo Siremo (Chairperson), Jackson Erich Eixab, Martha Haipinge, Lucas Sindere and Rosemary Tjombonde

Citation: *Panmed Investment CC v. Namibia Airports Company (PTY) Ltd (RA/10-08/2025)*

Heard: 11 November 2025

Decided: 11 November 2025

L.K.

IN A REVIEW APPLICATION MADE IN TERMS OF SECTION 59 OF THE PUBLIC PROCUREMENT ACT, ACT NO 15 OF 2015, AS AMENDED

[BID NUMBER: SC/RP/NAC-012/2024 – PROVISION OF INTEGRATED OCCUPATIONAL HEALTH AND WELLNESS SERVICES – THREE (3) YEAR AGREEMENT]

1. INTRODUCTION

- 1.1 This application for review was launched in terms of section 59(1) of the Public Procurement Act, 2015 (Act No. 15 of 2015) (the Act) by Panmed Investment CC (the applicant).
- 1.2 The Applicant is dissatisfied with the Notice of Selection of Award issued by Namibia Airports Company, a public entity (the 1st Respondent), and filed the present application seeking the orders as set out in its Notice of Motion. As a result, this Review Panel was duly constituted to hear the matter, and the same was heard on 11 November 2025 at the Ministry of Finance and Public Enterprises building in Windhoek.
- 1.3 At the hearing of the application, the applicant was represented by Mr. Kasper from Murorua Kurtz Kasper Incorporated. In the meanwhile, the 1st Respondent was represented by Mr. Shivute, an employee of the 1st Respondent.
- 1.4 Other interested parties were joined to the proceedings in terms of Regulation 42(5)(a) of the Public Procurement Regulations. The 3rd respondent filed an affidavit in terms of Regulation 42(4) of the Public Procurement Regulations (hereinafter referred to as the “Regulations”). Although having filed an affidavit, 3rd Respondent did not participate in the hearing.
- 1.5 Having heard the arguments and read documents filed by the respective parties as part of the record, the Review Panel proceeded to make the findings and order set out hereunder.

L.K

2. GROUNDS FOR REVIEW BY THE APPLICANT

2.1 The Applicant contended that the 1st Respondent erred in finding its bid non-responsive on the grounds that it had failed to indicate a key Psychological Support Counsellor. The Applicant submitted that it had, in fact, included the required information, namely the Counsellor's CV, qualifications, proof of registration, and maintenance with the Health Professions Council of Namibia and was therefore compliant.

2.2 Following several email inquiries, the 1st Respondent advised the Applicant on 23 June 2025 that the bids had been referred back to the Bid Evaluation Committee for re-evaluation.

2.3 On 8 October 2025, the Applicant received a Notice of Selection of Award and, being dissatisfied, sought reconsideration, which received no response. The Applicant consequently filed the review application on 27 October 2025.

3. POINT IN LIMINE

3.1 At the commencement of the hearing, the Chairperson requested the 1st Respondent to explain why the procurement process had taken approximately 365 days to conclude and to confirm whether the bid was still valid.

3.2 The 1st Respondent conceded that the Notice of Selection of Award had been issued after the expiry of the bid validity period and that no extension of the bid validity had been sought or granted.

3.3 The Review Panel noted that the procurement process had thus been concluded outside the lawful bid validity period, rendering the bids expired.

L.K

4. FINDINGS OF THE REVIEW PANEL

4.1 The Review Panel finds that the procurement process was not conducted within the period contemplated under the Act and Regulations.

4.2 The Panel further finds that the bid validity period had expired, and no extension was sought or approved by the 1st Respondent.

4.3 Consequently, any actions or decisions taken after the expiry of the bid validity period, including the issuance of the *Notice of Selection of Award*, are null and void.

ORDER

In the result, the following order is made:

1. The Review Panel sets aside, in whole, the Notice of Selection of Award issued on 08 October 2025, by the public entity in terms of Section 60(c) of the Act.
2. The Review Panel orders that the procurement proceedings be terminated and start afresh in terms of section 60 (f) of the Act, should the public entity wish to continue with this procurement activity.
3. The effective date of this Order is 11 November 2025.




Lukas Kudumo Siremo
Chairperson