



## 2. Call for Proposals

Business proposals are hereby invited from individuals, companies, local businesses, or SMEs to lease the restaurant/business facility at Portion 11 of Farm 42 (Langstrand) for a period of five (5) years, starting 1 November 2023 to 31 October 2028. Interested parties should submit a written business proposal for the facility. The submission of concept-based business proposal will be of great advantage.

- a) Submission of a proposal shall be deemed as an acknowledgement by the Bidder that all obligations stipulated by this call for expression of interest will be met and, unless specified otherwise, the Bidder has read, understood, and agreed to all the instructions in this BP.
- b) Any proposal submitted will be regarded as an offer by the Bidder and does not constitute or imply the acceptance of any such Proposal by Council. Council is under no obligation to award a contract to any Bidder as a result of this BP.
- c) The Municipality of Walvis Bay (MWB) implements a policy of zero tolerance on prescribed practices, including fraud, corruption, collusion, unethical practices, and obstruction. MWB is committed to preventing, identifying, and addressing all acts of fraud and corrupt practices against MWB as well as third parties involved in MWB activities.
- d) In responding to this BP, MWB requires all bidders to conduct themselves in a professional, objective, and impartial manner, and they must at all times hold MWB's interest's paramount. Bidders must strictly avoid conflicts with other assignments or their own interests, and act without consideration for future work. All Bidders found to have a conflict of interest shall be disqualified without limitation on the generality of the above, Bidders, and any of their affiliates, shall be considered to have a conflict of interest with one or more parties in this solicitation process, if they:
  - Are, or have been associated in the past, with companies or any of its affiliates which have been engaged by the MWB to provide services for the preparation of the design, Schedule of Requirements and Technical Specifications, cost analysis/estimation, and other documents to be used for the procurement of the goods and related services in this selection process.
  - Were involved in the preparation and/or design of the product/services related to the goods and related services requested under this BP; or
  - Are found to be in conflict for some other reason, as may be established by, or at the discretion of, MWB.
  - In the event of any uncertainty in the interpretation of what is potentially a conflict of interest, Bidders must disclose the condition to MWB and seek MWB's confirmation on whether or not such conflict exists.
- e) Similarly, the following must be disclosed in the proposal:
  - Bidders who are owners, employees, Councilors, or personnel who are family of MWB staff involved in the procurement functions and related services under this BP; and
  - Others that could potentially lead to actual or perceived conflict of interest, collusion, or unfair competition practices.

Failure of such disclosure may result in the disqualification of BP.

### f) Specifications

- The restaurant/business facility will be leased as is. The successful applicant will have to provide his/her/their own equipment and stock.
- Operating hours should be subject to adherence to national laws and regulations.

- Separate metering for water and electricity will be installed and lessee will be liable to connect and disconnect such services with MWB and Erongo Red (ERED).
- The lessee shall be responsible for the interior maintenance and repairs of the building (s) after occupancy.
- The following activities are prohibited; sale of goods deemed by the Council to be offensive, dangerous, or that are believed to be counterfeit, or pornographic activities, or objects that can release projectile or can be modified to that end.
- The Lessee must comply with the waste management control with regards to waste segregation, containment, and disposal of waste materials, e.g., flat packing cardboard/boxes, ashes, stacking up wooden pallets, using of skip containers provided by Council which shall be kept exclusively for that purpose.
- The Lessee will be held liable for damage to any installation or facility provided by the municipality for the purpose of supplying water or other amenities, if it is shown that such damage was caused by their actions or neglect or that of their registered assistants or other person acting on their behalf. The matter may also be referred to other agencies (e.g., the police) for action.
- The successful lessee will be subject to automatic termination of the lease agreement if it is proven that the lessee tampered with or vandalized, municipal property. Any lessee proven to have caused damage to any Council installation or equipment will be required to pay the full cost of repair or replacement. Any lessee responsible for such acts may be subject to separate prosecution or civil proceedings.

**g) Requirements from bidders**

A business proposal must be highlighting the following:

- i. Business overview, providing a detailed description of the type of business venture and associated activities.
- ii. **Proposed products or services and activities to be offered.**
- iii. **Proposed monthly rental for the facility-compulsory.**
- iv. Experience of the bidder in the proposed business activities.
- v. Compulsory documentation should accompany the Expression of Interest as indicated in the public notice and below.
- vi. Any additional business activities (events) and the proposed usage of the facility.

**h) Mandatory documents**

The submission of the following documents is compulsory:

- Company registration document (BIPA)
- Original NamRa Good Standing Tax Certificate
- Original Social Security Good Standing Certificate
- Affirmative Action Compliance Certificate or waiver
- Section 138(2) of the Labour Act undertaking
- Bid Securing Declaration

**The absence of the above documents will render your proposal non-responsive.**

- i) The completed Expression of Interest must be sealed in an envelope with the following inscription on the envelope "Lease of Business facility at Langstrand Resort" and deposited in the Bid Box in the foyer of the Civic Centre on or before **11:00 on 3 November 2023**.
- j) Documents will be opened at 11:10 on the closing date in the Dolphin Conference Room at the Civic Centre, Walvis Bay and in the presence of those who submitted Expression of Interest.
- k) The successful bidder must be willing to sign an agreement with Council.
- l) Further enquiries could be directed to the Head: Resorts at telephone +264 2013 357 or +264811 431 291.