

## TERMS OF REFERENCE: ECONOMIC AND/OR ACCOUNTING SERVICES

The Namibian Competition Commission (“the Commission”), is a statutory body established in terms of the Competition Act (Act No. 2 of 2003) (“the Competition Act”) to promote and safeguard competition in the Namibian economy.

### Objective

The Commission is *inter alia* responsible for investigating and, through Namibian courts, sanctioning business entities engaged in anti-competitive practices. In conducting its investigations, the Commission may from time to time enlist the services of independent consultants to provide supporting assessments. The Commission is currently conducting an investigation involving the cost of granting access to free-to-air broadcasters on Namibia’s Digital Terrestrial Television (“DTT”) network. It is against this background that the Commission requests for expression of interest from reputable and competent consultants/consultancies/companies by an expression of interest and supporting documents to be shortlisted and requested to submit a proposal for the assignment.

The consultant is required to perform the following tasks:

Tasks	
1	Assist with advising the Commission on the information needed to determine cost incurred in maintaining the National DTT Network.
2	Advise the Commission on what information is required to establish the fairness (relevant cost/charges) in granting access to the DDT Network.
3	Assist with review of information received so as to extract relevant information/data necessary to establish what is the cost incurred in managing the DDT Network infrastructure.
4	Assist with review of information received so as to extract relevant information/data necessary to establish what is the reasonable amount to be charged for granting access to the DDT Network infrastructure.
5	If information submitted is insufficient, assist the Commission with revised information requests.
6	Provide expert testimony in respect of potential referrals of the cases to court.
7	Perform ancillary tasks as requested by the Commission from time to time.

The assignment is anticipated to be completed within thirty (30) days.

# Expression of Interest



Both individual consultants/consultancies/companies are invited to express their interest by providing information that demonstrates their qualifications to execute this assignment. Consultants may associate in order to amplify their qualifications.

Expressions of Interest should include, as a minimum:

<b>Section A: Company Profile (for consultancies and companies)</b>	<ul style="list-style-type: none"> <li>• Company name, year and country of incorporation;</li> <li>• Locations of offices and other facilities;</li> <li>• Contact information; and</li> <li>• Areas of specialisation.</li> </ul>
<b>Section B: Eligibility Criteria</b>	<ul style="list-style-type: none"> <li>• Have a certified copy of Incorporation/Company Registration/MoU of Partnership or Joint Venture or equivalent where applicable;</li> <li>• Have an original valid good standing Tax Certificate;</li> <li>• Have an original valid good Standing Social Security Certificate; and</li> <li>• Have a valid Affirmative Action Compliance Certificate, proof from Employment Equity Commissioner that bidder is not a relevant employer, or exemption issued in terms of Section 42 of the Affirmative Action Act, 1998.</li> </ul> <p><b>NB: The requirements above must be submitted by all Namibian registered entities including in cases of a partnership or joint venture.</b></p>
<b>Section C: Experience and Interest</b>	<ul style="list-style-type: none"> <li>• General Information concerning services;</li> <li>• Brief description of relevant completed assignments (indicate number of projects);</li> <li>• Brief CV and qualifications of Lead Consultant(s)/Partner(s) indicating years of experience in successfully completing similar assignments.</li> </ul>
<b>Section D: Client Lists</b>	<ul style="list-style-type: none"> <li>• List of major clients/projects over the last five years</li> </ul>

In accordance with section 35 of the Public Procurement Act (Act No. 15 of 2015), the Commission intends to draw up a shortlist of service providers and experts that have the capacity to perform the required service.

**Telephone:** +264 (0) 61 224622, **Facsimile:** +264 (0) 61 401 900,  
 269 Independence Avenue BPI House, Mezzanine Floor,  
 P. O. Box 2104, Windhoek, Namibia.

# Expression of Interest



The shortlisted consultants will be contacted and requested to submit a proposal including such information as prescribed in the Public Procurement Regulations.

The EoI must be in a sealed envelope marked “**Expression of Interest: Economic and Accounting Services**” or via email with the same subject, and addressed to:

**Ms. Martha Hawanga**  
**Head: Procurement Management Unit**  
**Namibian Competition Commission**  
**15 Eugene Marais Street**  
**Namibia Trade Forum Building**  
**Windhoek, Namibia**

The EoI must be deposited into the bid box at the **Namibian Competition Commission Reception, at 15 Eugene Marais Street, Namibia Trade Forum Building, Windhoek**, alternatively it should be emailed to: [NaCCProcurement@nacc.com.na](mailto:NaCCProcurement@nacc.com.na) on or before: **Monday, 30<sup>th</sup> May at 17:00pm.**

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**FAIR COMPETITION,  
PROSPEROUS ECONOMY**