

## CONDITIONS OF TENDER

### Trophy Hunting Concession for Nyae Nyae Conservancy

The successful Hunting Safari Company (Operator) will sign an agreement with the Nyae Nyae Conservancy and Community Forest (Conservancy). The selection will be based upon the Operator who puts forth the most advantageous Proposal to the residents of the Conservancy.

The Conservancy wants to promote highly ethical and sustainable hunting, given the international concerns regarding Trophy Hunting and the need to ensure the long term viability of the trophies in this area. Therefore to be eligible for the award of this concession the Operator must be a Namibian Registered Hunting Safari Company or Guest Farm, have Namibian registered Big Game Professional Hunters in its full time employment and be a registered ordinary NAPHA member.

Any Operator that has outstanding amounts due to Conservancies or Government Concessions, or have been found guilty of transgressions of the Nature Conservation Ordinance, or equivalent legislation in the SADC Region will be automatically disqualified. Moreover any operator that has been guilty of violating or circumventing CITES Regulations will automatically be disqualified.

It is expected that the Operator will be solely responsible for its own due diligence investigation of the viability of the Concession on tender. However at no time during the tender process should any representative of an interested Operator approach or try and contact any member of the Conservancy committee or representative, unless he/she has received a formal written request to attend a meeting by the Conservancy Chairman (excluding the incumbent Operator for issues relating to the current contract). Such an attempt will invalidate the application of that Operator.

Neither the government officials, Conservancy nor any of its employees, members, advisors or agents make any representation of warranty concerning any matter affecting the Concession.

The Conservancy will interview representatives of (up to 3) short-listed bidders who submit the most beneficial Proposal before final award of the Concession. It should be noted that the price tendered **will not** be the sole determinant of the winning tender. Consideration will also be given to such factors such as employment, training, in-kind conservation assistance, and other factors deemed appropriate by the conservancy committee. If necessary, further negotiations may take place with the successful Operator so as to conclude a Concession Agreement (Agreement).

The Trophy Hunting Concession Agreement will be valid for 3 years until the **30<sup>th</sup> November 2019** (Concession Period), but shall include an optional two-year extension based upon the performance and mutual satisfaction of both Parties.

The conservancy reserves the right to suspend or terminate the tender process at any time during the proceedings.

The successful Operator is committed for the duration of the Concession Period and is liable for the payment of the annual Hunting Fees as prescribed in the Agreement with the Conservancy.

Proposals shall list tender prices separately for each animal as listed in the tender document in US\$. However all payments shall be made in Namibian Dollars ONLY, based on agreed upon exchange rates. This tender price is related exclusively to trophy hunting rights.

The successful Operator may be required to provide a Performance Bond, **covering 40%** of the fees payable for the awarded trophy quota. If applicable, the Performance Bond must be submitted to the Conservancy before any hunts can begin.

The Operational Conditions & Guidelines for the Trophy Hunting Concession will be applicable to the successful applicant. Failure of the Concessionaire to follow these Conditions & Guidelines will be deemed as breach of contract.

The submission of the tender documents by a Hunting Safari Company implies full knowledge and acceptance of all terms and conditions set out in the tender documents including the Operational Conditions and Guidelines.