REQUEST FOR BID
PROFESSIONAL SERVICES

National Department of Health

BID DETAILS

BID NUMBER: NDoHF 03/2014-15
CLOSE Date: 23 March 2015
Time: 11:00
DESCRIPTION: APPOINTMENT OF A CONTRACTOR TO CONSTRUCT A NEW 24 HOUR COMMUNITY HEALTH CENTRE (CHC) AT MKHONDO (PIET RETIEF)

BRIEFING SESSION: Yes [ ] No [X]

DETAILS OF BIDDER

Organisation/individual: ________________________________________________________________
Contact person: ________________________________________________________________
Date: ________________________________________________________________
Email address: ________________________________________________________________
Telephone Number: ________________________________________________________________
Cellular Number: ________________________________________________________________
Fax Number: ________________________________________________________________

Procurement process administered by Deloitte Consulting (Pty) Ltd
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Part T1: Bidding Procedures
T1.1 Brief Project Description

*Details of the project are included in Volume 2, C3 Scope of Work*
T1.2 Bid Notice and Invitation to Bid

Appointment of a Contractor to construct a new 24 hour Community Health Centre (CHC) at Mkhondo

NDoH is a public institution and therefore procurement preference shall be given in line with Preferential Procurement Policy Framework Act (Act 5 of 2000) and it’s Regulations of 2011

The Closing date for this Bid is: 23 March 2015 at 11:00

The bidders are to submit One (1) Original Bid and One (1) Copy

BID DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:
Deloitte Reception
Riverwalk Office Park – Block B
41 Matroosberg Road
Ashlea Gardens X6
Pretoria

OR

Handed in over the counter at reception situated at the address noted should the submission be too big for the bid box

Deloitte Reception at the above address
Riverwalk Office Park – Block B
Pretoria prior to the official closure time.

Where bids are not dropped in the Tender Box but handed-over at Reception, bidders must ensure that they sign a tender submission register.

No faxed or emailed proposals will be accepted.

Bidders should ensure that proposals are delivered to Deloitte Pretoria reception area before the closing date and time to the correct physical address. If the bid is late, it will not be accepted for consideration.

- Proposals can be delivered between 08:00 and 16:30, Mondays to Fridays, prior to the closing date, and between 08:00 and 11:00 on the closing date.
- This Request for Bid is subject to the applicable Conditions of Bid stipulated in T1.2 and, if applicable any other Special Conditions of Contract.
- All bids must be submitted on the official bid forms (not to be retyped).
Bids submitted that do not comply with the minimum requirements as stated in T1.3 Bid Data will not be considered for evaluation.

Preferably a table of contents or an index page should be included in the front of the bid.

Any queries regarding technical and administrative information may be directed via e-mail 10 working days before the bid closing date which is the 23rd of March 2015 to:

Name: Unathi Zingato
Email: uzinganto@deloitte.co.za
Telephone: 012 482 0420 or 012 482 0000

Requirements for sealing, addressing, delivery, opening and assessment of Bids are stated in the Bid Data T1.2
T1.3 Bid Data


The Standard Conditions of Bid make several references to the Bid Data for details that apply specifically to this Bid. The Bid Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Bid.

Each item of data given below is cross-referenced to the clause in the Standard Conditions of Bid to which it mainly applies.

<table>
<thead>
<tr>
<th>_clause_number</th>
<th>bid_data</th>
</tr>
</thead>
<tbody>
<tr>
<td>F.1.1</td>
<td>The employer is National Department of Health</td>
</tr>
<tr>
<td>F.1.2</td>
<td>The Bid Documents issued by NDoH comprise the documents in Table of Content</td>
</tr>
<tr>
<td>F.1.4</td>
<td>The employer’s agents is Name: Unathi Zingato Tel: 012 482 0420 or 012 482 0000 Email: <a href="mailto:uzinganto@deloitte.co.za">uzinganto@deloitte.co.za</a></td>
</tr>
<tr>
<td>F.1.6</td>
<td>The competitive selection procedure shall be applied</td>
</tr>
</tbody>
</table>
|F.2.1         | Only those Bidders who satisfy the following eligibility criteria will be considered for the next phase of evaluation:
|              | a. The bidder is actively registered with CIDB grading of Grade 7PE / 8 GB or higher|
|              | b. All returnable documents and schedules listed in T2.2 section A and B have been included in the response as per separate packaging instructions indicated.
|              | c. The bidder has not:
|              | a. Abused the NDoH's Supply Chain Management System.
|              | b. Failed to perform on any previous contract and has been given written notice to this effect.
|              | d. The employer is reasonably satisfied that the Bidder has in terms of the Construction Regulations, 2003, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely.
|              | e. The employer is satisfied that the Bidder or any of its directors listed on the National Treasury’s database as companies or persons prohibited from doing business with the public sector.
|              | f. The bidder as an individual firm or as a consortium must provide the full range of
services as set out in the objectives and scope of work.

g. The necessary professionals should be either permanent staff members or shall be engaged as sub-contractors to perform the required services.

h. The bidder is registered in terms of the Companies Act, 1973 (Act 61 of 1973) or the Close Corporation Act, 1984 (Act No. 69 of 1984) or the Non-Profit Organisations Act, 1997 (Act 71 of 1997).

i. If bidding entity is classified as a Joint Venture or Sub-contracting entity that is comprised of multiple organisations, official Joint Venture or Sub contracting agreement is required to be submitted with the bid. Failure of organisation to not submit applicable agreement with this submission will render bid invalid.

Non-compliance to any of the eligibility criteria shall render the bid non-responsive and shall be eliminated from the evaluation process. The Bidder is required to provide proof of eligibility as part of Returnable Schedules.

<table>
<thead>
<tr>
<th>F.2.7</th>
<th>There is no compulsory site inspection.</th>
</tr>
</thead>
<tbody>
<tr>
<td>F.2.12</td>
<td>No alternative Bid offers will be considered</td>
</tr>
<tr>
<td>F.2.13.5</td>
<td>The employer’s detail and address for delivery of bid offers and identification that are to be shown on each bid offer package are:</td>
</tr>
<tr>
<td>F.2.15.1</td>
<td>Location of tender box: Deloitte Reception</td>
</tr>
<tr>
<td></td>
<td>Physical address: Riverwalk Office Park – Block B</td>
</tr>
<tr>
<td></td>
<td>41 Matroosberg Road</td>
</tr>
<tr>
<td></td>
<td>Ashlea Gardens X6</td>
</tr>
<tr>
<td></td>
<td>Pretoria</td>
</tr>
<tr>
<td></td>
<td>Identification details: Bid reference number, title of bid and closing date and time of bid</td>
</tr>
<tr>
<td>F.2.13.9</td>
<td>Telephonic, telegraphic, telex, facsimile or emailed bid offers will not be accepted</td>
</tr>
<tr>
<td>F.2.15</td>
<td>The closing time for submission of Bid offers is as stated in the Bid Notice and Invitation to Bid.</td>
</tr>
<tr>
<td>F.2.16</td>
<td>All Bids shall remain valid for a period of hundred and twenty (120) days after the time and date set for the opening of Bids, or until the Bidder is relieved of this obligation by NDOH, in writing at an earlier date. However, the Bidder may be requested in writing not later than fourteen (14) days before this validity period lapse, to extend the validity of this Bid for a specific period. The written approval of the Bidder must then be received before the lapsing of the original validity period, in order to remain valid.</td>
</tr>
</tbody>
</table>

Should a Bidder –
- Withdraw his/her Bid during the period of its validity or
- Give notice of his inability to execute the contract or fail to execute the contract

Then he shall be liable for and pay to NDOH
- all expenses incurred in calling for fresh bids, if it should be necessary
- the difference between his Bid and any less favourable Bid accepted either by fresh
Bids being called or by another Bid being accepted from those already received
• any escalation of the final contract price resulting from any delay caused in calling for fresh Bids

Provided always that NDOH may exempt a Bidder from the provisions hereof if it is of the opinion that the circumstances justify such exemption.

F.2.19 The employer reserves the right to carry further analysis and complete the due diligence of the Bidder

F.2.23 The Bidder is required to submit all returnable documents listed in the Part T2.2

F.3.1.1 The employer will respond to request for clarification received up to 10 working days before the tender closing date which is the **23rd of March 2015**.

F.3.2 The employer shall issue addenda until 3 working days before the bid closing time

F.3.4 Bids will be opened immediately after the closing time at: Deloitte Office, Riverwalk Office Park – Block B, 41 Matroosberg Road, and Ashlea Gardens X 6 Pretoria at (time) 11:00.

F.3.11 This bid shall be evaluated using 90/10 system as stipulated in the Preferential Procurement Policy Framework Regulations 2011

F.3.11.3 The quality criteria and maximum score in respect of each of the criteria is as follows:

<table>
<thead>
<tr>
<th>Quality Criteria</th>
<th>Sub-criteria</th>
<th>Sub-points</th>
<th>Maximum number of points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Successfully completed new construction projects over last 5 years</td>
<td>N/A</td>
<td></td>
<td>15</td>
</tr>
<tr>
<td>Experience of key members</td>
<td>Contracts Manager</td>
<td>3</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Site Agent</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td><strong>Maximum possible score for quality</strong></td>
<td></td>
<td></td>
<td><strong>25</strong></td>
</tr>
</tbody>
</table>

Scoring Methodology for each criteria stated above is described in detail in Section 2.2, Returnable Documents

Quality shall be scored by not less than three (3) evaluators in accordance with the following schedule:

- Evaluation Schedule 1: Successfully completed new construction projects over last 5 years
- Evaluation Schedule 2: Experience of key members

The minimum threshold of evaluation points for quality is **20 points**.

F.3.13.1 Bid offers will only be accepted if:

a. the Bidder has in his or her possession an original valid Tax Clearance Certificate issued by the South African Revenue Services
b. the Bidder or any of its directors is not listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; (National Treasury Restricted Bidders List) and

c. The bidder does not appear in the CIDB list of Restricted Bidders

d. the Bidder has not:
   i) abused the NDOH’s Supply Chain Management System; or
   ii) Failed to perform on any previous contract and has been given a written notice to this effect.

e. It is considered that the performance of the services will not be compromised through any conflict of interest...

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F.3.17  The number of paper copies of the signed contract to be provided by the employer is one.

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**The additional conditions of bidder are:**

a. Bidders who meet the pre-eligibility criteria stated in F.2.1 shall be eligible for evaluation of Bill of Quantities submitted.

b. Bidders will be evaluated in one phase:

   i. **Phase 1:** Bidders will be evaluated using method 2 (Financial offer and Preference) with the 90/10 point system as outlined in the PPPFA where:

<table>
<thead>
<tr>
<th>Factor</th>
<th>Points</th>
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</thead>
<tbody>
<tr>
<td>Price</td>
<td>90</td>
</tr>
<tr>
<td>B-BBEE Compliance</td>
<td>10</td>
</tr>
</tbody>
</table>

   c. The successful Contractor will be awarded the bid.
Annexure 1: CIDB Standard Conditions of Tender

F.1 General

F.1.1 Actions

F.1.1.1 The employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in F.2 and F.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anticompetitive practices.

F.1.1.2 The employer and the tenderer and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Tenderers shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

Note: 1) A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.

2) Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.

F.1.1.3 The employer shall not seek and a tenderer shall not submit a tender without having a firm intention and the capacity to proceed with the contract.

F.1.2 Tender Documents

The documents issued by the employer for the purpose of a tender offer are listed in the tender data.

F.1.3 Interpretation

F.1.3.1 The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these conditions of tender.

F.1.3.2 These conditions of tender, the tender data and tender schedules which are only required for tender evaluation purposes, shall not form part of any contract arising from the invitation to tender.

F.1.3.3 For the purposes of these conditions of tender, the following definitions apply:

a) conflict of interest means any situation in which:

i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially;

ii) an individual or organisation is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or

iii) incompatibility or contradictory interests exist between an employee and the organisation which employs that employee.
b) **comparative offer** means the tenderer’s financial offer after all tendered parameters that will affect the value of the financial offer have been taken into consideration in order to enable comparisons to be made between offers on a comparative basis.

c) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process; and

d) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels.

e) **organization** means a company, firm, enterprise, association or other legal entity, whether incorporated or not, or a public body.

f) **quality (functionality)** means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs.

**F.1.4 Communication and employer's agent**

Each communication between the employer and a tenderer shall be to or from the employer's agent only, and in a form that can be readily read, copied and recorded. Communications shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a tenderer. The name and contact details of the employer’s agent are stated in the tender data.

**F.1.5 The employer’s right to accept or reject any tender offer**

**F.1.5.1** The employer may accept or reject any variation, deviation, tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a tenderer for such cancellation and rejection, but will give written reasons for such action upon written request to do so.

**F.1.5.2** The employer may not subsequent to the cancellation or abandonment of a tender process or the rejection of all responsive tender offers re-issue a tender covering substantially the same scope of work within a period of six months unless only one tender was received and such tender was returned unopened to the tenderer.

**F.1.6 Procurement procedures**

**F.1.6.1 General**

Unless otherwise stated in the tender data, a contract will, subject to F.3.13, be concluded with the tenderer who in terms of F.3.11 is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submissions that are received at the closing time for tenders.

**F.1.6.2 Competitive negotiation procedure**

**F.1.6.2.1** Where the tender data require that the competitive negotiation procedure is to be followed, tenderers shall submit tender offers in response to the proposed contract in the first round of submissions. Notwithstanding the requirements of F.3.4, the employer shall announce only the names of the tenderers who make a submission. The requirements of F.3.8 relating to the material deviations or qualifications which affect the competitive position of tenderers shall not apply.

**F.1.6.2.2** All responsive tenderers, or not less than three responsive tenderers that are highest ranked in terms of the evaluation method and evaluation criteria stated in the tender data, shall be invited in each round to enter into competitive negotiations, based on the principle of equal treatment and keeping confidential the proposed solutions and associated information. Notwithstanding the provisions of F.2.17, the employer may request that tenders be clarified, specified and fine-tuned in order to improve a tenderer’s competitive position provided that such clarification, specification, fine-tuning or additional...
information does not alter any fundamental aspects of the offers or impose substantial new requirements which restrict or distort competition or have a discriminatory effect.

F.1.6.2.3 At the conclusion of each round of negotiations, tenderers shall be invited by the employer to make a fresh tender offer, based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.

F.1.6.2.4 The contract shall be awarded in accordance with the provisions of F.3.11 and F.3.13 after tenderers have been requested to submit their best and final offer.

F.1.6.3 Proposal procedure using the two stage-system

F.1.6.3.1 Option 1

Tenderers shall in the first stage submit technical proposals and, if required, cost parameters around which a contract may be negotiated. The employer shall evaluate each responsive submission in terms of the method of evaluation stated in the tender data, and in the second stage negotiate a contract with the tenderer scoring the highest number of evaluation points and award the contract in terms of these conditions of tender.

F.1.6.3.2 Option 2

F.1.6.3.2.1 Tenderers shall submit in the first stage only technical proposals. The employer shall invite all responsive tenderers to submit tender offers in the second stage, following the issuing of procurement documents.

F.1.6.3.2.2 The employer shall evaluate tenders received during the second stage in terms of the method of evaluation stated in the tender data, and award the contract in terms of these conditions of tender.

F.2 Tenderer’s obligations

F.2.1 Eligibility

F.2.1.1 Submit a tender offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of his principals, is not under any restriction to do business with employer.

F.2.1.2 Notify the employer of any proposed material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used by the employer as the basis in a prior process to invite the tenderer to submit a tender offer and obtain the employer’s written approval to do so prior to the closing time for tenders.

F.2.2 Cost of tendering

Accept that, unless otherwise stated in the tender data, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.

F.2.3 Check documents

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

F.2.4 Confidentiality and copyright of documents
Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

F.2.5 Reference documents

Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

F.2.6 Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.

F.2.7 Clarification meeting

Attend, where required, a clarification meeting at which tenderers may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the tender data.

F.2.8 Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.

F.2.9 Insurance

Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.

F.2.10 Pricing the tender offer

F.2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.

F2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.

F.2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.

F.2.10.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

F.2.11 Alterations to documents

Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations. Erasures and the use of masking fluid are prohibited.

F.2.12 Alternative tender offers
F.2.12.1 Unless otherwise stated in the tender data, submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted as well as a schedule that compares the requirements of the tender documents with the alternative requirements that are proposed.

F.2.12.2 Accept that an alternative tender offer may be based only on the criteria stated in the tender data or criteria otherwise acceptable to the employer.

F.2.13 Submitting a tender offer

F.2.13.1 Submit one tender offer only, either as a single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

F.2.13.2 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing legibly in non-erasable ink.

F.2.13.3 Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

F.2.13.4 Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

F.2.13.5 Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

F.2.13.6 Where a two-envelope system is required in terms of the tender data, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

F.2.13.7 Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.

F.2.13.8 Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

F.2.13.9 Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer, unless stated otherwise in the tender data.

F.2.14 Information and data to be completed in all respects

Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

F.2.15 Closing time

F.2.15.1 Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery.
F.2.15.2 Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

F.2.16 Tender offer validity

F.2.16.1 Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.

F.2.16.2 If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period with or without any conditions attached to such extension.

F.2.16.3 Accept that a tender submission that has been submitted to the employer may only be withdrawn or substituted by giving the employer’s agent written notice before the closing time for tenders that a tender is to be withdrawn or substituted.

F.2.16.4 Where a tender submission is to be substituted, submit a substitute tender in accordance with the requirements of F.2.13 with the packages clearly marked as “SUBSTITUTE”.

F.2.17 Clarification of tender offer after submission

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.

Note: Sub-clause F.2.17 does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so.

F.2.18 Provide other material

F.2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer’s commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer’s request, the employer may regard the tender offer as non-responsive.

F.2.18.2 Dispose of samples of materials provided for evaluation by the employer, where required.

F.2.19 Inspections, tests and analysis

Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.

F.2.20 Submit securities, bonds, policies, etc.

If requested, submit for the employer’s acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

F.2.21 Check final draft

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.
F.2.22 Return of other tender documents

If so instructed by the employer, return all retained tender documents within 28 days after the expiry of the validity period stated in the tender data.

F.2.23 Certificates

Include in the tender submission or provide the employer with any certificates as stated in the tender data.

F.3 The employer’s undertakings

F.3.1 Respond to requests from the tenderer

F.3.1.1 Unless otherwise stated in the tender Data, respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents.

F.3.1.2 Consider any request to make a material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used to prequalify a tenderer to submit a tender offer in terms of a previous procurement process and deny any such request if as a consequence:

a) an individual firm, or a joint venture as a whole, or any individual member of the joint venture fails to meet any of the collective or individual qualifying requirements;

b) the new partners to a joint venture were not prequalified in the first instance, either as individual firms or as another joint venture; or

c) in the opinion of the Employer, acceptance of the material change would compromise the outcome of the prequalification process.

F.3.2 Issue Addenda

If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until three days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify all tenderers who drew documents.

F.3.3 Return late tender offers

Return tender offers received after the closing time stated in the Tender Data, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the tenderer concerned.

F.3.4 Opening of tender submissions

F.3.4.1 Unless the two-envelope system is to be followed, open valid tender submissions in the presence of tenderers’ agents who choose to attend at the time and place stated in the tender data. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened.

F.3.4.2 Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each tenderer whose tender offer is opened and, where applicable, the total of his prices, preferences claimed and time for completion for the main tender offer only.

F.3.4.3 Make available the record outlined in F.3.4.2 to all interested persons upon request.

F.3.5 Two-envelope system
F.3.5.1 Where stated in the tender data that a two-envelope system is to be followed, open only the technical proposal of valid tenders in the presence of tenderers’ agents who choose to attend at the time and place stated in the tender data and announce the name of each tenderer whose technical proposal is opened.

F.3.5.2 Evaluate the quality of the technical proposals offered by tenderers, then advise tenderers who remain in contention for the award of the contract of the time and place when the financial proposals will be opened. Open only the financial proposals of tenderers, who score in the quality evaluation more than the minimum number of points for quality stated in the tender data, and announce the score obtained for the technical proposals and the total price and any preferences claimed. Return unopened financial proposals to tenderers whose technical proposals failed to achieve the minimum number of points for quality.

F.3.6 Non-disclosure

Not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer.

F.3.7 Grounds for rejection and disqualification

Determine whether there has been any effort by a tenderer to influence the processing of tender offers and instantly disqualify a tenderer (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices.

F.3.8 Test for responsiveness

F.3.8.1 Determine, after opening and before detailed evaluation, whether each tender offer properly received:

a) complies with the requirements of these Conditions of Tender,
b) has been properly and fully completed and signed, and
c) is responsive to the other requirements of the tender documents.

F.3.8.2 A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer’s opinion, would:

a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,
b) significantly change the Employer’s or the tenderer’s risks and responsibilities under the contract, or
c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.

Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

F.3.9 Arithmetical errors, omissions and discrepancies

F.3.9.1 Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.

F.3.9.2 Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with F.3.11 for:
a) the gross misplacement of the decimal point in any unit rate;
b) omissions made in completing the pricing schedule or bills of quantities; or
c) arithmetic errors in:
   i) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or
      schedules of prices; or
   ii) the summation of the prices.

F.3.9.3 Notify the tenderer of all errors or omissions that are identified in the tender offer and either
confirm the tender offer as tendered or accept the corrected total of prices.

F.3.9.4 Where the tenderer elects to confirm the tender offer as tendered, correct the errors as follows:
   a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from
      the product of the unit rate and the quantity, the line item total shall govern and the rate shall be
      corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the
      line item total as quoted shall govern, and the unit rate shall be corrected.
   b) Where there is an error in the total of the prices either as a result of other corrections required by this
      checking process or in the tenderer's addition of prices, the total of the prices shall govern and the
      tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to
      achieve the tendered total of the prices.

F.3.10 Clarification of a tender offer

Obtain clarification from a tenderer on any matter that could give rise to ambiguity in a contract arising
from the tender offer.

F.3.11 Evaluation of tender offers

F.3.11.1 General

Appoint an evaluation panel of not less than three persons. Reduce each responsive tender offer to a
comparative offer and evaluate them using the tender evaluation methods and associated evaluation
criteria and weightings that are specified in the tender data.

F.3.11.2 Method 1: Financial offer

In the case of a financial offer:
   a) Rank tender offers from the most favourable to the least favourable comparative offer.
   b) Recommend the highest ranked tenderer for the award of the contract, unless there are compelling
      and justifiable reasons not to do so.
   c) Re-rank all tenderers should there be compelling and justifiable reasons not to recommend the
      highest ranked tenderer and recommend the highest ranked tenderer, unless there are compelling
      and justifiable reasons not to do so and the process set out in this subclause is repeated.

F.3.11.3 Methods 2: Financial offer and preference

In the case of a financial offer and preferences:
   a) Score each tender in respect of the financial offer made and preferences claimed, if any, in
      accordance with the provisions of F.3.11.7 and F.3.11.8.
   b) Calculate the total number of tender evaluation points \((T_{EV})\) in accordance with the following
      formula:
**F.3.11.4 Method 3: Financial offer and quality**

In the case of a financial offer and quality:

a) Score each tender in respect of the financial offer made and the quality offered in accordance with the provisions of F.3.11.7 and F.3.11.9, rejecting all tender offers that fail to score the minimum number of points for quality stated in the tender data, if any.

b) Calculate the total number of tender evaluation points \( T_{EV} \) in accordance with the following formula:

\[
T_{EV} = N_{FO} + N_{Q}
\]

where:
- \( N_{FO} \) is the number of tender evaluation points awarded for the financial offer made in accordance with F.3.11.7;
- \( N_{Q} \) is the number of tender evaluation points awarded for quality offered in accordance with F.3.11.9.

c) Rank tender offers from the highest number of tender evaluation points to the lowest.

d) Recommend tenderer with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

e) Rescore and re-rank all tenderers should there be compelling and justifiable reasons not to recommend the tenderer with the highest number of tender evaluation points and recommend the tenderer with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

**F.3.11.5 Method 4: Financial offer, quality and preferences**

In the case of a financial offer, quality and preferences:

a) Score each tender in respect of the financial offer made, preference claimed, if any, and the quality offered in accordance with the provisions of F.3.11.7 to F.3.11.9, rejecting all tender offers that fail to score the minimum number of points for quality stated in the tender data, if any.

b) Calculate the total number of tender evaluation points \( T_{EV} \) in accordance with the following formula, unless otherwise stated in the Tender Data:

\[
T_{EV} = N_{FO} + N_{P} + N_{Q}
\]

where:
- \( N_{FO} \) is the number of tender evaluation points awarded for the financial offer made in accordance with F.3.11.7;
- \( N_{P} \) is the number of tender evaluation points awarded for preferences claimed in accordance with F.3.11.8.
- \( N_{Q} \) is the number of tender evaluation points awarded for quality offered in accordance with F.3.11.9.

c) Rank tender offers from the highest number of tender evaluation points to the lowest.
d) Recommend the tenderer with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

e) Rescore and re-rank all tenderers should there be compelling and justifiable reasons not to recommend the tenderer with the highest number of tender evaluation points and recommend the tenderer with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

F.3.11.6 Decimal places

Score financial offers, preferences and quality, as relevant, to two decimal places.

F.3.11.7 Scoring Financial Offers

Score the financial offers of remaining responsive tender offers using the following formula:

\[ N_{FO} = W_1 \times A \]

where:  
- \( N_{FO} \) is the number of tender evaluation points awarded for the financial offer.
- \( W_1 \) is the maximum possible number of tender evaluation points awarded for the financial offer as stated in the Tender Data.
- \( A \) is a number calculated using the formula and option described in Table F.1 as stated in the Tender Data.

Table F.1: Formulae for calculating the value of A

<table>
<thead>
<tr>
<th>Formula</th>
<th>Comparison aimed at achieving</th>
<th>Option 1a</th>
<th>Option 2a</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Highest price or discount</td>
<td>( A = (1 + (P - P_m)) / P_m )</td>
<td>( A = P / P_m )</td>
</tr>
<tr>
<td>2</td>
<td>Lowest price or percentage commission / fee</td>
<td>( A = (1 - (P - P_m)) / P_m )</td>
<td>( A = P_m / P )</td>
</tr>
</tbody>
</table>

a) \( P_m \) is the comparative offer of the most favourable comparative offer.

b) \( P \) is the comparative offer of the tender offer under consideration.

F.3.11.8 Scoring preferences

Confirm that tenderers are eligible for the preferences claimed in accordance with the provisions of the tender data and reject all claims for preferences where tenderers are not eligible for such preferences. Calculate the total number of tender evaluation points for preferences claimed in accordance with the provisions of the tender data.

F.3.11.9 Scoring quality

Score each of the criteria and subcriteria for quality in accordance with the provisions of the Tender Data.

Calculate the total number of tender evaluation points for quality using the following formula:

\[ N_Q = W_2 \times S_Q / M_S \]

where: 
- \( S_Q \) is the score for quality allocated to the submission under consideration;
- \( M_S \) is the maximum possible score for quality in respect of a submission; and
- \( W_2 \) is the maximum possible number of tender evaluation points awarded for the quality as stated in the tender data.
F.3.12 Insurance provided by the employer

If requested by the proposed successful tenderer, submit for the tenderer’s information the policies and/or certificates of insurance which the conditions of contract identified in the contract data, require the employer to provide.

F.3.13 Acceptance of tender offer

Accept the tender offer, if in the opinion of the employer, it does not present any unacceptable commercial risk and only if the tenderer:

a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer’s procurement,
b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
c) has the legal capacity to enter into the contract,
d) is not insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing,
e) complies with the legal requirements, if any, stated in the tender data, and
f) is able, in the opinion of the employer, to perform the contract free of conflicts of interest.

F.3.14 Prepare contract documents

F.3.14.1 If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

a) addenda issued during the tender period,
b) inclusion of some of the returnable documents, and
c) other revisions agreed between the employer and the successful tenderer.

F.3.14.2 Complete the schedule of deviations attached to the form of offer and acceptance, if any.

F.3.15 Complete adjudicator’s contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

F.3.16 Notice to unsuccessful tenderers

F.3.16.1 Notify the successful tenderer of the employer’s acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period.

F.3.16.2 After the successful tenderer has been notified of the employer’s acceptance of the tender, notify other tenderers that their tender offers have not been accepted.

F.3.17 Provide copies of the contracts

Provide to the successful tenderer the number of copies stated in the Tender Data of the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.
F.3.18 Provide written reasons for actions taken

Provide upon request written reasons to tenderers for any action that is taken in applying these conditions of tender, but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of tenderers or might prejudice fair competition between tenderers.
Part T2: Returnable Schedules
T2.1 Rules and Guidelines of Returnable Documents

Rules and guidelines related to appropriate submission of returnable documents.

- Bidders must package returnable documents listed in section A and B in 2 separate envelopes.
  - Each envelope must contain specific section (with related returnable) which should be bound together with 1st applicable returnable index form as first page of returnable document section.
  - All index forms submitted must be signed off and confirmation of documents attached must be completed.
  - Bidders must complete all returnable documents listed below in full, unless relevant document indicated is not applicable.
  - Failure to package documents as instructed with fully complete index forms or not returning required documents shall render this bid non responsive and bidders shall be eliminated from the evaluation process.
### T2.2 Returnable Schedules

#### Section A: Returnable Form Index

<table>
<thead>
<tr>
<th>Numbered</th>
<th>Returnable documents</th>
<th>Part / Page</th>
<th>Attached / Not attached</th>
</tr>
</thead>
<tbody>
<tr>
<td>Form 1</td>
<td>Bid Sign Off</td>
<td>T2.2 / Page 25</td>
<td></td>
</tr>
<tr>
<td>Form 2</td>
<td>Tax Clearance Certificate</td>
<td>T2.2 / Page 27</td>
<td></td>
</tr>
<tr>
<td>Form 3</td>
<td>Compulsory Enterprise Questionnaire</td>
<td>T2.2 / Page 28</td>
<td></td>
</tr>
<tr>
<td>Form 4</td>
<td>Declaration of Bidder’s Past Supply Chain Practices</td>
<td>T2.2 / Page 31</td>
<td></td>
</tr>
<tr>
<td>Form 5</td>
<td>Certificate of Authority of an entity</td>
<td>T2.2 / Page 33</td>
<td></td>
</tr>
<tr>
<td>Form 6</td>
<td>Authority of Signature</td>
<td>T2.2 / Page 34</td>
<td></td>
</tr>
<tr>
<td>Form 7</td>
<td>Preference Points claimed - &amp; BEE Certificate</td>
<td>T2.2 / Page 35</td>
<td></td>
</tr>
<tr>
<td>Form 8</td>
<td>Declaration of Bidder Litigation History</td>
<td>T2.2 / Page 41</td>
<td></td>
</tr>
<tr>
<td>Form 9</td>
<td>Certificate of Independent Bid Determination SBD 9</td>
<td>T2.2 / Page 42</td>
<td></td>
</tr>
<tr>
<td>Form 10</td>
<td>Company Registration certificate</td>
<td>T2.2 / Page 45</td>
<td></td>
</tr>
<tr>
<td>Form 11</td>
<td>Record of Addenda to Bid documents</td>
<td>T2.2 / Page 47</td>
<td></td>
</tr>
<tr>
<td>Form 12</td>
<td>Record of Consultancy Services provided to Organs of State</td>
<td>T2.2 / Page 48</td>
<td></td>
</tr>
<tr>
<td>Form 13</td>
<td>CIDB grading and category confirmation</td>
<td>T2.2 / Page 53</td>
<td></td>
</tr>
<tr>
<td>Form 14</td>
<td>Risk / Capacity Assessment of Current Projects</td>
<td>T2.2 / Page 54</td>
<td></td>
</tr>
<tr>
<td>Form 15</td>
<td>Schedule of Plant and Equipment</td>
<td>T2.2 / Page 55</td>
<td></td>
</tr>
</tbody>
</table>

**Signed** | ................................. |
**Date**    | ................................. |

**Name** | ................................. |
**Position** | ................................. |

**Bidder** | ................................. |
Form 1: Bid Sign-off

All Bidders must furnish the following particulars and include them in their submission
(Failure to do so will result in your proposal being disqualified)

Entity name: …………………………………………………………………………………………………………………

Registration number: ……………………………………………………………………………………………………………

Tax registration number: ………………………………………………………………………………………………………

Tax Clearance Certificate submitted: YES / NO

VAT registration number: ………………………………………………………………………………………………………

Postal address: …………………………………………………………………………………………………………………

………………………………………………………………………………………………………………

Street address: …………………………………………………………………………………………………………………

………………………………………………………………………………………………………………

Telephone number: Code: ……………. Number: …………………………

Cellular number: ………………………………………………………………………………………………………………

Facsimile number: Code: Number: …………………………

E-mail address: …………………………………………………………………………………………………………………

Contact details of responsible person who will act on behalf of the entity/consortium/joint venture for this BID

Name and Surname: ……………………………………………………………………………………………………………

Telephone number: Code: Number: ………………………………..

Cellular number: …………………………………………………………………………………………………………………

Facsimile number: Code: …………………. Number: ………………………………..

E-mail address: …………………………………………………………………………………………………………………

Contact details of alternative responsible person who will act on behalf of the person above should he/she not be available

Name and Surname: ……………………………………………………………………………………………………………

Telephone number: Code: ……………. Number: ………………………………..
Cellular number: ……………………………………………………………………………………………………

Facsimile number: Code: ……………….. Number: …………………………………………..

E-mail address: ………………………………………………………………………………………………………

Declaration

I/We have examined the information provided in your BID and offer to undertake the work prescribed in accordance with the requirements as set out in the BID. The prices quoted in our proposal are valid for the stipulated period. I/We confirm the availability of the proposed team members. We confirm that this proposal will remain binding upon us and may be accepted by you at any time before the expiry date.

Signature of Bidder: _______________________________________________________

Date: ______________________________________________________________________

Are you duly authorised to commit the Bidder: YES / NO

Capacity under which this proposal is signed ____________________________________

Failure on the part of the Bidder to sign this form and thus to acknowledge and accept the conditions in writing or to complete the attached forms, questionnaires and specifications in all respects, will invalidate the proposal.
Form 2: Tax Clearance Certificate Requirements

It is a condition of bid that the taxes of the successful Bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the Bidder’s tax obligations.

1 In order to meet this requirement Bidders are required to complete in full the attached form TCC 001 “Application for a Tax Clearance Certificate” and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign Bidders / individuals who wish to submit bids.

2 SARS will then furnish the Bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.

3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.

4 In bids where Consortia / Joint Ventures / Sub-service providers are involved, each party must submit a separate Tax Clearance Certificate.

5 Copies of the TCC 001 “Application for a Tax Clearance Certificate” form are available from any SARS branch office nationally or on the website www.sars.gov.za

6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za
Form 3: Compulsory Enterprise Questionnaire

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.

<table>
<thead>
<tr>
<th>Section 1: Name of enterprise:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Section 2: VAT registration number, if any:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Section 3: CIDB registration number, if any:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Section 4: Particulars of sole proprietors and partners in partnerships</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name*</td>
</tr>
<tr>
<td>-------</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

<table>
<thead>
<tr>
<th>Section 5: Particulars of companies and close corporations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Company registration number</td>
</tr>
<tr>
<td>Close corporation number</td>
</tr>
<tr>
<td>Tax reference number</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Section 6: Record in the service of the state</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:</td>
</tr>
</tbody>
</table>

- □ a member of any municipal council
- □ a member of any provincial legislature
- □ a member of the National Assembly or the National Council of Province
- □ a member of the board of directors of any municipal entity
- □ an official of any municipality or municipal entity
- □ an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
- □ a member of an accounting authority of any national or provincial public entity
- □ an employee of Parliament or a provincial legislature
If any of the above boxes are marked, disclose the following:

<table>
<thead>
<tr>
<th>Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder</th>
<th>Name of institution, public office, board or organ of state and position held</th>
<th>Status of service (tick appropriate column)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Current</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Insert separate page if necessary*

**Section 7: Record of spouses, children and parents in the service of the state**

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

- ☐ a member of any municipal council
- ☐ a member of any provincial legislature
- ☐ a member of the National Assembly or the National Council of Province
- ☐ a member of the board of directors of any municipal entity
- ☐ an official of any municipality or municipal entity
- ☐ an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
- ☐ a member of an accounting authority of any national or provincial public entity
- ☐ an employee of Parliament or a provincial legislature

<table>
<thead>
<tr>
<th>Name of spouse, child or parent</th>
<th>Name of institution, public office, board or organ of state and position held</th>
<th>Status of service (tick appropriate column)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>Current</td>
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<td></td>
</tr>
</tbody>
</table>
The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

i) authorizes the NDOH to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;

ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Bid Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;

iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;

iv) confirms that I / we are not associated, linked or involved with any other Bidding entities submitting Bid offers and have no other relationship with any of the Bidders or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and

iv) Confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

<table>
<thead>
<tr>
<th>Signed</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
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</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Enterprise name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>
Form 4: Declaration of Bidder’s Past Supply Chain Management Practices

1. This Bid shall be disregarded if the Bidder, or any of its directors have:
   - Abused the institutions supply chain management systems;
   - Committed fraud or any other improper conduct in relation to such a system; or
   - Failed to perform on any previous contract

2. In order to give effect to the above, the following questionnaire may be completed and submitted with the Bid.

<table>
<thead>
<tr>
<th>No.</th>
<th>Question</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>Is the Bidder or any of its directors listed on the National Treasury’s database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <em>audiaterrampartem rule</em> was applied). The Database of Restricted Suppliers now resides on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.2</td>
<td>If so, furnish particulars</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3</td>
<td>Is the Bidder or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Bid Defaulters can be accessed on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4</td>
<td>If so, furnish particulars</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.5</td>
<td>Was the Bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.6</td>
<td>If so, furnish particulars</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.7</td>
<td>Was any contract between the Bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.8</td>
<td>If so, furnish particulars</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) ……………………………………………………… CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

____________________________________
Signature

____________________________________
Date

____________________________________
Position

____________________________________
Name of Bidder
**Form 5: Certificate of Authority of an Entity**

Please complete in full and attach required documents (if applicable) defining the bidding company status by ticking the appropriate box hereunder.

<table>
<thead>
<tr>
<th>Bidder Status</th>
<th>*Tick off applicable status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One Company Bidding</strong></td>
<td></td>
</tr>
<tr>
<td>Company</td>
<td></td>
</tr>
<tr>
<td><em>Documents required: No documents required</em></td>
<td></td>
</tr>
<tr>
<td>Close Corporation</td>
<td></td>
</tr>
<tr>
<td><em>Documents required: No documents required</em></td>
<td></td>
</tr>
<tr>
<td>Partnership</td>
<td></td>
</tr>
<tr>
<td><em>Documents required: No documents required</em></td>
<td></td>
</tr>
<tr>
<td>Sole Proprietor</td>
<td></td>
</tr>
<tr>
<td><em>Documents required: No documents required</em></td>
<td></td>
</tr>
<tr>
<td><strong>Multiple-Companies Bidding</strong></td>
<td></td>
</tr>
<tr>
<td>Joint Venture / Consortium</td>
<td></td>
</tr>
<tr>
<td><em>Documents required: attach joint venture agreement signed by all members.</em></td>
<td></td>
</tr>
<tr>
<td>Sub-contracting</td>
<td></td>
</tr>
<tr>
<td><em>Documents required: attach Sub-Contracting Agreement signed by all members.</em></td>
<td></td>
</tr>
</tbody>
</table>

Please note that if your Bid is identified as a Bid with Multiple Companies bidding which is either classified as a Joint Venture / Consortium or Subcontracting and the required attached document (Agreement) is not submitted, bidders will be regarded as invalid.

**Declaration**

I/We have examined the required information requested and I/We confirm that the documents and information provided is correct and reflective of the entities current status.

Signature of Bidder: ________________________________________________________________

Date: __________________________________________________________________________

Are you duly authorised to commit the Bidder: YES / NO

Capacity under which this proposal is signed: ________________________________
Form 6: Authority of Signature

RESOLUTION of a meeting of the Board of *Directors / Members / Partners/:

Name of Firms ……………………………………………………………………………………………………… held on the ……………………………………………….. That:

<table>
<thead>
<tr>
<th>FULL NAMES</th>
<th>SIGNATURES</th>
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</tr>
</tbody>
</table>

In his/her capacity as …………………………………………………………….. Is / are hereby authorised to enter into, sign and execute and complete any documents relating to Bid and or Contracts for the supply of goods and services.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
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<td></td>
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</tbody>
</table>

NOTE:

1. This is to be completed by all bidders including Sole Proprietors (*Delete which is not applicable)
2. NB: This resolution must be signed by all the Directors / Members/ Partners of the Bidding Enterprise
3. Should the number of Directors / Members / Partners exceed the space available above additional names and signatures must be supplied on a separate page.

ENTERPRISE STAMP
Form 7: Preference Points Claim Form in Terms of the Preferential Procurement Regulations 2011

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to this bid:

- The 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed R1 000 000 (all applicable taxes included) and therefore the 90/10 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

   (a) Price; and
   (b) B-BBEE Status Level of Contribution.

1.4 The maximum preference points for this bid are allocated as follows:

<table>
<thead>
<tr>
<th>POINTS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>(a) PRICE</strong></td>
<td>90</td>
</tr>
<tr>
<td><strong>(b) B-BBEE STATUS LEVEL OF CONTRIBUTION</strong></td>
<td>10</td>
</tr>
</tbody>
</table>

Total points for Price and B-BBEE must not exceed 100

Functionality will be used to qualify bids to be evaluated on this point system

1.5 Failure on the part of a Bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a Bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.
2. DEFINITIONS

1.1 “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

1.2 “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

1.3 “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

1.4 “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

1.5 “comparative price” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;

1.6 “consortium or joint venture” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;

1.7 “contract” means the agreement that results from the acceptance of a bid by an organ of state;

1.8 “EME” means any enterprise with an annual total revenue of R5 million or less.

1.9 “Firm price” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the service provider and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;

1.10 “functionality” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a Bidder;

1.11 “non-firm prices” means all prices other than “firm” prices;

1.12 “person” includes a juristic person;

1.13 “rand value” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;

1.14 “sub-contract” means the primary service provider’s assigning, leasing, making out work to, or employing, another person to support such primary service provider in the execution of part of a project in terms of the contract;

1.15 “Bid” A formal offer made by one party to another; specifically an offer of money etc. made to discharge a debt or liability. An offer of anything for acceptance A written offer made by one party to another to supply goods or carry out work at a set price or rate.
1.16 “total revenue” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;

1.17 “trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and

1.18 “trustee” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

3.1 The Bidder obtaining the highest number of total points will be awarded the contract.
3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;
3.3 Points scored must be rounded off to the nearest 2 decimal places.
3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 90/10 PREFERENCE POINT SYSTEMS SHALL BE APPLIED

A maximum of 80 or 90 points is allocated for price on the following basis:

<table>
<thead>
<tr>
<th>Method</th>
<th>Points Scored for Comparative Price of Bid Under Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>80/20</td>
<td>[ P_s = 80 \left( 1 - \frac{P_t - P_{\text{min}}}{P_{\text{min}}} \right) ]</td>
</tr>
<tr>
<td>90/10</td>
<td>[ P_s = 90 \left( 1 - \frac{P_t - P_{\text{min}}}{P_{\text{min}}} \right) ]</td>
</tr>
</tbody>
</table>

Where

- \( P_s \) = Points scored for comparative price of bid under consideration
- \( P_t \) = Comparative price of bid under consideration
- \( P_{\text{min}} \) = Comparative price of lowest acceptable bid

4.2 Points awarded for B-BBEE Status Level of Contribution

4.2.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a Bidder for attaining the B-BBEE status level of contribution in accordance with the table below:
4.2.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA’s approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

4.2.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

4.2.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

4.2.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

4.2.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

4.2.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a Bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a Bidder qualifies for, unless the intended sub-service provider is an EME that has the capability and ability to execute the sub-contract.

4.2.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

**BID DECLARATION**

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (90/10 system)</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>8</td>
<td>16</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>4</td>
<td>8</td>
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<tr>
<td>6</td>
<td>3</td>
<td>6</td>
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<tr>
<td>7</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
1.1 B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 8.1.4 AND 11.2

1.2 B-BBEE Status Level of Contribution: …………… = …………… (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

1.3 SUB-CONTRACTING: Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable) Please attach the subcontracting / JV agreement.

1.4 If yes, indicate:

(i) What percentage of the contract will be subcontracted? ……………………….%

(ii) The name of the sub-service provider? …………………………………………………………………………

(iii) The B-BBEE status level of the sub-service provider? ………………………………………………………

(iv) Whether the sub-service provider is an EME? YES / NO (delete which is not applicable)

DECLARATION WITH REGARD TO COMPANY/FIRM

13.1 Name of company/firm: ……………………………………………………………………………………………

13.2 VAT registration number: …………………………………………………………………………………………

13.3 Company registration number: ………………………………………………………………………………………

13.4 TYPE OF COMPANY/ FIRM

[TICK APPLICABLE BOX]

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

13.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

……………………………………………………………………………………………………………………………………

13.6 COMPANY CLASSIFICATION

[TICK APPLICABLE BOX]

- Manufacturer
- Supplier
13.7 Total number of years the company/firm has been in business? ……………………..

13.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

(i) The information furnished is true and correct;
(ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
(iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the service provider may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
(iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
   a) disqualify the person from the bidding process;
   b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
   c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
   d) restrict the Bidder or service provider, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audialterampartem (hear the other side) rule has been applied; and
   e) forward the matter for criminal prosecution

WITNESSE:

1. .................................................

2. .................................................

SIGNATURE(S) OF BIDDER(S)

DATE:..........................................
Form 8: Declaration of Bidders Litigation History

The Bidder shall list below details of any litigation with which the Bidder (including directors, shareholders of other senior members in previous companies) has been involved with any organ of state or state department including NDOH within the last ten years. The details must include the year, the litigation parties, and the subject matter of dispute the value of any award or estimated award if the litigation is current and in whose favour the award if any was made.

<table>
<thead>
<tr>
<th>CLIENT</th>
<th>OTHER LITIGATING PARTY</th>
<th>DISPUTE</th>
<th>AWARD VALUE</th>
<th>DATE RESOLVED</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

CERTIFICATION

I, the undersigned (full name)…………………………………………………………………………………………………………………………

Certify that the information furnished in this declaration form true and correct. I accept that in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Name:………………………………………………………

Capacity of authorised agents: ……………………………………………………………………………………………

Signature(s) of authorised agents: ………………………………………………………………………………………

Signed at ………………………………………………. On this day of …………………………….

Witness (Full name and signatures)

At Witnesses:

Signatures

1………………………… Name in Block Letters……………………

2………………………… Name in Block Letters…………………...
Form 9: Certificate of Independent Bid Determination

ii. This Standard Bidding Document (SBD) must form part of all bids invited.

iii. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998 as amended, prohibits an agreement between or concerted practice by firms or a decision by an association of firms if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging). Collusive bidding is a per se prohibition meaning that it cannot be justified under any grounds.

iv. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorises accounting officers and accounting authorities to:

   a. Disregard the bid of any Bidder if that Bidder or any of its directors have abused the institutions’ supply chain management system and or committee fraud or any other improper conduct in relation to such system.

   b. Cancel a contract awarded to supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process of the execution of that contract.

v. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

vi. In order to give effect to the above, the attached Certificate of Bid Determination (SBD) must be completed and submitted with the Bid.
CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

__________________________________________________________
(Bid Number and Description)

In response to the invitation for the bid made by:

__________________________________________________________
(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: ____________________________________________________________ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;

2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;

3. I am authorised by the Bidder to sign this Certificate and to submit the accompanying bid on behalf of the Bidder;

4. Each person whose signature appears on the accompanying bid has been authorised by the Bidder to determine the terms of and to sign the bid, on behalf of the Bidder;

5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder who:

   a. Has been requested to submit a bid in response to this bid invitation
   b. Could potentially submit a bid in response to this bid invitation, based in their qualifications, abilities or experience and
   c. Provides the same goods and services as the Bidder and or is in the same line of business as the Bidder.

6. The Bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium will not be construed as collusive bidding

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

   a. Prices;
b. Geographical area where product or service will be rendered (market allocation)
c. Methods, factors or formulas used to calculate prices
d. The intention or decision to submit or not to submit a bid;
e. The submission of a bid does not meet the specifications and conditions of the bid or
f. Bidding with the intention not to win the bid

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates

9. The terms of the accompanying bid have not been, and will not be disclosed by the Bidder directly or indirectly to any competitor prior to the date and time of the official bid opening or of awarding of the contract

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act no12 of 2004.

...................................................... ......................................................
Signature Date

...................................................... ......................................................
Position Name of Bidder
Form 10: Company Registration Certificate (CIPC CHECK)

The Bidder must submit an original or certified copy of the Company registration CERTIFICATE clearly indicating:

The date of registration of the company;

I. The date the business become operational
II. The current status of the company and
III. The active Directors participating in the day to day activities

Failure to submit the Company Registration Certificate may result in the Bidder being disqualified

See detail below for further information

4. FORM OF COMPANY AND PROOF F REGISTRATION

4.1 General
State whether the bidder is a company, a closed corporation, a partnership a sole proprietor or joint venture

[Mark the appropriate below]

<table>
<thead>
<tr>
<th>Public Company</th>
<th>Private Company</th>
<th>Closed Corporation</th>
<th>Partnership</th>
<th>Sole Proprietor</th>
<th>Co-operative</th>
<th>Joint Venture</th>
</tr>
</thead>
</table>

4.2 Information to be provided

<table>
<thead>
<tr>
<th>If the Bidding Entity is a:</th>
<th>Documentation to be submitted with the Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Close Corporation, incorporated under the Close Corporation Act, 1984 Act 69 1984</td>
<td>CIPRO CK1 and CK2 (Copies of the founding statement) and list of members.</td>
</tr>
</tbody>
</table>
| 2 Private Company incorporated with share capital under the companies Act 1973 Act 61 of 1973 including Companies incorporated under Act 53 (b) | Copies of  
(a) CIPRO CM1 – Certificate of Incorporation  
(b) CIPRO CM29 – Contents of Register of Directors, Auditors and Officers  
(c) Shareholders Certificates of all Members of the Company |
<p>| 3 Private Company incorporated with share capital under the companies Act 1973 Act 61 of 1973 which any or all shares are held by another Close Corporation or company with or without share capital | Copies of documents referred to in 1 and or 2 above in respect of all such Closed Corporations and or companies |
| 4 Public Company incorporated with share capital under the companies Act 1973 | A signed statement of the Company’s Secretary confirming that the Company is a public company. |</p>
<table>
<thead>
<tr>
<th></th>
<th>Act 61 of 1973 including Companies incorporated under Act 21</th>
<th>Copy of CM 29</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Sole Proprietary or Partnership</td>
<td>Copy of the Identity Document of Sole Proprietor</td>
</tr>
<tr>
<td>6</td>
<td>Corporative</td>
<td>CIPRO CR2 – Copies of Company registration document. The percentage of work to be done by each partner must clearly be indicated on Form 7 – Preference Points Claim Form in terms of the Preferential Procurement Regulation 2001</td>
</tr>
<tr>
<td>7</td>
<td>Joint Venture</td>
<td>All the documents (as described above) as applicable to each partner in the JV as well as a certified copy of the Joint Venture Agreement. (The percentage of work to be done by each partner of the joint venture must clearly be indicated in the Joint Venture Agreement)</td>
</tr>
</tbody>
</table>

**NOTE:**

If the shares are held in trust provide a copy of the Deed of Trust (only the front page and pages listing the trustees and beneficiaries are required as well as the Latter of Authority as issued by the Master of the Supreme Court, wherein trustees have been duly appointed and authorised, must be provided) Include a copy of the Certificate of Change of Name (CM9) if applicable

Registered for VAT purposes in terms of the Value-Added Tax Act, (Act No.89 of 1991)

Yes [ ] No [ ]

REGISTRATION NO: …………………………………………………………………………………………….
Form 11: Record of Addenda to Bid Documents

We confirm that the following communications received from the NDOH before the submission of this Bid offer, amending the Bid documents, have been taken into account in this Bid offer:

<table>
<thead>
<tr>
<th>Date</th>
<th>Title or Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
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<tr>
<td>4.</td>
<td></td>
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<tr>
<td>5.</td>
<td></td>
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<tr>
<td>6.</td>
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<tr>
<td>7.</td>
<td></td>
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<tr>
<td>8.</td>
<td></td>
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<tr>
<td>9.</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
</tr>
</tbody>
</table>

(Attach additional pages if more space is required)

Signed: ___________________________  Date: ___________________________

Name: ___________________________  Position: ___________________________

Bidder: ___________________________
Form 12: Record of Consultancy Services Provided to Organs of State

Bidders are required to complete this record in terms of the Supply Chain Management Regulations issued in terms of the Municipal Finance Management Act of 2003.

Include only those contracts where the Bidder identified in the signature block below was directly contracted by the NDOH. Bidders must not include consultancy services provided in terms of a sub consultancy agreement.

Where contracts were awarded in the name of a joint venture and the Bidder formed part of that joint venture, indicate in the column entitled “Title of the contract for the consultancy service” that it was in joint venture and provide the name of the joint venture that contracted with the employer. In the column for the value of the contract for the service, record the value of the portion of the contract performed (or to be performed) by the Bid.

Complete the record or attach the required information in the prescribed tabulation.

Part A: All consultancy services commenced or completed to an organ of state in the last five years

<table>
<thead>
<tr>
<th>#</th>
<th>Organ of state, i.e. national or provincial department, public entity, municipality or municipal entity.</th>
<th>Title of contract for the consultancy service</th>
<th>Value of contract for service inclVAT (Rand)</th>
<th>Date completed (State current if not yet completed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Part B: Similar consultancy services provided to an organ of state

The following contracts recorded in Part A provided similar consultancy services to those required in terms of the scope of work to this Bid:

# ...........................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................
...................................................................................................................................................
The undersigned, who warrants that he/she is duly authorized to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

<table>
<thead>
<tr>
<th>Signed</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Position</td>
</tr>
<tr>
<td>Bidder</td>
<td></td>
</tr>
</tbody>
</table>
FORM 14: CIDB grading and category confirmation

It is a condition that bidders submit an attached copy of CIDB certificate which must be valid on closing date of 23 March 2015

Signed

Date

Name

Position

Bidder
FORM 15: Risk / Capacity Assessment of Current Projects

NDOH is required to have a view of the current bidder’s workload / capacity to assess the risk associate with bidders being awarded additional work. The bidder is required to furnish the following particulars and to attach additional pages if more space is required.

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Name of Employer</th>
<th>Contact name &amp; telephone no.</th>
<th>Contract value</th>
<th>Contract Start – End date</th>
<th>Current percentage progress</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Bidder
FORM 16: Schedule of Plant and Equipment

SCHEDULE OF PLANT AND EQUIPMENT

The following are lists of major items of relevant equipment that I / we presently own or lease and will have available for this contract if my / our tender is accepted.

(a) Details of major equipment owned by me / us and immediately available for this contract.

<table>
<thead>
<tr>
<th>DESCRIPTION (type, size, capacity etc)</th>
<th>QUANTITY</th>
<th>YEAR OF MANUFACTURE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Attach additional pages if more space is required

(b) Details of major equipment that will be hired, or acquired for this contract if my / our tender is accepted

<table>
<thead>
<tr>
<th>DESCRIPTION (type, size, capacity etc)</th>
<th>QUANTITY</th>
<th>HOW ACQUIRED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>HIRE/BUY</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SOURCE</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Attach additional pages if more space is required

The Tenderer undertakes to bring onto site without additional cost to the Employer any additional plant not listed but which may be necessary to complete the contract within the specified contract period.

Failure to complete this form properly and correctly, will lead to the conclusion that the tenderer does not have the necessary plant and equipment resources at his disposal, which will prejudice his tender.

SIGNATURE: ..............................................……… IDENTITY NUMBER: ……………………………..

(of person authorised to sign on behalf of the Tenderer) DATE:……………………………
## T2.3 Returnable Schedules

### Section B: Returnable Form Index

<table>
<thead>
<tr>
<th>Numbered</th>
<th>Returnable documents</th>
<th>Volume / Page</th>
<th>Attached / Not attached</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule 1</td>
<td>Successfully Completed New Construction Projects</td>
<td>Volume 1</td>
<td></td>
</tr>
<tr>
<td>Schedule 2</td>
<td>Demonstrated Experience of Key Personnel</td>
<td>Volume 1</td>
<td></td>
</tr>
</tbody>
</table>

Signed: 

Name: 

Position: 

Bidder: 

Date: 

---
EVALUATION SCHEDULE 1: Successfully Completed New Construction Projects (Maximum 15 Points)

Bidders must complete the Schedule of Projects, which is a list of the bidder’s past work experience in terms of similar successfully completed projects. The value and scale of the projects indicated for these purposes must be supplied together with the other relevant information requested based upon which up to 15 points for quality will be awarded to the bidder under consideration in this regard.

Scoring Methodology Points will be allocated according to the number of projects identified below:

- Organisations experience (Max 15 points)
  - Number of new construction projects successfully completed with value of more than R25 000 000 per project.
    - 5 and more project is equal to 15 points
    - 3 to 4 projects is equal to 10 points
    - 1 to 2 projects is equal to 5 points

Bidders shall very briefly describe his or her experience in the format prescribed below:

<table>
<thead>
<tr>
<th>Project description</th>
<th>Name of employer</th>
<th>Contact name &amp; telephone. no.</th>
<th>Contract value</th>
<th>Contract Start – End date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Name

Bidder
EVALUATION SCHEDULE 2: Experience of Key Members (Maximum 10 Points)

Bidders must complete the Demonstrated experience of the key members identified for each listed position to point our successfully completed new construction projects and experience that is relevant to this project for each of the key personnel indicated based upon which up to 10 points for quality will be awarded to the bidder under consideration in this regard.

Scoring Methodology: Points will be allocated according to the disciplines identified below:

- **Contract Manager (Max of 3 Points)**
  - Years of experience on successfully completed new construction projects with value of more than **R25 000 000** per project.
    - More than 5 years is equal to 3 points
    - Between 2 and 5 years is equal to 2 points
    - 0 to 1 year is equal to 1 point

- **Site Agent (Max of 7 Points)**
  - Years of experience on successfully completed new construction projects with value of more than **R25 000 000** per project.
    - More than 5 years is equal to 2 points
    - Between 1 to 5 years is equal to 1 points
  - Number of new construction projects successfully completed with value of more than **R25 000 000** per project.
    - 5 project or more is equal to 5 points
    - 4 project is equal to 4 points
    - 3 projects is equal to 3 points
    - 2 projects is equal to 2 points
    - 1 project is equal to 1 point

A CV of each key member for the disciplines highlighted above of not more than 3 pages must be attached to this schedule.

Each CV should be structured under the following headings:

- Personal particulars (name, date and place of birth, place (s) of tertiary education and dates associated therewith, professional awards)
- Qualifications (degrees, diplomas, grades of membership of professional societies and professional registrations) **Attach copy of professional registration / Qualifications**
- Name of current employer and position in enterprise
• Overview of post graduate experience (year, organization and position)

Note: Additionally bidder shall capture Information from CV in table format prescribed below:

<table>
<thead>
<tr>
<th>Designation</th>
<th>Name of:</th>
<th>Summary of:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1) Nominee</td>
<td>Qualification &amp; NQFS status</td>
</tr>
<tr>
<td></td>
<td>2) Alternative</td>
<td></td>
</tr>
<tr>
<td>Contract Manager</td>
<td>1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2)</td>
<td></td>
</tr>
<tr>
<td>Site Agent</td>
<td>1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2)</td>
<td></td>
</tr>
</tbody>
</table>

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

__________________________________________ Date ________________________________

Name

__________________________________________ Position ________________________________

Bidder

__________________________________________

T2.4 Returnable Schedules
### Section C: Returnable Form Index

<table>
<thead>
<tr>
<th>Numbered</th>
<th>Returnable documents</th>
<th>Section / Page</th>
<th>Attached / Not attached</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other form</td>
<td>Form of Offer and Acceptance</td>
<td>Volume 2</td>
<td></td>
</tr>
<tr>
<td>Other form</td>
<td>Contract Data: JBCC</td>
<td>Volume 2</td>
<td></td>
</tr>
<tr>
<td>Other form</td>
<td>Bill of Quantities</td>
<td>Volume 3</td>
<td></td>
</tr>
</tbody>
</table>

**Signed**

| Name       | Position       | Date
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>-------------</td>
<td>----------------</td>
</tr>
</tbody>
</table>

**Bidder**

<p>| |</p>
<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>-----------------------</td>
</tr>
</tbody>
</table>

---

**Part T3: Notes to Tenderers**
1. The Penalty per calendar day is 0.05% of the tendered amount, to be inclusive of VAT.

2. The Contractor shall appoint 20% of sub-contract work to a Preferred Sub-Contractor from the list of Sakhabakhi Contractors.

3. The security shall be a 7.5% Fixed Construction Guarantee with a 5% payment reduction.

4. The tenderers are advised to visit the site to acquaint themselves fully as to the locations and conditions on site, as no claim in this regard will be entertained.

5. Tenderers are advised to discuss site security, access to the works, sequences of the work, programme, etc. with the Principal Agent to ensure that no delays occur.

6. Telegraphic, telephonic, telex, facsimile, email and late tenders will not be accepted.

7. Tenders will NOT be opened immediately after the closing time of tenders at 12h00.

8. The Employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations timeously and with integrity, and behave equitably, honestly and transparently.

9. The employer may accept or reject any variation, deviation, tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a tenderer for such cancellation and rejection.

10. Any communication between the Employer and a tenderer shall be to or from the Employer’s agent only and in a form that can be read and copied.

11. The attention of tenderers is specifically drawn to the special conditions of contract applicable to this project incorporated within this document.

12. Accept that the Employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspect of the offer to satisfy requirements.

13. Check the tender documents on receipt for completeness and notify the principal agent of any discrepancy or omission.

14. Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the Employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

15. Acknowledge receipt of addenda to the tender documents which the principal agent may issue and if necessary apply for an extension to the closing time stated in the tender data in order to take the addenda into account.

16. Tendered rates shall include all material, labour, waste and profit, but exclude VAT.

17. Provide rates and prices that are subject to CPAP.

18. Not make any alterations or additions to the tender documents, save to comply with instructions issued by the principal agent or which are necessary, to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations. Erasers and the use of masking fluid are prohibited.
19. Tenderers must submit a fully responsive tender, compliant with the requirements of the tender documentation.

20. Submit a tender offer to provide the whole of the works, services or supplies identified in the contract data and described in the scope of work and detailed in the bills of quantities.

21. Submit the complete document including all required documentation and information as requested as part of the tender submission.

22. Sign the original form of tender.

23. Ensure that all quantity and rate calculations are extended into the total column of the bills of quantities. All rates and totals, including completing of required information, should be in black ink.

24. Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

25. Accept that the tenderers offer shall be valid for 120 days from the date and time of the tender closing.

26. The construction period is inclusive of a 3 month initiation period. Site possession will take place, at which time the 3 month initiation period will commence. During this period P & G's for site establishment and hoarding of materials only will be applicable. After the 3 month initiation period, works commencement will take place.