



sanedi

South African National Energy
Development Institute

REQUEST FOR PROPOSALS FOR THE COMPANY SECRETARIAL SERVICES

Closing date: 6th December 2017

Time: 11:00

Submission format: Electronic submission to 447.procurement@sanedi.org.za

Name of the respondent:.....

Late bids will not be accepted for consideration.

BID DETAILS

Bid Title	Company Secretarial Services
Procurement Reference Number	447
Description of Goods & Services	Company Secretarial Services
Date of TENDER	21 st November 2017
Date of Tender CLOSING	6 th December 2017

CONTACT INFORMATION

Any enquiries regarding the bidding procedure may be directed to:

Procurement Officer: Ms. Fikile Manganyi
 Telephone: 011 038 4300
 E-mail: enquiries.procurement@sanedi.org.za

BIDDER'S DETAILS

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

CONTACT PERSON

TELEPHONE NUMBER Code Number

CELL PHONE NUMBER Code Number

FACSIMILE NUMBER Code Number

E-MAIL ADDRESS

Signature of Bidder **Date**

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Submission Criteria

1. Notice and Invitation to submit Proposals

The **SOUTH AFRICAN NATIONAL ENERGY DEVELOPMENT INSTITUTE** invites suitably qualified and experienced service providers to submit priced proposals for the supply of goods and services as indicated in the Scope of Works herein

SANEDI is a research and development entity established as a juristic person in terms of the Energy Act, Act 34 of 2008. SANEDI' key focus areas are research and development into new energy technologies and energy efficiency.

Respondents must comply with the terms and condition as specified in this Bid Document either in their singular capacity or as part of a Joint Venture or consortium.

Potentially emerging enterprises and SMME's who satisfy criteria stated in the Submission Data may submit proposals

Only respondents who submit fully completed priced proposals incorporating all Returnable Schedules duly complete and signed will be eligible to have their submissions evaluated

Queries relating to the issue of these documents may be addressed to

Ms. Fikile Manganyi

Telephone: +27 (0) 11 038 4300

E-Mail: enquiries.procurement@sanedi.org.za

The closing time for receipt of Proposals is

6th December 2017 @ 11:00

2. Submission Data – Specific Conditions of Contract.

1.	<p>The Employer</p> <p>The Employer is SANEDI and is referred to as the CLIENT or EMPLOYER.</p>
2.	<p>Composition of Bid Document</p> <p>The Call for Proposals, the price quotation and the Enterprises responding submission documents forms part of a BID DOCUMENT and may be referred to such further herein.</p> <p>The documents associated with the calling for Proposals issued by the employer comprise:</p> <p>Submission Criteria</p> <ul style="list-style-type: none"> • Notice and Invitation to Submit a Quotation • Submission Data – Specific Conditions of Contract • Evaluation Criteria and Scoring • Tax Clearance Requirements <p>Returnable Schedules</p> <ul style="list-style-type: none"> • Enterprise Questionnaire • Technical Proposal & Methodology Statements • Tax Clearance Certificate • B-BBEE Declaration • Declaration of Interest • Certificate of Past Procurement Performance • Certificate of Bid Independence • Certificate of Acceptance – General Conditions of Contract • Certificate of Acceptance – Bid Evaluation and Scoring Criteria • Certificate of Understanding – Scope of Works • Certificate of Attendance – Tender Clarification Meeting • Pricing Schedule / Schedule of Rates • Form of Tender • Schedule of Proposed Amendments and Qualifications • Record of Addenda or Errata to the Bid <p>Only respondents who submit fully completed Proposals incorporating all Returnable Schedules duly complete and signed will be eligible to have their submissions evaluated</p>

3.	<p>ELECTRONIC RETURN OF SUBMISSIONS AND NO MANUAL SUBMISSION WILL BE ACCEPTED.</p> <p>Submissions / Bid Documents may be returned to the CLIENT by means of Electronic Submissions via E-Mail.</p> <p>The Submission E-Mail address designated is 447.procurement@sanedi.org.za</p> <p>The Bidder shall ensure that the Bid Documents Returnable Schedules together with all Statutory Returns are duly completed, signed and scanned and uploaded to the designated E-mail address in a PDF format file. Links, drop boxes, compressed (zipped files) etc. will not be accepted. Documents transmitted in an editable format will be regarded as non-returns and may render the submission unresponsive.</p> <p>The size limits for SANEDI Email is 20 MB. Bidders may submit more than one E-mail.</p>
4.	<p>The closing time for submissions is as stated in the Notice and Invitation to Submit a Proposal Quotation, in the manner specified is</p> <p>Closing date: 6th December 2017 at 11h00</p>
5.	<p>Telephonic, telegraphic, telex, facsimile submissions offers will not be accepted.</p>
6.	<p>NO Late submissions, or submissions not deposited in the designated Tender Box will be considered, and it is incumbent on the Bidder to ensure that their submission together with all supporting documentation is in the designated Tender Box before the closing Time and date specified.</p>
7.	<p>The Bidder holds SANEDI harmless and indemnifies SANEDI in the event of any failure that prevents or delays the bid submission from being in the designated Tender Box at the time of Bid Closure.</p> <p>Bidders are prohibited from using SANEDI Staff acting as their couriers, agents or delivery mediums to deposit bids in the tender box, and the bidder acknowledges that the use of SANEDI staff in this way will immediately disqualify their tender submission.</p> <p>It is the sole responsibility of the bidder to ensure that the documents submitted via PDF format are not corrupt and that any corrupt documents received by the closing date will be automatically excluded from being evaluated.</p>
8.	<p>Information and data to be completed in all respects</p> <p>Accept that Bid 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.</p> <p>Accept that the Employer shall not assume any responsibility for the misplacement or Premature opening of the tender offer if the Bid is not submitted in the required format and clearly marked with the bid reference and placed in the designated tender box before bid closing.</p>
9.	<p>SANEDI Reserves the RIGHTS to contract with suppliers who are BEE Compliant.</p>
10.	<p>The Employer, reserves the right, at its sole discretion to award the tender in part or in stages, and shall have the right to withdraw some of the outputs and deliverables thus amending the total tender value and contracted price either pre or post award under authorisation of a Variation Order.</p>
11.	<p>SANEDI reserves the to rotate suppliers</p>

12.	<p>All respondents who submit responsive submissions and:</p> <ol style="list-style-type: none">1) a) submit an original valid Tax Clearance Certificate issued by the South African Revenue Services or have made arrangements to meet outstanding tax obligations;b) proof of registration with the Construction Industry Development Board in an appropriate contractor grading designation; (submit Registration Number or proof of registration application)c) do not have any of their directors/shareholders is not listed on the Register of Tender 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;d) have not abused the Employer's Supply Chain Management System or have failed to perform on any previous contract and have been given a written notice to this effect;e) have completed the Compulsory Enterprise Questionnaire and who are considered by the Employer not to have any conflicts of interest which may impact on their ability to perform the proposed contract in the best interests of the Employer or potentially compromise the tender process and are free of persons in the state who are not permitted to submit tenders or to participate in the contract; andf) are registered and in good standing with the compensation fund or with a licensed compensation insurer; andg) Submit a certified copy of the certificate to commence business, andh) Submit a certificate of incorporation (where applicable), or Company Registration Certificate <p>2) in the opinion of the Employer can as necessary demonstrate that they possess the necessary 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;</p>
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3. Scope of works/Technical specifications

3.1 PROJECT BACKGROUND

The South African National Energy Development Institute (SANEDI) is an agency of the Department of Energy. SANEDI exists to direct, monitor and conduct applied energy research and development, demonstration and deployment of specific measures to promote the uptake of Green Energy and Energy Efficiency in South Africa. SANEDI is as a juristic person in terms of the Energy Act, Act 34 of 2008. SANEDI' key focus areas are research and development into new energy technologies and energy efficiency. According to the Public Finance Management Act, 1999 (Act No. 1 of 1999), SANEDI is a schedule 3A public SANEDI.

3.2 PROJECT BRIEF

The purpose of this bid is for the appointment of a service provider to render secretariat services to the SANEDI Board and its subcommittees for a period 12 months period commencing in January 2018 and ending 31 December 2018.

The contract is extendable for another period of 12 months at the Board's discretion which is subject to National Treasury approval and a performance evaluation by the board. The company secretary must have the requisite knowledge and experience in the relevant laws and regulations pertinent to the public sector, be a permanent resident of the Republic and be housed in Gauteng Province.

3.3 SCOPE OF WORK AND DELIVERABLES

Responsibilities of the Company Secretary

The Company Secretary must be able to fulfil the following statutory functions in terms of the Companies Act (although technically not legally binding to SANEDI as a Schedule 3A public SANEDI)/ of Kings III:

- To be accountable to the SANEDI's Board for the fulfilment its functions.
- To provide the Board Members of SANEDI with guidance as to their duties, responsibilities and powers.
- To apprise the Board Members in terms of any laws relevant to or affecting State Owned Companies that the SANEDI must comply with.
- To report to the SANEDI Board on any failure on the part of the SANEDI or (a) Board(s) member(s) to comply with the policies, procedures and laws governing the SANEDI, including National Treasury Instruction and Practice notes.
- To ensure that a copy of the SANEDI's annual financial statements is sent to every person who is entitled to it in terms of the PFMA and Treasury Regulation and/or /Ministerial Directives.
- The SANEDI Secretary (Company Secretary) should administer the proper induction, orientation, ongoing training and education of Board Members, including the assessing the specific training needs of Board Members and executive management in their fiduciary and other governance responsibilities.
- The individual Board Members and the Board collectively should look to the (Company Secretary) for guidance on their responsibilities and duties and how such responsibilities and duties should be properly discharged in the best interests in the SANEDI.
- The (Company Secretary) should:
 - Provide a central source of guidance and advice to the Board and within the SANEDI on matters relating to good governance and amendments to legislation.

- Have a direct channel of communication to the Chairperson and should be available to provide comprehensive practical support and guidance to Board members and other Committee members.
- Ensure that the Board and Board committee charters and terms of reference are kept up to date.
- Be responsible for ensuring the proper compilation and timely circulation of Board papers and for assisting the Chairperson of the Board and committees of drafting of yearly work plans.
- Have the duty to obtain appropriate responses and feedback specific agenda items and matters arising from earlier meetings in Board and Board committee deliberations.
- Should ensure that the proceedings of the Board and committee meetings are properly recorded and that minutes of the meetings are circulated to Board Members in a timely manner after the approval of the Chairperson of the Board or relevant Board committee.
- Assist the Board with the yearly evaluation of the Board and individual Board Members for submission to the executive authority.
- The role of the Company Secretary is also to raise matters that warrant the attention of the Board.
- Company Secretary will be required to assist the Board with the drafting terms of reference for additional technical expertise where such are not available on the Board.

Administrative responsibilities

- Arranging and calling for meetings.
- Finalising the agenda with the Chairpersons of Committees.
- Compilation of meeting packs.
- Distribution and delivery of meeting packs to the members.
- Maintaining attendance registers for all meetings Board and Board Committees.
- Compile and maintain a register of matters arising for the board and its Subcommittees.
- Maintain a register of minutes of all meetings Board and Board Committees.
- Prepare the work plan for the Board and Its committees.
- Drafting appointment letters of new Board Members.
- Drafting and sending official Board communications to the Executive Authority and other stakeholders as and when required to by the Board.
- Preparing board summaries, where applicable for Executive authority meetings for circulation to the board members.
- Facilitating Board approvals via Round Robin.
- Maintaining a register of official Board requests to the management team.
- Regular communication of legislation updates to Board as applicable.

Deliverables – Some items here are not deliverables, see them in yellow

- Professional, timely written advice services to the board.
- Expert advice on governance and applicable laws and regulations.
- Timely delivery / distribution / dissemination of information to Board and BARC.
- Professional Communications to stakeholders in an approved format.
- Annual Board reviews.
- Confidentiality and Security of all SANEDI information.
- Reliable and secure IT platforms where such are provided/used by the service provider.

- Quality Meeting packs printed in colour.
- Electronic meetings packs.
- Annual work plans
- Minute books
- Declarations of interest registers
- Attendance registers
- Statutory updates

3.4 FEES

SANEDI will pay for a monthly retainer for the services as listed above excluding disbursements as detailed in section 8 below. All fees must be inclusive of VAT.

3.5 DISBURSEMENTS

Expenditure relating travel for attendance of meetings and other events must be disclosed separately and will be reimbursed per Kilometre. This also includes any flight costs and associated accommodation expenses that may be required to be incurred for such meetings and events. Such expenses must be pre-approved by the Chairperson of the Board prior to being incurred.

Printing costs of all meetings pack as well as delivery expenses must be factored into the annual retainer fees as such will not be considered as disbursements. SANEDI will also not be liable for any technology costs/licenses associated with the services rendered by the Company Secretary.

3.6 SUPPLEMENTARY INFORMATION

- Primary Location for meetings will be at SANEDI’s Offices (Unless in exceptional cases where such will be communicated)
- The winning bidder will be subjected to a vetting exercise by the State Security Agency.
- There is currently only one vacancy on the Board.
- Board and Board Committees Charters are reviewed on an annual basis.
- Work plans for the Board and its committees are prepared on annual basis.
- Work plans for the board are reviewed on a quarterly basis.
- SANEDI has the following Committees:

Board Committees	Estimated number of meeting *	Possible engagements/ meetings * Special
Board	6	4
Board Audit and Risk Committee	6	4
Board HR and RemCO	6	4
Board Projects Committee	4	-
Board Social Justice Committee	4	-

**The number of special meetings may vary from the number provided in the bid document*

3.7 THE PROPOSAL

The proposal must demonstrate understanding of the scope of work and must also contain in the form of supporting schedules additional evidence as required for evaluation. The proposal must at a minimum, include

- Indications of additional value to be derived from the services, the firm and team composition,
- Staff numbers and expertise within the firm,
- IT security measures and Physical security measures used by the service provider to safeguard confidential information.
- The number of people assigned to the assignment
- Their education, qualifications and years of experience
- The ability to retain these levels of expertise when staff changes to avoid interruptions in services etc.

The document submitted to SANEDI must be of a professional standard, of good quality, clear and precise.

4. Evaluation Criteria

13.	The evaluation criteria that are to be scored and the maximum score assigned to each of such criteria are as follows:			
		Functionality/Technical/Quality	Scoring guideline(1-10)	Weighting
	1	Registration of Key staff members with a recognized professional body, the Institute of Chartered Secretaries and Administrators (ICSA). Evidence must be provided.	Relevant Certification =10 points No Certification =0 points	20
	2	Track record in rendering similar services as evidenced by 3 reference letters (must be in client letterhead, service rendered, value of the contract and contacts) included in the response to this bid	3 reference letters=10 2 reference letter=5 1 reference letter=1	20
		Public sector experience and other technical resources Key team must have proper understanding of and experience in the Public Sector.	Less than 12 months experience = 1-3 2 year experience Team leader = 3-5 points 3 year experience or more = 5-10 points	10
	Professional qualification The following are preferred for all each Key team members: Minimum Undergraduate BCom/BCompt accounting in accounting, Law degree/ SANEDI secretarial qualification, Business Management degree or equivalent. 10 maximum allocated as follows: <ul style="list-style-type: none"> • Team leader : 2-4 points <ul style="list-style-type: none"> >1 Post graduate degree/diploma = 4 points 1x Post Graduate Degree = 3 Points Undergraduate =2 • Key Staff member: 1-3 points <ul style="list-style-type: none"> >1 Post graduate degree/diploma = 3 points 1x Post Graduate Degree = 2 Points Undergraduate =1 • Alternate staff member : 1-3 points <ul style="list-style-type: none"> >1 Post graduate degree/diploma = 3 points 1x Post Graduate Degree = 2 Points Undergraduate =1 		10	
2	Capacity and availability to deliver the services including skills and experience of the Partner/ Senior Manager/Key staff and team responsible for the work in Corporate laws, Governance Matters and SANEDI secretarial duties.		20	

	<p>Experience of the team (CV of the team leader Team leader dedicated to SANEDI must be included, and Partner/Senior Manager must have adequate experience in SANEDI secretarial position and with working with corporate laws): <i>Team leader : 10 maximum</i></p> <ul style="list-style-type: none"> • Less than 7 years' experience = 1-5 points • 7 -10 years' experience Team leader = 5-7 points • 10 years' experience or more = 7-10 points <p><i>Key Staff member: 10 maximum</i></p> <ul style="list-style-type: none"> • Less than 5 years' experience = 1-5 points • 5 -7 years' experience Team leader = 5-7 points • 7 years' experience or more = 7-10 points <p><i>Alternate staff member : 10 maximum</i></p> <ul style="list-style-type: none"> • Less than 5 years' experience = 1-5 points • 5 -7 years' experience Team leader = 5-7 points • 7 years' experience or more = 7-10 points 		
3	<p>SANEDI profile indicating services offered in relation to this bid. All exclusions, if any, must be clearly articulated in the Bid document. Attention will be given to the following:</p> <ul style="list-style-type: none"> • Professionalism and layout of the profile • Demonstration of understanding of the bid (Proposal) • Services offered in relation to the scope of works • Value add by prospective service provider (Virtual Boardrooms, On-line Board platforms, monthly newsletters, publications etc.) • Size of the organisation • IT Systems of the SANEDI (e-mail security, firewalls, data encryption, database security, backups etc.) • Other appropriate office infrastructure (land line, fax, offices, printers, pack delivery/distribution services, physical security, strong rooms etc.) • Ability to offer alternate representation with the same skill sets for meetings (At least 1 Alternate) • Additional technical skills available to Board within the team/SANEDI (Tax, IT, Finance, legal, HR etc.) 		20
TOTAL		100	
THRESHOLD		80	
14.	<p>The Bid will be evaluated on 80/20 Preferential Point System according to the Preferential Procurement Policy Framework Act,2000 The points scored out of 80 should be calculated according to the following formula:</p> <p>(i) The 80/20 preference point system</p> $Ps = 80 \left(1 - \frac{Hs - Rs}{Rs} \right)$		

	<p>where Ps = points scored for functionality and price of the bid/proposal under consideration Hs = highest percentage scored by any acceptable bidder for functionality and price Rs = percentage scored for functionality and price by bid/proposal under consideration</p>								
<p>15.</p>	<p>The maximum score for this bid shall be awarded as follows:</p> <table border="1" data-bbox="306 519 1417 654"> <thead> <tr> <th data-bbox="306 519 863 555">POINTS</th> <th data-bbox="863 519 1417 555">PRICE</th> </tr> </thead> <tbody> <tr> <td data-bbox="306 555 863 591">BBBEE Status level of Contribution</td> <td data-bbox="863 555 1417 591">20</td> </tr> <tr> <td data-bbox="306 591 863 627">Points for price</td> <td data-bbox="863 591 1417 627">80</td> </tr> <tr> <td data-bbox="306 627 863 654">Total points for price and BBBEE do not exceed</td> <td data-bbox="863 627 1417 654">100</td> </tr> </tbody> </table>	POINTS	PRICE	BBBEE Status level of Contribution	20	Points for price	80	Total points for price and BBBEE do not exceed	100
POINTS	PRICE								
BBBEE Status level of Contribution	20								
Points for price	80								
Total points for price and BBBEE do not exceed	100								

5 Tax Clearance Requirements

16.	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.
17.	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.
18.	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.
19.	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.
20.	In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
21.	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
22.	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 .
23.	FAILURE TO SUBMIT A VALID TAX CLEARANCE CERTIFICATE WILL RENDER THE BID AS UNRESPONSIVE AND DISQUALIFY SUCH BID FROM FURTHER EVALUATION.

6 Returnable Schedules

6.1 Enterprise Questionnaire

Bidders must return submission date for all sections under item 6.1.1 – 6.1.4. On separate sheets where applicable.

Detailed documentation must be attached to this section under sub clauses 6.1.1 – 6.1.4 to provide substantive returns

6.1.1 Company Profile

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.		
Section 1: Name of enterprise:		
Section 2: VAT registration number, if any:		
Section 3: CIDB registration number, if any:		
Section 4: Particulars of sole proprietors and partners in partnerships		
Name*	Identity number*	Personal income tax number*
* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners		
Section 5: Particulars of companies and close corporations		
Company registration number		
Close corporation number		
Tax reference number		

Section 6: Record in the service of the state

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:

- | | |
|--|---|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> 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) |
| <input type="checkbox"/> a member of any provincial legislature | |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> an official of any municipality or municipal entity | |

If any of the above boxes are marked, disclose the following:

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*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:

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer 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 Tender 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 tendering entities submitting tender offers and have no other relationship with any of the tenderers 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.

6.1.2 Bidders Experience Profile

The experience of the tenderer or joint venture partners in the case of an unincorporated joint venture or consortium as opposed to the key staff members / experts in similar projects or similar areas and conditions in relation to the scope of work over the last five years will be evaluated.

Tenderers should very briefly describe his or her experience in this regard and attach this to this schedule.

The description should be put in tabular form with the following headings:

Description of work (service)	Value of work (i.e. the service provided) inclusive of VAT (Rand)	Date completed

6.1.3 Key Personnel

The tenderer should propose the structure and composition of their team i.e. the main disciplines involved, the key staff member / expert responsible for each discipline, and the proposed technical and support staff and site staff. The roles and responsibilities of each key staff member / expert should be set out as job descriptions. In the case of an association / joint venture / consortium, it should indicate how the duties and responsibilities are to be shared.



The experience of assigned staff member in relation to the scope of work will be evaluated from three different points of view:

- 1) General experience (total duration of professional activity), level of education and training and positions held of each discipline specific team leader.
- 2) The education, training, skills and experience of the Assigned Staff in the specific sector, field, subject, etc which is directly linked to the scope of work.
- 3) The key staff members' / experts' knowledge of issues which the tenderer considers pertinent to the project e.g. local conditions, affected communities, legislation, techniques etc.

A CV of the Project Director and Team Leader of not more than 2 pages should be attached to this schedule, together with the Bidders organization and staffing demographics

DECLARATION OF BIDDER – ENTERPRISE QUESTIONNAIRE

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of the sections 5.1.1 – 5.1.3 schedule are within my personal knowledge and are to the best of my belief both true and correct.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

6.2 Technical Proposal & Methodology Statement

7.2.1 Solution Statement

The **Solution Statement and Methodology** must respond to the scope of work and outline the proposed technical solution offered. This technical solution statement should articulate what value add the tenderer will provide in achieving the stated objectives for the project and detail the time frames and proposed methodology.

The layout of the solution statement and Methodology should be such that it mirrors the headings contained in the Scope of Works, Section 6 of this Bid Document.

The tenderer must as such explain his / her understanding of the objectives of the assignment and the Employer’s stated and implied requirements, highlight the issues of importance, and explain the technical approach they would adopt to address them. The document should explain the technical attributes and contain specifications of all equipment proposed, to demonstrate the compatibility and capability of the solution. The technical paper should also include a quality plan which outlines processes, procedures for the testing and verification of deliverables, and meet the requirements and indicate how risks will be managed and what contribution can be made regarding value management. The Methodology statement must also include an activity Gantt reflecting a work breakdown structure.

DECLARATION OF BIDDER – TECHNICAL PROPOSAL AND METHODOLOGY STATEMENTS

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of the sections 5.2 schedule is within my personal knowledge and is to the best of my belief both true and correct.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date



6.3 Tax Clearance Certificate

The Bidder is to attach a valid original Tax Clearance Certificate here

6.4 B-BBEE Bid Declaration

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:				
B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED (Points claimed for BBEE 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).		Points Claimed 		
SUB-CONTRACTING		<table border="1" style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> </table>	YES	NO
YES	NO			
Will any portion of the contract be sub-contracted?				
If yes, indicate: what percentage of the contract will be subcontracted?		%		
the name of the sub-contractor?				
the B-BBEE status level of the sub-contractor?				
is the sub-contractor an EME?				

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

Certify that the B-BBEE information furnished on this declaration form is true and correct and attach a current broad-based black economic empowerment certificate as verified by an accredited agency.

i accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

6.5 Bidder's Declaration of Interest

	<p>Any legal person, including persons employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favoritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where</p> <ul style="list-style-type: none"> - the bidder is employed by the state; and/or - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
	In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

COMPANY & REPRESENTATIVE DETAILS	
Full Name of bidder or his or her representative	
Identity Number	
Position occupied in the Company (director, trustee, shareholder, member):	
Registration number of company, enterprise, close corporation, partnership agreement or trust	
Tax Reference Number	
VAT Registration Number	

DECLARATIONS		YES	NO
Are you or any person connected with the bidder presently employed by the state?			
If so, furnish the following particulars: Name of person / director / trustee / shareholder / member			
Name of state institution at which you or the person connected to the bidder is employed :			
Position occupied in the state institution			
Any other particulars:			
If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?			
If yes, did you attach proof of such authority to the bid document? <u>(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.</u>			
If no, furnish reasons for non-submission of such proof:			
Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?			

	If so, furnish particulars:		
	Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or a adjudication of this bid?		
	If so, furnish particulars:		
	Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies Wither or not they are bidding for this contract?		
	If so, furnish particulars:		

Full details of directors / trustees / members / shareholders.

The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in the table below.

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Persal Number



“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

DECLARATION OF INTEREST

I, the undersigned (name).....

Certify that the information furnished in this declaration is correct and I accept that SANEDI may reject the bid or act against me should this declaration prove to be false.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

6.6 Declaration of Bidder’s Past Supply Chain Management Practices

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution’s supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury’s website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
4.1.1	If so, furnish particulars:		

4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		



SBD 8

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.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

6.7 Certificate of Independent Bid Determination

I, the undersigned, in submitting the accompanying bid for

in response to the invitation for the bid made by SANEDI do hereby make the following statements that I certify to be true and complete in every respect:

I therefore certify, on behalf of

that I have read and I understand the contents of this Certificate;

1. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
2. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
3. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
4. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, 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 on 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
5. 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.
6. 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 which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.

7. 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.
8. 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 the awarding of the contract.
9. 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 No 12 of 2004 or any other applicable legislation.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

6.8 Certificate of Acceptance – General Conditions of Contract

I, THE UNDERSIGNED (NAME).....

Warrants that I am duly authorised to do so on behalf of the enterprise, and confirm that the terms and conditions of contract are acceptable to the enterprise and that such contract will be acceptable to the enterprise should the contract or part thereof be awarded to the enterprise, and that such contract will be signed by the enterprise within 7 days of a request to sign the contract.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

6.9 Declaration of Acceptance – Bid Evaluation Criteria

I, THE UNDERSIGNED (NAME).....

Warrant that I am duly authorised to represent our company in the submission of this Bid and we acknowledge that we are fully conversant with, and accept the Bid Evaluation, Scoring and Adjudication Criteria as contained in the Special Conditions of the Bid together with the General conditions as contained on the SANEDI website, and acknowledge that we have read, understand and accept such as the methodology of bid evaluation and adjudication for this bid.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date



6.10 Declaration of Understanding – Scope of Works

I, THE UNDERSIGNED (NAME).....

Warrant that I am duly authorised to represent our company in the submission of this Bid and we acknowledge that we are fully conversant with the scope of works and technical specifications and all requirements enabling us to submit a proposal.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

7 Pricing Schedule

Activities				
NAME	POSITION IN TEAM	HOURLY RATE	HOURS	COST
Activity 1 : Board Secretarial duties and Administration				
Annual Retainer				
Additional costs : Disbursements				
Total costs (EXCL.) VAT				
VAT				
Total Cost (INCL.) VAT				

<p>AMOUNT IN WORDS To be carried forward to Section 8 Form of Tender BID447</p> <p>..... SIGNATURE OF BIDDER</p>	
--	--

I confirm that I am duly authorised to sign and certify that the price indicated on the schedule is our bid price submitted

NAME (PRINT) CAPACITY

SIGNATURE

NAME OF FIRM DATE

8 Form of Tender

24.	<p><u>Conditions of Acceptance</u></p> <ul style="list-style-type: none"> ▪ The Tenderer is required to complete this FORM of TENDER in every respect, and tenders will not be considered unless this FORM of TENDER is completed in every particular and each page is initialled by the tenderer and fully signed on this page. ▪ This Form of Tender shall be completed by the tenderer in black ink and no corrections, use of correcting fluids or any alterations will be permitted. ▪ The FORM of TENDER and price schedules shall be stated in South African Rand (ZAR) and the price indicated on the schedules shall be binding on the tenderer, and no exception shall be made for omissions, casting errors or errors of whatsoever nature. ▪ Where a tenderer is not returning a price for a line item, or costs associated with that line item are included in another line item, the tendered shall endorse that line item with the words, “No Cost” or “incorporated in Item (NO.....)” whichever being applicable.
25.	<p><u>Confidentiality</u></p> <p>All information pertaining to the services acquired by SANEDI from the service provider or furnished to the service provider shall be treated as confidential by the service provider and shall not be used or furnished to any other person other than for the purposes of the services without the written Consent of the Accounting Officer unless such information is or later becomes public knowledge, other than by breach of the afore-going.</p>
26.	<p>The service provider shall ensure that all its officers, employees, agents or subcontractors treat all information relating to the services as confidential.</p>
27.	<p>The service provider shall ensure that proper security procedures are implemented and maintained to restrict, as far as possible, access to confidential information. The service provider shall ensure that no confidential information is copied or reproduced without prior written approval by the Accounting Officer.</p>
28.	<p>Failure by the service provider to comply with the provisions of this Clause shall constitute a material breach of the contract and shall constitute a ground for termination of the contract by SANEDI, by giving the service provider thirty days’ notice.</p>
29.	<p><u>Priced Proposal</u></p> <p>The Bid is a FIXED PRICE PROPOSAL and clause 48 shall apply. Clause 49 is not applicable.</p>
30.	<p>FIXED PRICE PROPOSAL</p> <p>The price quoted in the pricing schedule and returned in the Form of Tender is returned as a FIXED PRICE PROPOSAL valid for a period of contract and is not subject to cost price escalations, foreign currency variation or additionality as agreed in the Conditions of Contract</p>
31.	<p>The Bidder is advised that SANEDI will remit the appointed service provider directly and shall be required to comply with all remittance requirements stipulated in the Conditions of Contract specific to this appointment.</p>

32.	The Bidder is advised to plan and provide for all possible risks that may affect the delivery project on time and what mechanisms are in place to manage such risks.
33.	We/I the undersigned, who warrants that they are duly authorised to do so on behalf of the enterprise, confirms that the contents of the conditions of acceptance pertaining to the FORM of TENDER are acceptable, and having fully understood the scope of works and conditions of bidding, herewith warrant that We/I have satisfied ourselves as to the correctness and sufficiency of the rates and prices set out in the Schedule and therefore offer the following PRICE and offer to undertake the works in accordance with the standards and specifications required.
34.	The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that this Form of Tender is submitted in good faith, free of corrections, alterations or encumbrances and such price is binding on the enterprise for a period of 90 days from date of tender close and may be extended by mutual agreement between the parties for a further period of 90 days thereafter.
35.	We/I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
36.	We/I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to SANEDI in accordance with the requirements and specifications stipulated in bid number 447 at the price/s quoted. This offer remains binding and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
37.	We/I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents in accordance with the SANEDI STANDARD CONDITIONS OF CONTRACT pertaining to the supply of goods and services. The Bidder is advised to familiarise themselves with the SANEDI STANDARD CONDITIONS OF CONTRACT pertaining to the supply of goods and services which can be viewed on the SANEDI Website at www.SANEDI.ORG.ZA
38.	We/I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
39.	We/I declare that we/I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
40.	This Clause is intentionally left blank

I, THE UNDERSIGNED (NAME).....

Warrants that I am duly authorised to do so on behalf of the enterprise, and confirm that the Bid submitted has been checked and all prices shown are full and final, and inclusive of all taxes, levies, duties and encumbrances, and shall remain valid for a period of 90 days from date of Quotation Closure as depicted in the Submission Data Section of this Bid Document

Therefore our TOTAL Tender Price in respect of the Goods and Services requested under this Call for Proposals (BID REF 447) as stated in South African Rand (ZAR) and upon the terms and conditions set out in the Bid Document free of exceptions, amendments or qualifications save those listed in Schedule 9 shall be:



Tender Amount

R

Amount in Words

.....

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

9 ADDENDA

9.1 Proposed Amendments and Qualifications

41.	<p>The Tenderers should record any deviations or qualifications they may wish to make to the tender documents in this Returnable Schedule.</p> <p>If the space provided is insufficient, the Tenderer must reflect the headings and emphasis of matter in this schedule and provide detailed amplification of such deviations and qualifications in a separate sheet and incorporate such response in the singular bound bid document submitted at the time of Tender.</p> <p>The Tenderer accepts that the Client will, at its sole discretion determine the validity of such amendments and or qualifications and apportion weighting to such in addition to the BID SCOPE or evaluation criteria in the best interest of the Client.</p> <p>The decision of the Client in this regard is final, and the Client reserves the right to negotiate with a bidder to finalise the implications of such amendments and qualifications</p> <p>Tenderers must not include deviations or qualifications relating to the scope of work in this schedule where they are required to submit an Approach Paper.</p>						
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%; padding: 5px;">Page</th> <th style="width: 30%; padding: 5px;">Clause or item</th> <th style="width: 55%; padding: 5px;">Proposal</th> </tr> </thead> <tbody> <tr> <td style="height: 150px;"></td> <td></td> <td></td> </tr> </tbody> </table>		Page	Clause or item	Proposal			
Page	Clause or item	Proposal					

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

11.2 Record of Addenda to Tender Documents

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

	Date	Title or Details
1.		
2.		
3.		
4.		
5.		

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date