



sanedi

South African National Energy
Development Institute

REQUEST FOR QUOTATION

APPOINTMENT OF A PANEL DUE DILIGENCE SERVICE PROVIDERS

Closing date: **21st July 2016**

Time: **11:00**

Submission format: Electronic submission to 363.procurement@sanedi.org.za

Name of the respondent:.....

Late bids will not be accepted for consideration.



BID DETAILS

Bid Title	Appointment of a Panel Due Diligence Service Providers
Procurement Reference Number	363
Description of Goods & Services	Conduct Due Diligence investigations
Date of TENDER	01 st July 2016
Date of Compulsory Briefing Session	13th July 2016
Date of Tender CLOSING	21 st July 2016

CONTACT INFORMATION

Any enquiries regarding the bidding procedure may be directed to:

Procurement Officer: Ms Thabang Mokoena

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 CodeNumber

.....

E-MAIL ADDRESS

.....

Signature of Bidder **Date**

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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 Thabang Mokoena Telephone: 011 038 4300 e-Mail enquiries.procurement@sanedi.org.za

A compulsory briefing meeting with representatives of the Employer will take place at the offices of SANEDI, situated at Grayston Office Park, 2nd Floor Block E, 150 Linden Street, Strathavon Sandton, on **13th July 2016**, commencing at **11h00**.

The closing time for receipt of Proposals is

11h00 on Thursday 21st July 2016

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>Bid Clarification Meeting</p> <p>A briefing meeting with representatives of the Employer will take place at the offices of SANEDI situated in the Grayston Office Park, 2nd Floor Block E, 150 Linden Street, Strathavon Sandton, on Wednesday the 13th July 2016, commencing at 11h00.</p> <p>Failure to complete the certificate of attendance and return with the Bid Documents will disqualify the submission.</p>

<p>4.</p>	<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 363.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 lock PDF format file.</p> <p>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>
<p>5.</p>	<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: Thursday 21st July 2016 at 11h00</p>
<p>6.</p>	<p>Telephonic, telegraphic, telex, facsimile submissions offers will not be accepted.</p>
<p>7.</p>	<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>
<p>8.</p>	<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>
<p>9.</p>	<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>
<p>10.</p>	<p>SANEDI Reserves the RIGHTS to contract with suppliers who are BEE Compliant.</p>

11.	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.
12.	SANEDI reserves the to rotate suppliers
13.	Bidders must be registered on Central Supplier Database (CSD). A CSD report must be attached with your returnable schedules.

3. Scope of works/Technical specifications

3.1 Project Background

The South African National Energy Development Institute, is a state owned entity established in terms of Section 7 of the National Energy Act, 2008 (Act No. 34 of 2008) whose registered office is at 150 Linden Street Strathavon Sandton, Johannesburg, Gauteng, Republic of South Africa ("SANEDI").

SANEDI wishes to appoint *Professional Service Providers* on an "As and When" basis who are competent and have the capacity to conduct Due Diligence investigations on companies, which the organisation wishes to enter into partnerships or invest in. the required services include:

- Legal Due Diligence (legal team must preferably have corporate law and corporate governance experience)
- Technology Due Diligence

3.2 Financial Due Diligence (Financial team must preferably have a Chartered Accountant as part of team).

3.3 Scope of Work

SANEDI wishes to appoint a Panel of Service Providers on an "As and When" basis (rates based), to perform Due Diligence investigations on Renewable, Clean Energy and Energy Efficiency projects where we wish to form business partnerships with private sector technology companies, with the provision of taking up **Free Carrying Equity** Options for a period of a year.

3.4 Legal consultant

Conduct a legal due diligence on companies with respect to among other the following:

- 3.4.1 Memorandum of Incorporation
- 3.4.2 Shareholders Agreement
- 3.4.3 Share Subscription Agreement
- 3.4.4 Management Services Agreement
- 3.4.5 Irrevocable Payment Undertaking

SANEDI requires a legal opinion on the implications of requesting the option to take up a Free Carrying Equity Option in the Technology Company. The legal opinion should include recommendations on risk mitigation options which SANEDI could implement to avoid, reduce or mitigate its risk exposure.

3.5 Technology Analysis Consultant

Technology assessment, analysis and recommendations:

- 3.5.1** Technology status (evolutionary/incremental or revolutionary; i.e. enhancement of existing technologies to capture unaddressed segments of existing markets or revolutionary/new technologies to capture brand new markets);
- 3.5.2** Feasibility of technology based on the information supplied by the applicant and literature search or through any other source;
- 3.5.3** Risks associated with the technology or the commercialization thereof;
- 3.5.4** Applicant risk analysis and proposed risk mitigation strategy;
- 3.5.5** Commercial competitive edge of the proposed technology;
- 3.5.6** Regulatory hurdles that need to be considered which could hinder adoption of the technology;
- 3.5.7** Competing technology development locally or internationally that could pose a threat;
- 3.5.8** Unique features of the technology (product, process or service) that users need;
- 3.5.9** How easy is it for the target market to adopt and what is the cost?

3.6 Governance And Quality

Governance and quality assessment, analysis and recommendations:

Current shareholders and their shareholding percentages.

Strength of management team suitable to the needs of the company/project in its composition (i.e. in-terms of skills, experiences and backgrounds).

Summary of the team's reputation, and ability to execute the proposed investment's implementation plan and activities:

- a) Where the applicant is a company (companies),
- b) Governance structures within the organization (in line with King III).
- c) Financial controls.

- d) Retention strategy of key staff and management (e.g. lock-in agreements in line with incentives etc.).

3.7 Financial Analysis Consultant

Financial assessment, analysis and recommendations:

Where the partnership involves a company (companies) that have already traded, provide a view on the company's track record and reputation based on its history, its existing products and/or services.

Where the partnership comprises a company (companies) that have already traded, provide analysis and comments on audited financial statements (at least the last three years), the analysis must assess the proposed investments financial position against (at least) the following metrics:

- a) Assets
- b) Liabilities
- c) Liquidity Ratios
- d) Solvency Ratios
- e) Positive Free Cash Flow to the Firm
- f) IRR and NPV

Ensure that the project team develops and submits a separate budget that focuses specifically on technology development work, excluding marketing and sales costs.

Analysis, financial projections, assessment, analysis and recommendations:

- a) Provide a high level comment on the realism of the financial projections (e.g. glaring issues like omissions or unreasonable assumptions etc.).
- b) Highlight any operational issues that may require consideration.
- c) In respect of the proposed technology product/service, formulate a view on the proposed business model's viability:
 - 1. What is the value proposition?
 - 2. Is there a clear revenue generating model in place?
 - 3. Are the distribution channels well understood and efficiently structured?
 - 4. Are there credible delivery partnerships in place?
 - 5. Is there a clear cost structure and is it well articulated?
 - 6. How easy is it to imitate the business model?
 - 7. Comment on budget and proposed drawdown vs. required funding.

8. Comment on possible follow-on funding requirements (e.g. quantum of funds, timing & possible sources). Will there be a need for further rounds of funding?
9. Comment on the alignment between the commercialization strategy and financial plan.

4. Evaluation Criteria

14.	The evaluation criteria that are to be scored and the maximum score assigned to each of such criteria are as follows:			
	Criteria	Score guideline (1-10)		Weighting
	1. Company Profile			
	1.1. Company Experience Company profile must state number of years in business, and track record of the number of relevant due diligence assignments completed A table should list Project title, Client name, Project description, Date, Execution timeline, and Project value.	5 Projects completed and above	10	5%
		4 Projects completed	8	
		3 Projects completed	5	
		2 Projects completed	3	
		1 Project completed	1	
	1.2. Experience Track Record Must be supported by signed and dated letters reflecting contact details, name and designation, name of the signatory of the client as proof of projects completed.	5 Proven records and above	10	10%
		4 Proven records	8	
		3 Proven records	6	
		2 Proven records	4	
		1 Proven records	1	
	2. Team Experience			
	2.1. Team Leader The team leader should preferably have (5) five years' experience in Due Diligence assessments (Legal, technology, financial, and governance), report compilation and presentation.	5 Years and above	10	15%
		4 Years	8	
		3 Years	6	
		2 Years	4	

		A CV (not more than 3 pages), must be attached to the technical proposal detailing: relevant and required experience. The CV must be clear and state what his/her roles and responsibilities would include.	1 Year	1	
		2.2. Team Members Individual team members must preferably have (3) years' experience in Due Diligence assessments (Legal, technology, financial, and governance), reporting and presentation. CV's of team members (not more than 3 pages), must be attached to the technical proposal detailing: relevant and required experience. The CV must be clear and state what his/her roles and responsibilities would include.	3 Years and above	10	15%
			2 Years	5	
			1 Year	1	
		2.3. Qualifications 2.3.1 Team Leader Team Leader must preferably have qualification of an Master's Degree in (Legal, technology, financial, and governance).	Master's degree	10	10%
			Honors degree	8	
			Degree	6	
			Diploma	4	
			National Certificate	2	
			Matric and below	1	
		2.3.2 Team Members Team members must preferably have qualification of a Honors Degree in (Legal, technology, financial, and governance).	Honours degree	10	10%
			Degree	6	
			Diploma	4	
			National certificate	2	
			Matric and below	1	

	<p>2.4. Partnership with SMME's Partnerships with a Small Micro and Medium Enterprise. Score will be determined based on clear explanation of participation and role played by SMME in assignments.</p>	Significant SMME participation (5 and more) assignments	10	5%
		Reasonable SMME participation (4) assignments	5	
		Reasonable SMME participation (2-3) assignments	3	
		Reasonable SMME participation (1) assignments	1	
	<p>3. Methodology 4. A clearly developed methodology must be provided explaining how activities will translate into tangible milestones and timelines.</p>	Good methodology explaining how activities will translate into tangible milestones and timelines	7-10	20%
		Reasonable methodology explaining how activities will translate into tangible milestones and timelines	3-6	
		Poor methodology which does not explain how the activities will translate into tangible milestones and timelines.	1-3	
<p>5. Project Plan with deliverables, milestones and timelines</p>	Good project plan with clearly defined: activities, milestones and timelines.	7-10	10%	
	Average project plan with reasonably	3-6		

		defined: activities, milestones and timelines.										
		Below average project plan with poorly defined: activities, milestones and timelines.	1-3									
15.	<p>The Bid will be evaluated on 80/20 Preferential Point System according to the Preferential Procurement Policy Framework Act,2000</p> <p>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>											
16.	<p>The maximum score for this bid shall be awarded as follows:</p> <table border="1"> <thead> <tr> <th>POINTS</th> <th>PRICE</th> </tr> </thead> <tbody> <tr> <td>BBBEE Status level of Contribution</td> <td>20</td> </tr> <tr> <td>Points for price</td> <td>80</td> </tr> <tr> <td>Total points for price and BBBEE do not exceed</td> <td>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

17.	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.
18.	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.
19.	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.
20.	The 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.
21.	In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
22.	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
23.	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 .
24.	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:

- 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:

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 the 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 Tax Clearance Certificate

The Bidder is to attach a valid Tax Clearance Certificate here

6.3 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	
(Points claimed for BBEE must be substantiated by means of a certified 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).		
SUB-CONTRACTING		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

6.4 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 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

6.5 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> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <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

6.6 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 web site, 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 as per the deliverables of the project				
NAME	POSITION IN TEAM	HOURLY RATE		
Activity 1: Legal Review and Assessment				
Activity 2: Technology Review and Assessment				
Activity 3: Financial Review and Assessment				
Activity 4: Governance Review and Assessment				
Activity 5: Report				
Disbursements				
Printing				
Total costs (EXCL.) VAT				
VAT				
Total Cost (INCL.) VAT				

<p>AMOUNT IN WORDS To be carried forward to Section 8 Form of Tender BID 363</p> <p>..... SIGNATURE OF BIDDER</p>	
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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

<p>25.</p>	<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.
<p>26.</p>	<p><u>Confidentiality</u> 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>
<p>27.</p>	<p>The service provider shall ensure that all its officers, employees, agents or subcontractors treat all information relating to the services as confidential.</p>
<p>28.</p>	<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>
<p>29.</p>	<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>
<p>30.</p>	<p><u>Priced Proposal</u> The Bid is a <u>FIXED PRICE PROPOSAL</u> and clause 48 shall apply. Clause 49 is not applicable.</p>
<p>31.</p>	<p>FIXED PRICE PROPOSAL 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>

32.	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.
33.	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.
34.	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.
35.	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.
36.	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.
37.	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 363 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.
38.	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
39.	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.
40.	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.
41.	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 363) 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