



sanedi

South African National Energy
Development Institute

REQUEST FOR PROPOSALS

Contracting of a range of Measurement & Verification (M & V) experts to serve on an Independent Expert Review Panel on an *'as-and-when'* required basis, to review and comment on Section 12L (of the Income Tax Act, 1962), energy efficiency baseline & performance assessment submissions to SANEDI

Closing date: **15 June 2023**

Time: 11:00am

Submission format: Electronic submission to 0323.procurement@sanedi.org.za

Name of the respondent:.....

Late bids will not be accepted for consideration.



BID DETAILS

Bid Title	Contracting of a range of Measurement & Verification (M & V) experts to serve on an Independent Expert Review Panel on an 'as-and-when' required basis, to review and comment on Section 12L (of the Income Tax Act, 1962), energy efficiency baseline & performance assessment submissions to SANEDI
Procurement Reference Number	0323
Date of the Bid Clarification Meeting	02 nd June 2023@12:00pm
Date of TENDER	26 May 2023
Date of Tender CLOSING	15 June 2023 @11:00am

CONTACT INFORMATION

Any enquiries regarding the bidding procedure may be directed to:

Ms Nondumiso Buthelezi
 Telephone: 011 038 4369
 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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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 Nondumiso Buthelezi

Telephone: 011 038 4369

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

The closing time for receipt of Proposals is at:

11h00 on Thursday the 15 June 2023

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 • Central Supplier Database (CSD) summary report <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><i>NB: BIDDER MUST SUBMIT PROOF OF REGISTRATION WITH THE CONSTRUCTION INDUSTRY DEVELOPMENT BOARD IN AN APPROPRIATE CONTRACTOR GRADING DESIGNATION; (SUBMIT REGISTRATION NUMBER OR PROOF OF REGISTRATION APPLICATION)</i></p> <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>

<p>3.</p>	<p>Bid Clarification Meeting A compulsory briefing meeting with representatives of the Employer will take place on the <u>02 June 2023 at 12:00pm</u> via Teams. Bidders must RSVP by the <u>01 June 2023 at 15:00pm</u> and further details of the bid clarification meeting will be sent to them. All RSVP's should be sent to enquiries.procurement@sanedi.org.za .</p> <p>Information required for Briefing Session RSVP; Company Name: Represented by: Email address: BID Reference:</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. The Submission E-Mail address designated is 0323.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. Telephonic, telegraphic, telex, facsimile submissions offers will not be accepted.</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, 15 JUNE 2023 at 11h00</p> <p>NO Late submissions, or submissions not deposited in the designated e-mail address will be considered, and it is incumbent on the Bidder to ensure that their submission together with all supporting documentation is in the designated e-mail address before the closing Time and date specified.</p>

<p>6.</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/email address 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>7.</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>8.</p>	<p>SANEDI reserves the right to rotate suppliers according to SANEDI’s rotation policy.</p>
<p>9.</p>	<p>SANEDI reserves the right to independently verify Information that is submitted by the bidder.</p>
<p>10.</p>	<p>Bidders are prohibited and will be disqualified if they share resources amongst themselves for the same tender e.g. the proposed team member of company “A” is also a team member of company “B”.</p>

3. Scope Of Works/Technical Specifications

3.1 BACKGROUND

1. Project Background

In 2009, the then Minister of Finance, Trevor Manuel, announced that there would be tax incentives for those that can demonstrate energy efficiency savings, setting the ball in motion to utilise the Income Tax Act of 1962 for this purpose.

Such tax incentives have been offered since 2009 using section 12L, the Industrial Policy Project Investment incentive for manufacturing-related projects with a 10% energy consumption reduction component. Shortly thereafter, the proposed 12L 'Regulations on the allowance for energy efficiency savings' were released for public comment. The effective date of 1 November 2013 for the implementation of the 12L Regulation was promulgated by the then Minister of Finance, Minister Pravin Gordhan in a Government Gazette on 8 November 2013 (Gazette No 37136), which stipulates that the tax incentive must be allowed as a deduction from the income tax of a taxpayer. The amount should relate to the energy efficiency savings generated with respect of a year of assessment. The 12L tax incentive has subsequently been extended to 31 December 2025, applications may therefore be accepted up until 31 December 2026, allowing for one (1) additional year to review these applications.

The 12L tax incentive, according to the Income Tax Act, 1962 (Act No. 58 of 1962), provides an allowance for businesses to implement energy efficiency savings. The verified savings allows since April 2015 for a tax deduction of 95c/kWh saved on energy consumption and for non-electricity energy sources, the measurements must be kWh equivalent. The measured & verified energy efficiency savings must be over a consecutive period of 12 months, referred to as the performance assessment period, which is compared against the 12 months of baseline measurement (baseline period).

The 12 L Regulation sets out the process and methodology for determining the quantum of energy efficiency savings and requirements for claiming the proposed tax allowance, which stipulates a prerequisite that energy savings reports have to be compiled by M&V Professionals performing M&V under the auspices of a South African National Accreditation System (SANAS) accredited M&V Body and the savings certified by the South African National Energy Development Institute (SANEDI), through the issuing of a Tax Deduction certificate. All projects have to be registered and processed via an online system, (www.sanedi12ltax.org.za) .

To meet the requirements of 12L, government has provided a structure to implement 12L with technical support in the form of a national standard for Measurement and Verification (M & V), which is the South African National Standard (SANS) 50 010:2018, and assurance through the accreditation of energy efficiency M&V Bodies by the South African National Accreditation System (SANAS), and final review and evaluation through SANEDI.

Due to the 12L Tax incentive assurance mandate of SANEDI in the 12L Tax Incentive it became necessary for SANEDI to acquire the services of seasoned professionals to provide an independent

review service in reviewing and evaluating the Baseline and Performance Assessment submissions for the 12L Tax Incentive and to report back to SANEDI in writing, within the stipulated time limit.

Similar calls for Panel Members were advertised in 2015, 2018 and 2020. Since then some of the Panel Members have left the panel due to a variety of reasons, such as immigration, retirement, and other priorities. The current Panel is therefore limited and unable to handle the volume of applications received by SANEDI, thus impacting negatively on the turn-around time for processing 12L applications.

This incentive and supporting activities is fully funded by National Treasury from the fiscus.

3.2 OBJECTIVES

The objective of this project is to contract external energy experts to the **12L Tax Incentives Panel Of Experts**

3.3 DURATION OF THE PROGRAMME AND PROJECTS PROPOSAL

3Years

3.4 REQUIREMENTS

All interested parties wishing to serve on this external, independent Expert Review Panel, should submit their CV's together with the copy of their related qualifications to SANEDI

3.5 SCOPE OF WORKS

Certified Measurement and Verification Professionals (CMVPs) and/or qualifying professionals are invited to serve on a multi-disciplinary panel of experts ('Review Panel'), to assess applications received for the Section 12L Energy Efficiency tax incentive, to ensure compliance with the aforementioned Regulation and National M & V Standard SANS 50 010:2018. Qualified candidates are required to conduct the evaluation activities of submissions from various business sectors. Membership to the Panel will be reviewed after a period of twelve (12) months and there is no specified minimum and/ or maximum hours for which a member will be required to actively participate in the Panel.

Skills and Profession

As indicated, varied skills and professional expertise from a range of disciplines are required in the administration of the applications for the Section 12L tax incentive. These skills and expertise differ with complexity and degree of engagement and all skills are important and required for the success of the tax incentive regulation.

Qualifying candidates should have the following skills and knowledge background:

- Measurement and verification knowledge as prescribed in the Efficiency Valuation Organizations (EVO), requirements and standards.
- An adequate knowledge and understanding of the measurement and verification of the energy savings standard, SABS: SANS 50010:2018
- Adequate knowledge and understanding of the principles of energy efficiency and requirements of the Section 12L Regulations in support of the Income Tax Act of 1962.
- The ability to pay attention to detail and a good analytical acumen.
- Adequate knowledge and understanding of energy auditing and energy management.
- Minimum of 5 year experience working in the energy environment.
- An adequate understanding of the energy and climate change policies of the Department of Mineral Resources and Energy, (DMRE).
- Adequate knowledge of demand side management, load management, and related energy saving options.

Qualifying Academic and/or Vocational Background

A candidate with the minimum of one or a combination of the following qualifications may be appointed to the Review Panel:

- Certified Measurement and Verification Professional, (CMVP)
- Certified Energy Manager, (CEM)
- An Engineering degree with at least Honours, in any of the following disciplines:
 - Electrical engineering
 - Physics
 - Civil engineering
 - Chemical engineering
 - Environmental Studies
 - Mechanical engineering
 - Mining engineering
 - Geological engineering
 - Petroleum engineering
 - Transport engineering

Responsibilities

Successful candidates will be expected to verify energy savings from baseline and performance data submitted by SANAS-accredited M & V bodies on behalf of tax applicants to SANEDI, for the Section 12L tax incentive, as-and-when required by SANEDI. (There are no minimum and/ or maximum time allocations for each successful panel member, as the members are appointed on a purely 'as-and-when-required' basis).

Candidates will be required to evaluate specific energy savings baseline and performance assessment reports and calculations and submit the feedback in writing to the Chief Panellist at SANEDI, within the time limits stipulated.

Time line for assignment

The candidate/s will commence with the work, once the baseline data from the 12L Incentive applicant is completed and submitted to SANEDI and SANEDI has allocated that project to a particular candidate or candidates of the Panel. The candidates will then be allowed a period of **10 working days** to verify and report the findings on the baseline data and another **10 working days** to verify the savings post project implementation and contained in a Performance Assessment Report.

Outputs/Deliverables

Evaluation and verification report/comments on the baseline and performance assessment reports, within 10 Working days of receipt of such a report for review. The candidate will be remunerated at a rate of R1000.00 per hour and the allocated number of hours allocated for each review, will depend on the complexity and size (energy savings claimed), of the particular application submitted for review. On average an evaluation requires 4 working hours, but the maximum time allowed for any review will be specified upfront by SANEDI.

Confidentiality

Due to the sensitive nature of the information and data associated with these tax-related applications, all successful candidates will be subjected to a vetting and background checks, in addition candidates will be required to sign a strict Confidentiality Agreement and a Declaration of Interest for each individual application referred to the candidate for review.

Requirement

All interested parties wishing to serve on this external, independent Expert Review Panel, should submit their CV's together with the copy of their related qualifications to SANEDI.

4. Preference Points

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender: - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 Preference Points applicable:

a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender shall be awarded for:

(a) Price; and

(b) Specific Goals.

1.4 The maximum points for this tender are allocated as follows:

	POINTS
Price	80
Specific Goals	20
Total points for price and specific goals	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 SANEDI reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the SANEDI.

2. DEFINITIONS

- (a) “tender” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “price” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “tender for income-generating contracts” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).
- (f) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (g) “B-BBEE status level of contributor” means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (h) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (i) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) “EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

- (k) “functionality” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (l) “proof of B-BBEE status level of contributor” means:
 - B-BBEE Status level certificate issued by an authorized body or person;
 - A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - Any other requirement prescribed in terms of the B-BBEE Act;
 - “QSE” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS A maximum of 80 or 90 points is allocated for price on the following basis:

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \quad \text{or} \quad P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)			Number of points claimed (80/20 system) (To be completed by the tenderer)
	Total points possible	Indicator	Points allocated	
B-BBEE Status level of Contributor	10	Level 1	10	
		Level 2	9	
		Level 3	8	
		Level 4	5	
		Level 5	4	
		Level 6	3	
		Level 7	2	
		Level 8	1	
		Non-compliant	0	
Women	5	Women Owned 76% - 100%	100%	
		Women Owned 51% - 75%	75%	
		Women Owned 26% - 50%	50%	
		Women Owned 5% - 25%	25%	

		Women Owned less than 5% - 0%	0%	
Youth	2.5	Youth Owned 76% - 100%	100%	
		Youth Owned 51% - 75%	75%	
		Youth Owned 26% - 50%	50%	
		Youth Owned 5% - 25%	25%	
		Youth Owned less than 5% - 0%	0%	
Persons with Disability	2.5	Person with Disability 76% - 100%	100%	
		Persons with disability 51% - 75%	75%	
		Persons with disability 26% - 50%	50%	
		Persons with disability 5% - 25%	25%	
		Persons with disability less than 5% - 0%	0%	
TOTAL FOR SPECIFIC GOALS	20			

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3 Name of the company/firm.....

4.4 Company registration number:.....

4.5 TYPE OF COMPANY/FIRM

Type of Firm	Tick the applicable box here
Partnership/Joint Venture/ Consortium	
One-person business/sole propriety	
Close corporation	
Public Company	
Personal Liability Company	
(Pty) Limited	
Non -Profit Company	
State Owned Company	

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised

in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

5. Technical Evaluation Criteria

5.1 Phase 1: Initial Screening Process: At this phase bidder’s response are reviewed to check. if bidders have responded according to SANEDI’s RFP document.

5.2 Phase 2: Mandatory Requirements: It must be noted that bidders who fail to meet any of the *MANDATORY REQUIREMENTS* will be disqualified and not be evaluated further.

5.3 Technical evaluation: Bidders will be evaluated according to the below technical evaluation criteria.

Minimum Technical Threshold

It must be noted that if the Bidder does not meet all minimum requirements , the bidder will be disqualified and not be considered.

Table 1: Outline of Evaluation Criteria

The evaluation criteria that are as follows:		
Service providers must meet all minimum requirements in order to be considered :		
Criteria	YES	NO
Minimum of Honours degree in one of the following disciplines: Electrical engineering Civil engineering Chemical engineering Environmental engineering Mechanical engineering Mining engineering Geological engineering Petroleum engineering Transport engineering		
Minimum of 5 years’ working experience, using the above degree.		
Certified Measurement and Verification Professional Certificate (CMVP)		
CMVP Certificate still valid		
Certified Energy Management Certificate – Preferable		
CEM Certificate still valid		
PhD in any of the above mentioned qualifications (PhD in any of the above qualification is an automatic qualification, irrespective of years of experience, CMVP and CEM).		

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 an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | |
| <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 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 Technical Proposal & Methodology Statement

6.2.1 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. Vulture

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 Tax Compliance Status Pin here

6.4 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>	<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

6.5 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



6.6 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



6.7 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



6.8 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



6.9 Certificate of Representation at Briefing Session

BID 0323

02nd June 2023

We, the undersigned, herewith certify that our representative,

.....

ID Number Telephone Number:

E-Mail Address:

who holds the following position within our company

is duly authorised to represent our company at the briefing session held on the and we acknowledge that we are fully conversant with the tender document and all requirements enabling us to submit a proposal.

I confirm that I am duly authorised to sign this Schedule

NAME (PRINT) CAPACITY

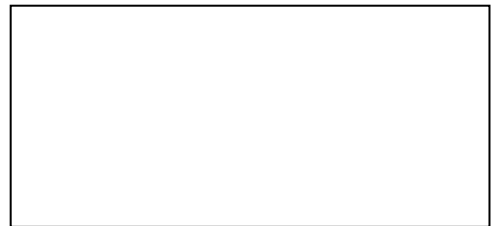
SIGNATURE DATE

NAME OF FIRM

The Employer herewith attests that the representative, who particulars are detailed hereon attended the briefing session, conducted by (Employer’s representative)

.....

Signed



Official Stamp

7. Pricing Schedule

Not Applicable for Bid 0323

Activities as per the deliverables of the project				
NAME	POSITION IN TEAM	HOURLY RATE	HOURS	COST
Activity 1				
Activity 2				
Activity 3				
Activity 4				
Activity 5				
Activity 6				

Additional costs				
Total costs (EXCL.) VAT				
VAT				
Total Cost (INCL.) VAT				

<p>AMOUNT IN WORDS To be carried forward to Section 8 Form of Tender BID 0323</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

11.	<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.
12.	<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>
13.	<p>The service provider shall ensure that all its officers, employees, agents or subcontractors treat all information relating to the services as confidential.</p>
14.	<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>
15.	<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>
16.	<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>
17.	<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>

18.	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.
19.	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.
20.	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.
21.	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.
22.	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.
23.	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 0323 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.
24.	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
25.	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.
26.	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.

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 0323) 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

27.	<p>The Tenderer 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

9.2 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