



**sanedi**

South African National Energy  
Development Institute

## REQUEST FOR INFORMATION

### FOR

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

Closing date: **02<sup>nd</sup> June 2021**

Time: 11:00

Submission format: Electronic submission to [162.procurement@sanedi.org.za](mailto:162.procurement@sanedi.org.za)

Name of the respondent:.....

Late bids will not be accepted for consideration.



**BID DETAILS**

Bid Title	Request for Information for Measurement & Verification (M & V) Experts to serve on an Independent Expert Review Panel on an ‘as-and-when’ required basis, to review & comment on Section 12L (of the Income Tax Act, 1962), energy efficiency baseline & performance assessment submissions to SANEDI.
Procurement Reference Number	162
Description of Goods & Services	A Panel of an Independent expertise to Review & comment on Section 12L (pf the Income Tax Act 1962)
Date of TENDER	12 <sup>th</sup> May 2021
Date of Compulsory Briefing Session	<b>NONE</b>
Date of Tender CLOSING	02 <sup>nd</sup> June 2021

**CONTACT INFORMATION**

Any enquiries regarding the bidding procedure may be directed to:

Procurement Officer: Ms. Nondumiso Buthelezi

Telephone: 011 038 4300

E-mail: [enquiries.procurement@sanedi.org.za](mailto:enquiries.procurement@sanedi.org.za)

**BIDDER’S DETAILS**

NAME OF BIDDER .....

POSTAL ADDRESS .....

STREET ADDRESS .....

CONTACT PERSON .....

TELEPHONE NUMBER Code ..... Number .....

CELL PHONE NUMBER Code ..... Number .....

FACSIMILE NUMBER Code ..... .Number .....

E-MAIL ADDRESS .....

**Signature of Bidder** ..... **Date** .....

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## Submission Criteria

### 1. Notice and Invitation to submit Proposals

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

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

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

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

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

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

Ms. Nondumiso Buthelezi Telephone: + 27 (0) 11 038 4300 e-Mail  
[enquiries.procurement@sanedi.org.za](mailto:enquiries.procurement@sanedi.org.za)

## 2. Submission Data – Specific Conditions of Contract.

<p><b>1.</b></p>	<p>The Employer</p> <p>The Employer is SANEDI and is referred to as the CLIENT or EMPLOYER.</p>
<p><b>2.</b></p>	<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"> <li>• Notice and Invitation to Submit a Quotation</li> <li>• Submission Data – Specific Conditions of Contract</li> <li>• Evaluation Criteria and Scoring</li> <li>• Tax Clearance Requirements</li> </ul> <p>Returnable Schedules</p> <ul style="list-style-type: none"> <li>• Enterprise Questionnaire</li> <li>• Technical Proposal &amp; Methodology Statements</li> <li>• Tax Clearance Certificate</li> <li>• B-BBEE Declaration</li> <li>• Declaration of Interest</li> <li>• Certificate of Past Procurement Performance</li> <li>• Certificate of Bid Independence</li> <li>• Certificate of Acceptance – General Conditions of Contract</li> <li>• Certificate of Acceptance – Bid Evaluation and Scoring Criteria</li> <li>• Certificate of Understanding – Scope of Works</li> <li>• Certificate of Attendance – Tender Clarification Meeting</li> <li>• Pricing Schedule / Schedule of Rates</li> <li>• Form of Tender</li> <li>• Schedule of Proposed Amendments and Qualifications</li> <li>• Record of Addenda or Errata to the Bid</li> </ul> <p><b>Only respondents who submit fully completed Proposals incorporating all Returnable Schedules duly complete and signed will be eligible to have their submissions evaluated</b></p>
<p><b>3.</b></p>	<p><b>Bid Clarification Meeting N/A</b></p> <p>None</p> <p>Failure to complete the certificate of attendance and return with the Bid Documents will disqualify the submission.</p>

4.	<p><b>ELECTRONIC RETURN OF SUBMISSIONS AND NO MANUAL SUBMISSION WILL BE ACCEPTED.</b></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 <a href="mailto:162.procurement@sanedi.org.za">162.procurement@sanedi.org.za</a></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 Email 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 MG. Bidders may submit more than one PDF E-mail no links or dropbox submission will be accepted .</p>
5.	<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><b>Closing date: Wednesday the 02<sup>nd</sup> June 2021 at 11h00</b></p>
6.	<p>Telephonic, telegraphic, telex, facsimile submissions offers will not be accepted.</p>
7.	<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>
8.	<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>
9.	<p><b>Information and data to be completed in all respects</b></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>
10.	<p>SANEDI Reserves the RIGHTS to contract with suppliers who are BEE Compliant.</p>
11.	<p>The Employer, reserves the right, at its sole discretion to award the tender in part or in stages, and shall have the right to withdraw some of the outputs and deliverables thus amending the total tender value and contracted price either pre or post award under authorisation of a Variation Order.</p>
12.	<p>SANEDI reserves the to rotate suppliers</p>

**The Bid will be evaluated on 80/20 Preferential Point System according to the Preferential Procurement Policy Framework Act,2000**

The points scored out of 80 should be calculated according to the following formula

(i) The 80/20 preference point system

$$Ps = 80 ( 1 - \frac{Hs - Rs}{Rs} )$$

Rs

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

The maximum score for this bid shall be awarded as follows: **N/A**

<b>POINTS</b>	<b>PRICE</b>
<b>BBBEE Status level of Contribution</b>	<b>20</b>
<b>Points for price</b>	<b>80</b>
<b>Total points for price and BBBEE do not exceed</b>	<b>100</b>

**13.**

### 3. SCOPE OF WORKS / TECHNICAL SPECIFICATIONS

#### BACKGROUND AND CONDITIONS OF WORK

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 12I, 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 which respect of a year of assessment. The 12L tax incentive has subsequently been extended to 1 January 2023, to align with Phase 1 of the Carbon Tax and applications may therefore be accepted up until 31 December 2022, 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](http://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 and 2018. Since then some of the Panel Members have left the panel due to a variety of reasons, such as immigration, retirement, 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.

Furthermore, the hourly rate of R450.00 has remained stagnant since 2015 and this new call for Review Panellists makes provision for an inflationary increase of approximately 10%, i.e. with a revised rate of R500.00 per hour.

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

## **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 **7 days** to verify and report the findings on the baseline data and another **7 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 30 days of receipt of such a report for review. The candidate will be remunerated at a rate of R500.00 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 required to sign a strict Confidentiality Agreement and a Declaration of Interest for each individual application referred to the candidate for review.

6. 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. Evaluation Criteria**

The evaluation criteria that are to be scored and the maximum score assigned to each of such criteria are as follows:

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).		

## 5 Tax Clearance Requirements

13.	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.
14.	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.
15.	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.
16.	The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
17.	In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
18.	Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website <a href="http://www.sars.gov.za">www.sars.gov.za</a>
19.	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 <a href="http://www.sars.gov.za">www.sars.gov.za</a> .
20.	<b>FAILURE TO SUBMIT A VALID TAX CLEARANCE CERTIFICATE WILL RENDER THE BID AS UNRESPONSIVE AND DISQUALIFY SUCH BID FROM FURTHER EVALUATION.</b>



## 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 within the meaning of the Public Finance Management National Council of Province Act, 1999 (Act 1 of 1999)
- 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
- 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 state and position held	Status of service organ of (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 .....

**7. Technical Proposal & Methodology Statement**

**7.2.1 Solution Statement**

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

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

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



**DECLARATION OF BIDDER – TECHNICAL PROPOSAL AND METHODOLOGY STATEMENTS**

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

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....



## **8. LIST OF RETURNABLE SCHEDULES**

### **8.1 Tax Clearance Certificate**

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



## 8.2 B-BBEE Bid Declaration

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:		
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED</b>  (Points claimed for BBEE must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).		<b>Points Claimed</b>  .....
<b>SUB-CONTRACTING</b>	<b>YES</b>	<b>NO</b>
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 .....

### 8.3 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"> <li>- the bidder is employed by the state; and/or</li> <li>- 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.</li> </ul>
	<p><b>In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.</b></p>

<b>COMPANY &amp; REPRESENTATIVE DETAILS</b>	
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	

<b>DECLARATIONS</b>	<b>YES</b>	<b>NO</b>
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 With 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.

<b>Full Name</b>	<b>Identity Number</b>	<b>Personal Income Tax Reference Number</b>	<b>State Employee Number / PERSAL Number</b>



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“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 .....



## 8.4 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><b>The Database of Restricted Suppliers now resides on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></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><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		



**SBD 8**

**CERTIFICATION**

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

Certify that the information furnished on this declaration form is true and correct.

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

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....

## 8.5 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 .....



## 8.6 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 .....

## 8.7 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 .....



## 8.9 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 .....



### 8.10 Certificate of Representation at Briefing Session

**BID162**

**Not Applicable**

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





## 9 PRICING SCHEDULE

### Not Applicable

The successful service providers will be expected to provide a quote, as-and-when required, for the requested services (rate of R500.00 per hour).

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 .....

## 10 FORM OF TENDER

<p><b>21.</b></p>	<p><b><u>Conditions of Acceptance</u></b></p> <ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ 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.</li> <li>▪ 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.</li> </ul>
<p><b>22.</b></p>	<p><b><u>Confidentiality</u></b></p> <p>All information pertaining to the services acquired by <b>SANEDI</b> 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><b>23.</b></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><b>24.</b></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><b>25.</b></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 <b>SANEDI</b>, by giving the service provider thirty days’ notice.</p>
<p><b>26.</b></p>	<p><b><u>Priced Proposal</u></b></p> <p>The Bid is a <b><u>FIXED PRICE PROPOSAL</u></b> and clause 48 shall apply. Clause 49 is not applicable.</p>
<p><b>27.</b></p>	<p><b>FIXED PRICE PROPOSAL</b></p> <p>The price quoted in the pricing schedule and returned in the Form of Tender is returned as a <b>FIXED PRICE PROPOSAL</b> 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>

<b>28.</b>	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.
<b>29.</b>	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.
<b>30.</b>	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.
<b>31.</b>	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.
<b>32.</b>	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.
<b>33.</b>	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 340 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.
<b>34.</b>	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 <a href="http://www.SANEDI.ORG.ZA">www.SANEDI.ORG.ZA</a>
<b>35.</b>	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.
<b>36.</b>	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.
<b>37.</b>	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 145) 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

The successful service providers will be expected to provide a quote, as-and-when required

Amount in Words .....

.....

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....

## 11 ADDENDA

### 11.1 Proposed Amendments and Qualifications

<b>38.</b>	<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>		
	<b>Page</b>	<b>Clause or item</b>	<b>Proposal</b>

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....



## 11.2 Record of Addenda to Tender Documents

We confirm that the following communications received from the CLIENT before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:		
	<b>Date</b>	<b>Title or Details</b>
1.		
2.		
3.		
4.		
5.		

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....