

COMPANY NAME:	ONDERSTEPSPOORT BIOLOGICAL PRODUCTS
TENDER DESCRIPTION:	REQUEST FOR PROPOSAL: Tender for Specialised Technical Advisory Services to determine requirements and specifications for vaccine facility to achieve Good Manufacturing Practice certification at OBP. OBP11/25/EMU01
COMPULSORY BRIEFING SESSION:	Date: 12 August 2025 @ 11:30am 100 Old Soutpan Road, Onderstepoort, Pretoria NB: Wear appropriate PPE for construction site, failure to do so will result in an automatic disqualification
CLOSING DATE:	29 August 2025
CLOSING TIME:	13H00
RESPONSES MUST BE HAND DELIVERED/COURIERED TO:	ONDERSTEPSPOORT BIOLOGICAL PRODUCTS SOC LTD 100 OLD SOUTPAN ROAD, ONDERSTEPSPOORT PRETORIA NO FAXED OR E-MAILED BIDS WILL BE CONSIDERED
ATTENTION:	THE SUPPLY CHAIN MANAGER
<p>N.B. ALL TENDERERS MUST ENSURE THAT THEY SIGN THE TENDER SUBMISSION REGISTER THAT WILL BE KEPT AT THE RECEPTION AREA AT OBP UPON SUBMISSION OF THEIR BID</p> <p>Take Note</p> <p>Government Procurement: all quotations, proposal or bids of goods and services are subject to the General conditions of Contract July 2010</p> <p>The successful bidder will not be considered for any subsequent bids relating to appointment of Principal Agent for GMP project.</p>	

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TENDERING STRUCTURE

Indicate the type of Bidding Structure by marking with an 'X':	
Individual Bidder	
Joint Venture	
Consortium	
Using sub-contractors	
Other	

If individual bidder, indicate the following:	
Name of bidder	
Registration Number	
VAT Registration Number (If applicable)	
Contact Person	
Telephone Number	
Fax Number	
E-mail address	
Postal Address	
Physical Address	

If Joint Venture/Consortium, indicate the following:	
Name of prime contractor	
Registration Number	
VAT Registration Number (If applicable)	
Contact Person	
Telephone Number	
Fax Number	
E-mail address	
Postal Address	
Physical Address	

If Joint Venture/Consortium, indicate the following: (To be completed for each JV/Consortium Member)	
Name of Joint Venture/Consortium	
Registration Number	
VAT Registration Number (If applicable)	
Contact Person	
Telephone Number	
Fax Number	
E-mail address	
Postal Address	
Physical Address	
If using subcontractors, indicate the following:	
Name of prime contractor	
Registration Number	

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VAT Registration Number (If applicable)	
Contact Person	
Telephone Number	

ABREVIATIONS

- BBEE Broad Based Black Economic Empowerment
- OBP Onderstepoort Biological Products
- RFB Request for Bid
- ID Identification Document
- AO/AA Accounting Officer/ Accounting Authority
- DoA Department of Agriculture
- SARB Service Approval Review Board
- VAT Value Added Tax
- SABS South African Bureau of Standards
- NPA National Prosecuting Authority
- SBD Standard Bidding Document
- SHE Safety Health and Environment
- EMO Environmental Management Office
- OSH Occupational Safety and Health
- NEM National Environment Management
- EMU Engineering Maintenance Unit
- CU Clinical Unit
- UP University of Pretoria Onderstepoort Faculty
- COID Compensation for Occupational Injuries and Diseases
- CSD Central Supplier Data Base (National Treasury)
- ERP Enterprise Resource Planning
- CIDB Construction Industry Development Board
- POD Proof of Delivery
- GIT Goods in Transit
- MIS Management Information Systems
- cGMP Current Good Manufacturing Practice
- GMP Good Manufacturing Practice

Kindly Note that:

- 1. Should all of these documents not be included, the bidder will be disqualified on the basis of non-compliance.**
- 2. The same documents must be submitted for all other companies that are involved in the tender case of a consortium.**

Checklist of compulsory documents to be submitted - Please tick in the relevant block below

YES	NO	Compulsory Documents
		One original and 3 copies of tender documents to be submitted at OBP Tender box.
		South African Companies should provide proof that the service provider is registered with CSD and must be tax compliant. Foreign /International companies must complete SBD1
		Foreign/ International Bidding companies must have local offices in South Africa and must comply to South African GMP standards
		Company profile including years of experience. Audited Annual Financial Statements for the financial year ends of 2022 and 2023. Annual Financial Statements must include (Cash flow statement, Income statement and Balance Sheet)
		List (see template under section 3) and letters of references of work in GMP related work facility/project. (Minimum of 3 letters, with 1 from GMP Certified Pharmaceutical Facility) for past and present clients (Company Name, contact person, Telephone Number, e-mail address and website address) must be on the client company letter head.
		COID letter of good standing.
		Project team years of relevant experience/s, certified copies of qualifications and the qualification must be valid for 3 months from the required submission date, certified ID copies, and Detailed CVs. All 14 specialists listed on page 16-17 of the document must form part of the project team. Failure to comply will result in automatic disqualification.
		Compulsory Site Briefing, attendance certificate to be attached as proof.

Signed:

Capacity:

Date:

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1. CONDITIONS AND UNDERTAKINGS BY TENDERER

- 1.1 **The Tender forms should not be retyped or redrafted, but photocopies may be prepared and used.** However, only documents with the original signature in black ink shall be accepted.
- 1.1.1 Black ink should be used when completing Bid documents.
- 1.1.2 Bidders should check the numbers of the pages to satisfy themselves that none is missing or duplicated. OBP will accept NO liability in regard to anything arising from the fact that the pages are missing or duplicated.
- 1.2 I/We hereby tender to supply all or any of the supplies and/or to procure all or any of the services described in the attached documents to OBP on the terms and conditions and in accordance with the specifications stipulated in the Tender documents (and which shall be taken as part of, and incorporated into, this Tender) at the prices inserted therein.
- 1.3 I/We agree that -
- 1.3.1 The offer herein shall remain binding upon me/us and open for acceptance by OBP during the validity period indicated and calculated from the closing time and date of the Tender.
- 1.3.2 the laws of the Republic of South Africa shall govern the contract created by the acceptance of my/our Tender and that I/we choose domicilium citandi et executandi in the Republic as indicated below; and
- 1.4 I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our Tender that the price(s) and rate(s) quoted cover all the work/item(s) specified in the Tender documents and that the price(s) and rate(s) cover all my/our obligations under a resulting contract and that I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
- 1.5 I/We hereby accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me/us under this Tender as the Principal(s) liable for the due fulfillment of this contract.

Signature(s) of Tenderer or assignee(s) Date

Name of signing person (in block letters)

Capacity

Are you duly authorized to sign this Tenderer?

Name of Tenderer [company name] (in block letters)

Postal address (in block letters)

Domicilium citandi et executandi in the RSA (full street address of this place) (in block letters)

.....

.....

.....

.....

Telephone Number: FAX Number.....

Cell Number.....

2. TENDER CONDITIONS

- 2.1 Tenderers shall provide full and accurate answers to all questions posed in this document and are required to explicitly state either "Comply" or "Not Comply" or "Partial" (with a √)" regarding compliance with the requirements. Where necessary, the tenderer shall substantiate their response to a specific question.
- 2.2 A "√" under "Accept" will be interpreted as full compliance/acceptance to the applicable paragraph. A "√" under "Accept" will be interpreted that the tenderer/s has/have read and understood the paragraph, but the tenderer does **not accept** the content of the applicable paragraph.
- 2.3 The following Tender conditions will govern the contract between the OBP and the successful tenderer:

Requirement	ACCEPT	NOT ACCEPT
2.3.1 Tenderers are invited to offer the Services/Products in accordance with the attached Specifications and the conditions within this document.		
2.3.2 Fully comprehensive service documentation shall be supplied in English by each Tenderer, which shall explicitly and detail, describe the service/s offered. This documentation should include sufficient detail to clearly give the reader a precise and unambiguous description of the service/s offered. Incomplete or incomprehensive service documentation will result in rejection of the offer.		
2.3.3 Tenderer's name and address should clearly appear on the outside of tender documents and on envelope.		
2.3.4 OBP reserves the right to evaluate and consider any Tenders that do not comply strictly to this RFP.		
2.3.5 Acceptance of any Tenders will only indicate, without any obligations on the part of either OBP and/or a Tenderer, the willingness of such parties to enter into negotiations, which may or may not result in a contract/order as the case may be.		

<p>2.3.6</p> <p>OBP reserves the right to make a selection solely on the information received in the Tenders or to negotiate further with one or more Tenderer/s.</p>		
<p>2.3.7</p> <p>The Tenderer/s selected for further negotiations, if any, will be chosen on the basis of the greatest benefit to OBP and not necessarily on the basis of the lowest price or any other criteria.</p>		
<p>2.3.8</p> <p>Should OBP consider it necessary, the Tenderer/s shall agree to an inspection of the resources and works of the Tenderer, if so required?</p>		
<p>2.3.9</p> <p>Should OBP consider it necessary, OBP will visit the Tenderer/s customer sites.</p>		
<p>2.3.10</p> <p>OBP reserves the right:</p> <ul style="list-style-type: none"> - to cancel this Request at any time. - not to accept any Tender. - to accept one or more Tenders for further negotiation and. - to contact any Tenderer during the evaluation period, to clarify information only, without informing any other Tenderer. 		
<p>2.3.11</p> <p>The specifications, drawings, designs and all site plans are the intellectual property of OBP.</p>		
<p>2.3.12</p> <p>The Procuring of the Services shall not take place until OBP has given final approval of all procedures.</p>		

<p>2.3.13</p> <p>In the event that modifications, clarifications, or additions to the RFP become necessary, all Tenderers will be notified, in writing, addenda to this RFP.</p>		
<p>2.3.14</p> <p>All costs incurred in the preparation, presentation and demonstration of the response shall be for the account of the Tenderer. All supporting documentation and manuals submitted with RFP will become OBP property unless otherwise stated by the Tenderer/s at the time of submission.</p>		
<p>2.3.15</p> <p>Any material submitted by the Tenderer/s, which is considered to be confidential in nature, must be clearly marked as such.</p>		
<p>2.3.16</p> <p>OBP will evaluate the bids against the following criteria:</p> <ul style="list-style-type: none"> • Compliance to the Specifications • Compliance to Functionality • Price • BBBEE • Compliance to Bid Condition 		
<p>2.3.17</p> <p>Payments of services rendered will be done 30 days after receipt of statement(s)</p>		

2.4 REASONS FOR DISQUALIFICATION

- 2.4.1 OBP reserves the right to disqualify any Tenderer which does any one or more of the following, and such disqualification may take place without prior notice to the offending tenderer, however the tenderer shall be notified in writing of such disqualification:
- Tenderers who are blacklisted.
 - Tenderers who are not registered on Central Supplier Database. / Not applicable to international companies
 - Tenderers who submitted incomplete information and documentation according to the requirements of this RFP.

- Tenderers who submitted information that is fraudulent, factually untrue, or inaccurate, for example memberships that do not exist, BBBEE credentials, experience, etc.
- Tenderers who received information not available to other vendors through fraudulent means.
- Tenderers who in the past abused OBP's procurement system:
- Tenderers who failed to perform on their previous contracts with OBP or any of their references
- Tenderers that do not have the relevant Qualification will be disqualified.

2.4.2 No Tenders from any Tenderer with offices within the RSA shall be accepted if sent via the Fax or e-mail. However, Tenders from international bidders with no office or representation in the RSA shall be accepted if received via the Fax or e-mail before the closing date and time. Such Tenders shall not be made available for evaluation until the original signed documentation is received within three (3) working days after the closing date, otherwise the Bid shall be disqualified. International bidders must submit proof that they do not have any offices or representation in South Africa.

2.5 ENQUIRIES

Enquiries regarding this Request for Bid should be submitted via e-mail to:

indhir@obpvaccines.co.za. Such queries must be sent at least **Four (4)** working days before the closing date. OBP cannot guarantee that queries received after that date can be answered before the Tender closing date.

3 SPECIFICATIONS:

Introduction

Onderstepoort Biological Products (OBP) is a Schedule 3B Public Entity established in terms of the Onderstepoort Biological Products Incorporation Act 19 of 1999. Its primary objective is to create a favourable environment for the organisation to build capacity in manufacturing technologies, infrastructure, and the development of new animal vaccine products to make profits.

As a Schedule 3B public entity, the entity has 2 policy mandate roles, namely

- Public good – To ensure that the government's responsibility in terms of food security and safety is met through the development, security, and availability of critical vaccine reserves; and
- Private good – To ensure the ability of the entity to manufacture, distribute, and sell vaccines for financial gain.

SCOPE OF WORK

The objective for the Specialist Advisor is to provide technical advisory services to OBP and to be solely responsible for the planning, budgeting, construction, fit-out and acceptance testing of the vaccine facility. By bringing works to final completion substantively on brief, on budget and on time by evaluating and adjudicating the management, administration, and monitoring of the contract costs and processes until GMP certification is obtained.

The objectives will be achieved by dividing of the project into two phases:

1. Initial Services
2. Ongoing Services

Initial Services

To evaluate and adjudicate the management, administration, and monitoring of the Good Manufacturing Practices (GMP) project processes and deliverables, including the preparation and co-ordination of the procedures and documentation.

Deliverables

- Assessing, reporting and providing status update on equipment (equipment delivered, equipment still to be delivered, and equipment to be procured in line with cGMP requirements)
- Assessing, reporting and providing status update on buildings/facilities (completed on site, buildings that must still be completed in line with cGMP requirements)
- Ensuring the building plans are updated with all relevant authorities

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- Reviewing current process flow and recommending changes to ensure adherence to GMP requirement
- Reviewing build, machinery, and equipment design and specifications that have already been completed/delivered to ensure that specifications adhere to the latest requirements for a GMP facility
- Reviewing and reporting of warranty, commissioning, and operational status of build, machinery, and equipment that have already been completed/delivered
- Reviewing and recommending built, machinery and equipment design and specifications (planned, in build and in design stages) to ensure adherence to latest specification requirements for GMP facilities
- Reviewing progress on the GMP roadmap and propose changes as required to adhere to the current GMP requirements
- Assessing what the estimated cost of completion will be
- What the estimated time of completion will be by the principal agent, and/or principal contractor and or their sub-contractors, and
- Develop terms of reference for the appointment of the principal agent, for the continuation of the GMP project.

Ongoing Services

Project Advisory and Oversight Services, providing an independent oversight role during all phases of construction by monitoring and evaluating the performance of the principal agent, principal contractor, and sub-contractors, inclusive of:

- Review of consultants' documentation and designs and reporting insights to OBP, during all phases of the project from design through to handover and attend project update meetings as per frequency to be decided on by OBP and provide updates and advice after meetings.
- Provide periodic updates and reports as and when required by OBP.
- Services must continue until GMP certification is obtained

Evaluation criteria

The request for this service will be evaluated based on the following stages.

Compulsory documents

Template for list of references to be completed compulsory requirements

Company Name	Contract person	Tel/cell number	Email address	Company Website address

Stage 1: Check for compulsory documents

All documents indicated on page 5 must be submitted, missing documents will result in automatic disqualification.

Stage 2: Evaluation for functionality

Interested service provider must obtain a minimum score of 80 of functionality to be eligible for evaluation in stage two. The following will be used as a criterion and the minimum points of each criterion which are indicated in the table below:

Aspect	Functionality Criteria	Weight	Means of Verification.
Company profile	<p>An indication of number of years' experience with Good Manufacturing Practices (GMP) related projects</p> <p>Experience:</p> <ul style="list-style-type: none"> • Less than 3 years' experience = nil points • 3 – 10 years' experience = 5 points • More than 10 years' experience = 15 points 	15	Company profile, Years of experience GMP related

	<p>Submit Audited Annual Financial Statement for the financial year ends 2022 and 2023.</p> <p>Audit Outcome:</p> <ul style="list-style-type: none"> • Qualified = nil points • Unqualified= 5 points <p>Liquidity:</p> <ul style="list-style-type: none"> • No = nil points • Yes= 3 points <p>Going concerns (within notes):</p> <ul style="list-style-type: none"> • No = nil points • Yes= 2 points 	10	Audited Annual Financial Statement
Reference letters	<p>Submit letters of references with contact details of the most recent references of work in a GMP related facility/project. Minimum of 3 letters with 1 from GMP Certified Pharmaceutical Facility. Work done must not be older than 10 years.</p> <ul style="list-style-type: none"> • Less than 3 references = nil points • 3 to 5 references = 5 points • More than 5 references = 5 points • GMP Certified Pharmaceutical facility= 5 points 	15	Confirmation of References and industry indication
Resource/Specialist Team	<p>1. The project team should consist of the following specialists as a minimum. Each specialist should have a minimum of 5 years of relevant experience within GMP or similar projects with references (minimum of 2 contactable references per specialist)</p> <ul style="list-style-type: none"> ➤ Architecture ➤ GMP Auditor ➤ Mechanical Engineer ➤ Structural/Civil Engineer 	30	CVs of specialists to be provided for each specialist

	<ul style="list-style-type: none"> ➤ Electrical Engineer ➤ Instrumentation Engineer ➤ Process Engineer ➤ Quantity Surveyor ➤ Cleanroom Specialist ➤ Veterinary Molecular Diagnostics and Vaccines ➤ Environmental Specialist ➤ Fire Safety Engineer ➤ Traffic Flow Engineer ➤ Zoning Specialist <ul style="list-style-type: none"> • Specialists provided with less than 5 relevant experiences =0 points • Specialists provided with 5 -10 years relevant experiences = 10 • Specialists provided with more than 10 years relevant experience = 10 points <hr/> <p>2. Each specialist should provide a minimum of 2 contactable references within GMP or similar projects:</p> <ul style="list-style-type: none"> • Less than 2 contactable references per specialists = nil points • 2 or more contactable references per specialists = 10 points <hr/> <p>3. The following specialists must be registered with the relevant professional body and a valid certificate must be submitted:</p> <ul style="list-style-type: none"> ➤ Architecture ➤ GMP Auditor ➤ Mechanical Engineer ➤ Structural/Civil Engineer 		
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	<ul style="list-style-type: none"> ➤ Electrical Engineer ➤ Instrumentation Engineer ➤ Quantity Surveyor ➤ Environmental Specialist ➤ Zoning Specialist <ul style="list-style-type: none"> • No evidence of professional body registration = nil points • Evidence of professional body registration = 10 points 		
Methodology	<p>Submitted a method statement indicating how the different phases will be implemented inclusive of a risk plan, timelines and each team members' roles and responsibilities</p> <ul style="list-style-type: none"> • No method plan and/or risk plan and/or project plan resources submitted = nil points • Method statement and risk plan submitted = 10 points • Resource management plan = 10 points • Project Plan = 10 points 	30	Method statement, Risk plan and Resource management plan. of how the different phases (initial review and on-going services will be implemented)
Total		100	

Bidders that meet the functionality criteria will move to the next stage

Stage 3: Price and BBBEE

The evaluation for Price and **BBBEE** shall be based on the **80/20** PPPFA principle and the points for evaluation criteria are as follows:

Evaluation of Price and Preference

All Bids will be evaluated on a points system based on weighted average score for Price and Preference as per Preferential Procurement Framework Act of 2000 (Act 5 of 2000).

Preference Point allocation – 80/20	
Price / Preference	Weighting percentage
Preference:	20%
Price:	80 %
Total must equal:	100%

OBP Onderstepoort Biological Products will award preference points as follows: Specific Goal	Points	Evidence required	Yes/No
Historically disadvantaged by unfair discrimination on the basis of Race	10	A valid BBBEE Certificate showing at least 51% black ownership	
Historically disadvantaged by unfair discrimination on the basis of Gender (women)	8	A valid BBBEE Certificate showing at least 30% women ownership	
Historically disadvantaged by unfair discrimination on the basis of disability	2	A doctor's note confirming disability, confirmation of disability from the Department of Labour, BEE certificate or equivalent confirmation.	
Total points	20		

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The evaluation for Price and BBBEE shall be based on the **80/20** PPPFA principle and the points for evaluation criteria are as follows:

Evaluation Criteria		Points
1.	Price	80
2.	Specific goals	20
3.	Total	100

4. Validity of Bids

The prospective tenderer is required to confirm that it will hold its Bid valid for 120 Days from the closing date of the submission of Bids. All the Bids must be quoted in South African Rand and remain valid for 120 days after closure of the tender.

5. PRICING SCHEDULE

All pricings must be fixed amounts and must be in Rands.

The cost for provision of project completion evaluation, costing evaluation and specification evaluation services should be calculated based on the monthly rates for the expertise in Table 1 (for initial services). The total fee for this service is as per Quote 1 in Table 1, which includes an amount for disbursements. This costing assumes services provided over a period of 4 months, which shall be invoiced monthly in arrears.

Provide a complete Price Schedule below.

Table 1: Quote 1 for initial services including disbursements and time over 4 months

Item	Cost (excl. VAT)
Experts' time (4 months)	
Disbursements (travel for site meetings)	
Total:	
VAT 15%	
Total, incl. VAT	

The second quote is for the provision of project oversight services (Phase 2) over a period of 36 months, will be as Table 2 (Quote 2 for ongoing services). The total fee for the service will be as per Quote 2 in Table 2, which includes an amount for disbursements. Fees shall be invoiced monthly in arrears over a period of 36 months.

The combined cost for phase 1 and phase 2 over a total period of 40 months will be as per table 3 (Quote 3) which includes the amounts for disbursements. Fees shall be invoiced monthly in arrears over a period of 40 months

Table 2: Quote 2 for ongoing services including disbursements and time over 36 months

Item	Cost (excl. VAT)
Experts' time (36 months)	
Disbursements (travel for site meetings)	
Total:	
VAT 15%	
Total, incl. VAT	

Table 3: Quote 3 Total Cost for Initial Services and Ongoing Services

Item	Cost (excl. VAT)
Initial Services	
Ongoing Services	
Total:	
VAT 15%	
Total, incl. VAT	

Presentation of proposal

A recommended bidder that meets all the above evaluation criterion will undergo a presentation of proposal at OBP Premises (at own expense/s) communication will be shared accordingly.

Signed

Name in Print:

Capacity:

Date:

6. DECLARATION OF INTEREST BY TENDERER SBD4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,

employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read, and I understand the contents of this disclosure.
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every aspect.
- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

- 3.4 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.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

Date

.....

Position

Name of bidder

7. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 SBD 6.1

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

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 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

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.

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- 1.6 The organ of state 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 organ of state.

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).

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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)
 \end{array}$$

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

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

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

80/20 or 90/10

Where:

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest 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 organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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:

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- 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:

.....

.....

.....

8. DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS SBD 6.2

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8. (2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where:

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation.

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

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<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offer have any imported content?
 (Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information are accessible on www.resbank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

<p>LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)</p> <p>IN RESPECT OF BID NO.</p> <p>ISSUED BY: (Procurement Authority / Name of Institution): </p> <p>NB</p>
--

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has BBBEE calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has BBBEE consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product have BBBEE calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017

promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

WITNESS No. 1 _____ **DATE:** _____

WITNESS No. 2 _____ **DATE:** _____

9. DECLARATION OF INTEREST FOR PAST SUPPLY CHAIN MANAGEMENT PRACTICES SBD 8

- 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? (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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		

4.2	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)? 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.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	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?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	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?	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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

10: CERTIFICATE OF INDEPENDENT BID DETERMINATION SBD 9

1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging). ² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

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

- a. disregards the bid of any bidder if that bidder, or any of its directors have abused the institution’s supply chain management system and or committed fraud or any other improper conduct in relation to such system.
- b. cancels a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

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

5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and Bids.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices, or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

I, the undersigned, in submitting the accompanying bid:

_____ (Bid Number and Description)

in response to the invitation for the bid made by:

_____ (Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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

2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder.
4. Each person whose signature appears on the accompanying bid has BBBEE authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder.
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has BBBEE 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
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has BBBEE 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.
8. In addition, there have BBBEE no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not BBBEE, 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.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder