| | |
|---|---|
| **COMPANY NAME:** | ONDERSTEPOORT BIOLOGICAL PRODUCTS SOC LTD (OBP) |
| **TENDER DESCRIPTION:** | REQUEST FOR PROPOSAL:<br>The appointment of the service provider to provide a Real time Cell Analyser for Onderstepoort Biological Products. **OBP06/26/27RDV01.** |
| **COMPULSORY BRIEFING SESSION:** | **None** |
| **CLOSING DATE:** | **17 December 2026** |
| **CLOSING TIME:** | **13H00** |
| **RESPONSES MUST BE HAND DELIVERED/COURIERED TO:** | ONDERSTEPOORT BIOLOGICAL PRODUCTS SOC LTD 100 OLD SOUTPAN ROAD, ONDERSTEPOORT PRETORIA<br>NO FAXED OR E-MAILED BIDS WILL BE CONSIDERED |
| **ATTENTION:** | THE SUPPLY CHAIN MANAGER |
| 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<br>**Take Note**<br>**Government Procurement: all quotations, proposal or bids of goods and services are subject to the General conditions of Contract July 2010** | |

**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:** | |

Tender to provide the appointment of the service provider to provide a Real time Cell Analyser for Onderstepoort Biological Products. OBP06/26/RDV01.

| | |
|---|---|
| Name of prime contractor | |
| Registration Number | |
| VAT Registration Number (If applicable) | |
| Contact Person | |
| Telephone Number | |

**ABREVIATIONS**

- BBBEE 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
- OEM Original Equipment Manufacturer
- 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
- POD Proof of Delivery
- GIT Goods in Transit
- MIS Management Information Systems
- RDV Research and Development Viral
- RTCA Real Time Cell Analyser
- RH Relative Humidity

---

Tender to provide the appointment of the service provider to provide a Real time Cell Analyser for Onderstepoort Biological Products. OBP06/26/RDV01.

**Kindly Note that:**

1. **Should all 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 <u>compulsory</u> 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.<br>Foreign /International companies must complete SBD1 |
| | | Product Catalogue (pictures and detailed specification) |
| | | Provide proof of previous supply of the goods/service being requested or similar. Bidder should provide 2 contactable Reference letters. |
| | | 3 Year Maintenance schedule<br>-Technical support and spare parts |
| | | A company profile |
| | | Authorized local agent letter from Original Equipment Manufacturer. |
| | | Project Plan with timelines and deliverables |

**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.……

Tender to provide the appointment of the service provider to provide a Real time Cell Analyser for Onderstepoort Biological Products. OBP06/26/RDV01.

## 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<br>Tenderers are invited to offer the Services/Products in accordance with the attached Specifications and the conditions within this document. | | |
| 2.3.2<br>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<br>Tenderer's name and address should clearly appear on the outside of tender documents and on envelope. | | |
| 2.3.4<br>OBP reserves the right to evaluate and consider any Tenders that do not comply strictly to this RFP. | | |
| 2.3.5<br>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. | | |
| 2.3.6<br>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. | | |
| 2.3.7<br>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. | | |
| 2.3.8<br>Should OBP consider it necessary, the Tenderer/s shall agree to an inspection of the resources and works of the Tenderer, if so required? | | |
| 2.3.9<br>Should OBP consider it necessary, OBP will visit the Tenderer/s customer sites. | | |
| 2.3.10<br>OBP reserves the right:<br>- to cancel this Request at any time.<br>- not to accept any Tender.<br>- to accept one or more Tenders for further negotiation and.<br>- to contact any Tenderer during the evaluation period, to clarify information only, without informing any other Tenderer. | | |
| 2.3.11<br>The specifications, drawings, designs and all site plans are the intellectual property of OBP. | | |
| 2.3.12<br>The Procuring of the Services shall not take place until OBP has given final approval of all procedures. | | |

| | | |
|---|---|---|
| 2.3.13<br>In the event that modifications, clarifications, or additions to the RFP become necessary, all Tenderers will be notified, in writing, addenda to this RFP. | | |
| 2.3.14<br>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. | | |
| 2.3.15<br>Any material submitted by the Tenderer/s, which is considered to be confidential in nature, must be clearly marked as such. | | |
| 2.3.16<br>OBP will evaluate the bids against the following criteria:<br>• Compliance to the Specifications<br>• Compliance to Functionality<br>• Price<br>• BBBEE<br>• Compliance to Bid Condition | | |
| 2.3.17<br>Payments of services rendered will be done 30 days after receipt of statement(s) | | |

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

Cell culture characterisation forms part of the daily experimental routines of OBP. The growth and maintenance of viable cells is integral for the continuance and success of research studies conducted within the department; thus, consistent and non-subjective monitoring and behaviour analysis is required.

Real-Time Cell Analysis (RTCA) system allows for the continuous monitoring of cell growth, adhesion, proliferation as well as morphology states in a label-free method with high accuracy and sensitivity (Hajduk and Ochocka, 2020). The impedance detected by the system analyzer in wells of growing cultures is reported as the cell index (CI). The CI gives a measure of parameters such as cell size, cell–substrate, or cell–cell attachment. The RTCA system allows one to conduct real-time continuous data collection, making it more advantageous over other traditional endpoint assays by providing detailed insights into cell viability, proliferation, migration, cytotoxicity, apoptosis to name a few (Moetlhoa *et al*., 2020).

The RTCA system will benefit studies by generating real-time continuous data for their respective projects also focusing on cytotoxicity analysis of the virus on the host cells. The system may also allow for researchers to determine optimal cell, and virus yields for vaccine development and optimisation. The system's ability to allow for numerous analyses to be conducted simultaneously will reduce the turnaround time for project completions and troubleshooting. Although the RTCA system will be under the custodianship of OBP, its versatility will allow for interested departments to obtain the opportunity to run samples on the system.

**RTCA system Specifications:**

**Applications:**

- Cell proliferation kinetics
- Cell characterization
- Immune cell killing
- Cytotoxicity
- Virus cytopathic effect

| **EQUIPMENT** | |
|---|---|
| Well Format | Min 4 x 96 well plates |
| Size | Dimensions of the RTCA should be accommodated to fit in a standard $CO_2$ incubator with the following maximum dimensions:<br>External dimension (WxDxH=660x660x906mm)<br>Internal dimension (WxDxH = 505x535x633mm) |
| Operating temperature | 20 to 40 °C |
| Operating humidity range | Up to 90% RH |
| Power supply | To supply with South Africa National Standards (SANS) |
| Uninterrupted power supply | Uninterrupted power supply (UPS) to maintain the measuring equipment and control unit (computer) for minimum of 30 minutes upon main power interruption. |
| Accessories | Heat resistant cables, wired keyboard and mouse |
| Warranty | 36-month Warranty on the RTCA equipment\ |
| Maintenance | 36-months, with local agent/support. Guaranteed technical and spare part support locally after the maintenance plan lapses. |
| RTCA Software | • Live continuous and endpoint plots including resistance, capacitance, impedance magnitude, barrier index, % cytolysis, area under the curve, kill time50, and EC50/IC50.<br>• User-friendly graphical user interface<br>• Curve fitting and does response plots using any endpoint<br>• Exports raw and analysed data directly to Microsoft Excel for easy access and fast analysis.<br>• Automated system status tracking to identify changes in environment and system state.<br>• Built-in system validation test.<br>• Cost of software should be included as a once-off payment with a back-up copy of the software supplied<br>• FDA 21CFR part 11 for compliance |
| Qualification Requirements | Supplier must handle **delivery, installation, and commissioning** of the RTCA at the final site.<br>The supplier is to develop and execute installation qualification (IQ) and operational qualification (OQ) protocols. The protocols and supporting documents such as calibration certificates shall be sent to OBP QA for approval of PRIOR to execution.<br>The equipment must be fully operational and tested before acceptance.<br>Service provider shall provide the user **manuals, technical documentation**, standard operating procedures and **maintenance guides** in English. |

| | | |
|---|---|---|
| Laptop | **Component** | **Recommended Specification** |
| | **CPU** | Series 2 Intel Core Ultra 7 |
| | **RAM** | 16 GB DDR5-SDRAM (32GB Upgradeable or higher) |
| | **Storage** | 512 GB M.2 PCIe SSD |
| | **Display** | 16" Full HD (1920x1200) or higher, Anti-glare (non-touch) |
| | **Operating System** | Windows 11 Pro (preferred for domain join, BitLocker). |
| | **Battery Life** | 12.6+ hours |
| | **Camera** | 1080p FHD |
| | **Keyboard** | Backlit, with AI hotkey and Number pad |
| | **Onboard Graphics Card Model** | Intel Graphics |
| | **Security** | TPM 2.0, BitLocker Support |
| | **Ports/Slots** | Universal Audio Port<br>USB 3.2 Gen1<br>USB 3.2 Gen1 with PowerShare<br>HDMI 2.1<br>Gigabyte RJ45 Ethernet Port<br>Wedge Shaped Lock Slot<br>2x USB Type C Thunderbolt 4.0 with<br>Power Delivery & DisplayPort 2.1 (Type-C) |

| | | |
|---|---|---|
| | | SIM Card Tray<br>4G CAT12 - Qualcomm Snapdragon X12 Global<br>LTE-Advanced (DW5826e), eSIM capable |
| | **Warranty** | 36-months ProSupport Onsite |
| Training | Onsite training to be provided. This shall include:<br>-Operation of the RTCA system as well as troubleshooting mechanisms/mitigations<br>-SOP should be provided upon completion of training<br>-Technical support for a period of 3 months | |

**NOTE all primary activities should not be outsourced**.

**Compulsory documents**

Template for list of references to be completed compulsory requirements

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

**Evaluation criteria**

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

**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. |
|---|---|---|---|
| Product Catalogue | **RTCA Unit:**<br>Well Format<br>Size<br>Operating Temperature<br>Operating humidity range<br>Power supply<br>Uninterrupted power supply<br>Accessories<br>RTCA Software<br>Qualification Requirements<br>Training | 30 | All items should be there on the specification to measure, or they will be disqualified. |
| | **Computer:**<br>CPU<br>RAM<br>Storage<br>Display<br>Operating System<br>Battery Life<br>Camera<br>Keyboard<br>Onboard Graphics Card Model | 30 | All items should be there on the specification to measure or they will be disqualified |

| | | | |
|---|---|---|---|
| | Security<br>Ports/Slots | | |
| Computer and Equipment warranty | ≥36-months =15<br>≤36-months =0 | 15 | |
| Project Plan with timelines and deliverables | 0-3 months =15<br>4-6 months =10<br>7- 12 months =5 | 15 | From issue of Purchase order to completion of project |
| Certification | OEM Letter =10 | 10 | Letter covering sales and maintenance from the OEM |
| Total | | **100** | |

Bidders that meet the functionality criteria will move to the next stage the Threshold is **80/100**

**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%** |

| **Specific Goals / B-BBEE Contributor Level** | **Points (80/20 System)**<br>**From R1million up to R50 million** | **Required Evidence** | **Yes/No** |
|---|---|---|---|
| Level 1 Contributor | 12 Points | Valid B-BBEE Certificate / Sworn Affidavit | |
| Level 2 Contributor | 8 Points | | |
| Level 3 to 8 Contributor | 4 Points | | |
| Entities Owned by Black Women (≥51%) | 4 Points | Valid B-BBEE Certificate / Sworn Affidavit | |
| Enterprise Development Targeted Commodities (Consumables, laboratory PPE, packaging, and non-active chemical blending) | 4 Points | CIPC registration showing majority local ownership 51% South African) | |
| **TOTAL GOAL POINTS** | **20 Points** | | |

Specific goals are tailored to accelerate transformation in the biological and pharmaceutical science sectors while supporting local infrastructure

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.**

**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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Tender to provide the appointment of the service provider to provide a Real time Cell Analyser for Onderstepoort Biological Products. OBP06/26/RDV01.

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:

**80/20** **or** **90/10**

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right) \quad \text{or} \quad Ps = 90\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where:

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = 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:

**80/20** **or** **90/10**

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

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) |
|---|---|---|---|---|
| Level 1 Contributor | | 12 | | |
| Level 2 Contributor | | 8 | | |
| Level 3 to 8 Contributor | | 4 | | |
| Entities own by Black Women (>51%) | | 4 | | |
| Enterprise Development Targeted Commodities (Consumables, laboratory PPE, packaging and non-active chemical blending) | | 4 | | |
| | | | | |
| **TOTAL GOAL POINTS** | | **20 POINTS** | | |

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm…….

4.4. Company registration number: ……...

4.5. TYPE OF COMPANY/ FIRM

- ϒ Partnership/Joint Venture / Consortium
- ϒ One-person business/sole propriety
- ϒ Close corporation

- ϒ Public Company
- ϒ Personal Liability Company
- ϒ (Pty) Limited
- ϒ Non-Profit Company
- ϒ 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:

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-BBBEE.

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 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:**

| Description of services, works or goods | Stipulated minimum threshold |
|---|---|
| _____ | _____% |
| _____ | _____% |
| _____ | _____% |

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

| YES | | NO | |
|---|---|---|---|

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)**

**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)**

**IN RESPECT OF BID NO.** .....

**ISSUED BY**: (Procurement Authority / Name of Institution):
.....
NB

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 | 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?<br>**(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 *audi alteram partem* rule was applied).**<br><br>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. | Yes ☐ | No ☐ |
| 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)?<br>**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 ☐ | No ☐ |
| 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 ☐ | No ☐ |

| | | | |
|---|---|---|---|
| 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 ☐ | No ☐ |
| 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 bids[1] 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:

Tender to provide the appointment of the service provider to provide a Real time Cell Analyser for Onderstepoort Biological Products. OBP06/26/RDV01.

(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 consortium[3] 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 |