

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE GOVERNMENT TECHNICAL ADVISORY CENTRE

BID NUMBER: GTAC: 006-2017

CLOSING TIME: 9 MARCH 2017 AT 11:00

DESCRIPTION: FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES TO ASSIST WITH LONG TERM ADVISORY SUPPORT TO THE NATIONAL TREASURY FOR A PERIOD OF THREE (3) YEARS.

The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

DEPOSITED IN THE BID BOX SITUATED AT:
Tender GTAC: 006-2017
National Treasury
Tender Information Centre
240 Madiba Street (corner Thabo Sehume Street), Pretoria

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

**THE FOLLOWING PARTICULARS MUST BE FURNISHED
 (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER
 POSTAL ADDRESS
 STREET ADDRESS
 TELEPHONE NUMBER CODE.....NUMBER.....
 CELLPHONE NUMBER
 FACSIMILE NUMBER CODE NUMBER.....
 E-MAIL ADDRESS
 VAT REGISTRATION NUMBER

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2) YES or NO
 HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1) YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?
 AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....
 A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS);
 REGISTERED AUDITOR.....
 [TICK APPLICABLE BOX]

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE
IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?
NO

YES or

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: GTAC

Contact Person: Aletta Mbuyane

Tel: None

Fax: None

E-mail address: Aletta.mbuyane@gtac.gov.za

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: Aletta Mbuyane

Tel: None

Fax: None

E-mail address: Aletta.mbuyane@gtac.gov.za

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

Particulars of tender (If applicable)

Tender number

Estimated Tender amount R

Expected duration of the tender year(s)

Particulars of the 3 largest contracts previously awarded

Date started	Date finalised	Principal	Contact person	Telephone number	Amount

Audit

Are you currently aware of any Audit investigation against you/the company? YES NO

If "YES" provide details

Appointment of representative/agent (Power of Attorney)

I the undersigned confirm that I require a Tax Clearance Certificate in respect of Tenders or Goodstanding.

I hereby authorise and instruct to apply to and receive from SARS the applicable Tax Clearance Certificate on my/our behalf.

Signature of representative/agent Date

Name of representative/agent

Declaration

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

Signature of applicant/Public Officer Date

Name of applicant/Public Officer

Notes:

1. It is a serious offence to make a false declaration.
2. Section 75 of the Income Tax Act, 1962, states: Any person who
 - (a) fails or neglects to furnish, file or submit any return or document as and when required by or under this Act, or
 - (b) without just cause shown by him, refuses or neglects to-
 - (i) furnish, produce or make available any information, documents or things;
 - (ii) reply to or answer truly and fully, any questions put to him ...As and when required in terms of this Act ... shall be guilty of an offence ...
3. SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.
4. Your Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only) as applicable.

SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:.....

2.3 Position occupied in the Company (director, trustee, shareholder², member):
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
.....

2.5 Tax Reference Number:

2.6 VAT Registration Number:

- 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
Name of state institution at which you or the person connected to the bidder is employed :
Position occupied in the state institution:

Any other particulars:
.....
.....
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....
.....
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....
.....
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....

TERMS OF REFERENCE

For the provision of technical assistance services to assist with Long Term Advisory Support to the National Treasury for a period of three (3) years.

Project Identification

Bid reference	GTAC 006-2017
Contracting Authority	Government Technical Advisory Centre (GTAC), National Treasury
Accounting Officer	Head of Unit, GTAC
Project Purpose	GTAC seeks to contract long term specialised technical expertise to the National Treasury in economic and fiscal analysis
Projected start date	1 April 2017

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1 Background

Given existing capacity constraints within the Office of the DG, National Treasury has requested GTAC support to secure long term specialist advisory support within the Office of the Director General in National Treasury. The idea is to augment the capacity within that office with additional external resource/s. This is a highly strategic position and the request was made late in 2016 with a view to have support on board as a matter of urgency.

1.1 Introduction

These terms of reference constitute the requirements for a National Treasury specialist to be assigned the role of specialist advisor in the Office of the Director-General (DG)

1.2 Purpose

GTAC is seeking a highly qualified, skilled and experienced Long Term Advisor (LTA) to provide professional services to support the Office of the Director-General. These terms of reference detail the pertinent qualifications, skills, expertise and experience required. The bid will be evaluated against these criteria. All other appropriate contractual and working arrangements will apply as determined as per the requirements by which GTAC is bound.

The scope of the role includes, but is not limited to, the following:

- Provision of specialist advice and analyses to the Director-General and Top Management team in the area of fiscal and financial policy, economic development, financing and strategic oversight of state-owned companies as well as guidance on the functions and activities of Development finance institutions;
- Provision of strategic planning and coordination support to the Director-General; and
- Any other such other tasks as may be assigned by the Director-General from time to time.

Offers will be accepted from service providers but the position requires a dedicated individual to perform the tasks as described below. The bid will evaluate pertinent qualifications, skills expertise and experience of an individual.

2 Overall objectives

2.1 The bidder will be expected to respond to the following key responsibilities:

2.1.1 Fiscal and Financial Advice and Analysis and Economic Policy Advice

- Provide briefing papers and reports on fiscal policy, financial development and economic policy issues.
- Participation in senior management meetings and consultations.
- Engagement and consultation with government and private sector stakeholders.
- Liaison and consultation with National Treasury senior management, and coordination of advice and analysis.
- Invite and support policy initiatives from internal and external stakeholders for the improvement of economic, fiscal and financial policies through robust engagement, consultation and road-shows involving government and private sector stakeholders.

2.1.2 Oversight of State-owned Companies and Development Finance Institutions

- Review of the financial position and business plans of state-owned companies and development finance institutions.

- Drive consultation with state-owned companies and development finance institutions and engagement on plans and financial requirements.
- Participate in long-term planning and analysis of SOCs and DFIs, and commissioning of expert advice where needed.
- Develop briefing papers and advice to the DG and Minister on State-Owned companies and development finance institutions.

2.1.3 Strategic Planning and Coordination Support to the Director-General

- Provide guidance and participate in National Treasury management meetings and planning processes.
- Implement a robust research and consultation platform on best practice in Treasury and Finance Department organisation, operational effectiveness and procedures.
- Coordinate the preparation of draft Strategic and Performance Plans.
- Consult with internal and external stakeholders and Government's planning, budgeting and financial management systems.

2.1.4 Special Projects and Strategic Assignments

- Draft reports and briefing papers at the request of the Minister and Director-General.
- Collaborate with Treasury senior managers and external stakeholders in strategic communication and consultation processes.
- Proactively conceptualise and provide leadership of special assignments and projects, subject to Director-General approval.

3. The service provider will be required to demonstrate the skills and experience in the following categories:

<p>A. Qualifications:</p> <p>Preferably a post graduate qualification / NQF level 8 in the fields of Business Administration/ Economics/ Finance/Public Administration.</p> <p>Certified copies of qualifications must be submitted with the bid before the closing date.</p>
<p>B. Experience:</p> <p>Preferably 10 plus years' experience in the provision of advice with particular technical competency in finance, strategic planning, economic, fiscal and financial policies and stakeholder consultation and management, including in the private sector.</p>
<p>C. Knowledge:</p> <ul style="list-style-type: none"> • Demonstrable competency in strategic planning and financial and economic analysis; • Understanding of the functioning and responsibilities of State-owned Companies and Development Finance Institutions; • Working knowledge of Strategic Planning and Coordination Support economic and financial statistics, data analysis and performance/ operation metrics • Strong understanding of leadership dynamics and competencies and leadership understanding; and • Ability to deliver on Special Projects and Strategic Assignments

D. Approach and Methodology

Ability to drive strategic leadership decisions; work as a team member, impart knowledge, demonstrate excellent negotiation skills and provide a excellent competency in written and verbal communications.

4. Evaluation Criteria

- 4.1.1 Bidders will be required to provide a brief overview of a portfolio of work which demonstrates their competency in strategic planning and financial and economic analysis and
- 4.1.2 Provide a concept note of no more than 5 pages which responds to the overall objectives as described in the TORs, to demonstrate the necessary strategic skills and competencies required
- 4.1.3 Evaluation process will be conducted in accordance with the mandatory requirements, technical suitability and the provision of the PPPFA as specified in the Information to bidders. Only those proposals which comply with the technical requirements will be invited to the functionality evaluation.

- 4.2 The matrix reflected below will be used in scoring the proposals. The panel members will individually evaluate the responses received against the following criteria as set out below:

No	Evaluation Criteria	Weight	Scoring Criteria
A	Qualifications		
	Post graduate qualification / NQF level 8 in the fields of Business Administration/ Economics/ Finance/Public Administration.	20	5 = Post-graduate degree (NQF8) 4 = Degree (NQF 7) 3 = National diploma (NQF 6) 2 = National certificate (NQF 5) 1 = Matric
B	Experience		
	10 plus years' senior advisory experience in areas of identified technical competency.	20	5: 12 years > 4: 10-12 years 3: 7-9years 2: 5-7 years 1 = below 1 year

C Knowledge			
	<ul style="list-style-type: none"> • Demonstrable competency in strategic planning and financial and economic analysis; • Oversight of State-owned Companies and Development Finance Institutions; • Working knowledge of Strategic Planning and Coordination Support economic and financial statistics, data analysis and performance/operation metrics and leadership abilities; and • Special Projects and Strategic Assignments 	30	<p>5 = Excellent (Meets and exceeds the functionality requirements)</p> <p>4 = Very good (Above average compliance to the requirements)</p> <p>3 = Good (Satisfactory and should be adequate for stated element)</p> <p>2 = Below Average (Does not meet set criteria)</p> <p>1 = Poor (Unacceptable, does not meet set criteria)</p>
D Approach and Methodology			
	<ul style="list-style-type: none"> • Demonstrate the ability to work as a team member, • Impart knowledge, • Good negotiation skills, • Transfer skills and build the capacity of individuals, high level of written and verbal communications skills 	30	<p>5 = Excellent (Meets and exceeds the functionality requirements)</p> <p>4 = Very good (Above average compliance to the requirements)</p> <p>3 = Good (Satisfactory and should be adequate for stated element)</p> <p>2 = Below Average (Does not meet set criteria)</p> <p>1 = Poor (Unacceptable, does not meet set criteria)</p>
TOTAL SCORE		100	
	<p>THRESHOLD:</p> <p>Failure to meet a minimum total technical threshold of 80% will result in disqualification of the service provider.</p>	80%	

NB: The CV will be evaluated in accordance with the above criteria.

5 Interview Evaluation Process

- 5.1 Bidders who have achieved the minimum score of the initial technical evaluation will be invited to an interview. The interview will cover the criteria below and will be scored accordingly:

Technical evaluation criteria		Scoring	Maximum points
A	<p>Demonstrated understanding of the ToR:</p> <p>As reflected in your suggested approach and methodology to be undertaken in managing the project in a way that ensures that the outcomes are achieved.</p>	<p>5 = Excellent (Meets and exceeds the functionality requirements)</p> <p>4 = Very good (Above average compliance to the requirements)</p> <p>3 = Good (Satisfactory and should be adequate for stated element)</p> <p>2 = Below Average (Does not meet set criteria)</p> <p>1 = Poor (Unacceptable, does not meet set criteria)</p>	50
B	<p>Experience:</p> <p>As reflected in the experience of your bid proposal as per TOR</p>	<p>5 = Excellent (More than 10 years' relevant experience)</p> <p>4 = Very good (Less than 10 years, but more than 8 years' relevant experience)</p> <p>3 = Good (Less than 8 years' but more than 6 year's experience)</p> <p>2 = Below average (Less than 6 years' but more than 4 years' relevant experience)</p> <p>1 = Poor (Less than 4 years' relevant experience)</p>	50
<i>Total</i>			100
<p>Minimum threshold: Failure to meet a minimum total interview threshold of 80% will result in disqualification of bidder</p>			80%

6. Contractual Authority

GTAC is the contracting authority based at 240 Madiba Street, Pretoria, Tshwane.

7. Level of Effort

The advisor will be expected to deliver 100% level of effort to this role (ie, full time) for the duration of the contract. The performance will be assessed by the Office of the Director-General and renewed on an annual basis should performance be considered effective.

8. Timeframe and required level of effort

Full time for three years.

9. Reports and Payment Schedule

9.1 The service provider will be required to provide a bi-annual and annual report to be approved by the DG or his delegated authority. Payments will be approved monthly on the basis of an invoice and timesheet signed off by the DG or his delegate.

10. Logistics Support

10.1 Dedicated office space will be provided for the service provider in the Office of the Director-General for the duration of the assignment.

11. Mandatory requirements compliance table below must be adhered to

Mandatory Requirements		Please tick (Yes/No)
1	The proposed methodology and approach submitted	
2	Detailed CV of the key resource submitted	
3	Relevant qualification, copies certified provided	

12. Bid Validity Period

The bid will be valid for a period of 90 (ninety) days

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	BID NO: GTAC 006-2017
CLOSING TIME 11:00 ON 9 MARCH 2017	

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF VALUE ADDED TAX
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DESCRIPTION: FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES TO ASSIST WITH LONG TERM ADVISORY SUPPORT TO THE NATIONAL TREASURY FOR A PERIOD OF THREE (3) YEARS.

- Services must be quoted in accordance with the attached terms of reference.

Technical Advisor	Name of resource	Hourly rate (VAT Inclusive)	Total for the entire contract period
		R	R

The financial proposal for this assignment should cover for all assignment activities as per terms of reference

Rates applicable should be in line with the hourly rates for consultants issued by the Department of Public Service and Administration (DPSA)

- Period required for commencement with project after acceptance of bid _____
- Are the rates quoted firm for the full period? Yes/No
- If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

Any enquiries regarding bidding procedures may be directed to –

Department: National Treasury

Contact Person: Aletta Mbuyane
Tel: (012) 315 5867
Fax: (012) 315 5900
E-mail address: aletta.mbuyane@gtac.gov.za

Any enquiries regarding technical enquiries may be directed to –

Email address: PSP

PLEASE REFER TO THE ATTACHED TERMS OF REFERENCE FOR MORE INFORMATION.

Reference: GTAC: 006-2017

Description: The provision of technical assistance services to assist with Long Term Advisory Support to the National Treasury for a period of three (3) years.

Closing time: 11h00 am

Closing date: Monday 9 MARCH 2017

I N F O R M A T I O N T O B I D D E R S

GTAC006-2017: FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES TO ASSIST WITH LONG TERM ADVISORY SUPPORT TO THE NATIONAL TREASURY FOR A PERIOD OF THREE (3) YEARS.

INFORMATION TO BIDDERS:

Reference: GTAC: 006-2017

Description: The provision of technical assistance services to assist with Long Term Advisory Support to the National Treasury for a period of three (3) years

Closing time: 11h00 am

Closing date: Monday 19 December 2016

1. CONTENTS OF THE BIDDER PACK

Tender Pack Doc.	Title	Type	Purpose
1	Information to Bidders	pdf	For Information
2	Terms of reference	pdf	LTA Requirements
3	Terms of reference compliance table	MSWord	For completion on the MS Word Form as provided.
4	SCM SBD 1 – Invitation to bid	pdf	To be printed, filled in by hand and signed.
5	SCM SBD 2 – Tax clearance certificate requirements	pdf	For Information
6	SCM SBD 4 – Declaration of interest	pdf	To be printed, filled in by hand and signed.
7	SCM SBD 6.1 - B-BBEE declaration	pdf	To be printed, filled in by hand and signed.
8	SCM SBD 8 - Declaration of bidder's past supply chain management practices	pdf	To be printed, filled in by hand and signed.
9	SCM SBD 9 - Certificate of independent bid determination	pdf	To be printed, filled in by hand and signed.

GTAC006-2017: FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES TO ASSIST WITH LONG TERM ADVISORY SUPPORT TO THE NATIONAL TREASURY FOR A PERIOD OF THREE (3) YEARS.

2. INSTRUCTIONS FOR COMPLETION AND SUBMISSION OF BIDS

This bid and all contracts emanating there from will be subject to the General Conditions of Contract issued in accordance with of the Treasury Regulations 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999). The Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract prevail

2.1 COMPLETION OF BIDS

- 2.1.1 Bids may be submitted by individuals or companies for one of their individuals.
- 2.1.2 In the case of a company, certified copies of registration documents from the Companies and Intellectual Property Commission must be included.
- 2.1.3 Bidders are advised that, to facilitate an efficient evaluation process, the:
 - 2.1.3.1 Bid should be as prescribed, concise and written in plain English;
 - 2.1.3.2 Terms of Reference Compliance Table must be in accordance with the format provided; and
 - 2.1.3.3 CV must be in accordance with the format provided.

2.2 CLARIFICATIONS

- 2.2.1 Requests for clarification must be made in writing by e-mail to psp@gtac.gov.za
- 2.2.2 Requests for clarification will be accepted by GTAC up until 16:00 on Friday 2 December 2016
- 2.2.3 The submission reference [GTAC: 006/2016] should be mentioned in the email.
- 2.2.4 Telephonic requests for clarification will not be accepted.
- 2.2.5 GTAC will respond to the requests by 11:00 am on Friday 9 December 2016. The clarifications will be made available to all applicants by a notification on the following websites:
https://www.gtac.gov.za/Pages/Advertised_Tenders.aspx
<http://www.treasury.gov.za/tenderinfo/GTAC/tenders.aspx>

3 EVALUATION PROCESS

- 3.1 The evaluation process comprises the following phases:

3.1.1 Phase I: Initial screening process

During this phase bid documents will be reviewed to determine compliance with tax matters and whether valid tax clearance certificates and Central Supplier Database (csd) have been submitted with the bid documents at closing date and time of bid.

GTAC006-2017: FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES TO ASSIST WITH LONG TERM ADVISORY SUPPORT TO THE NATIONAL TREASURY FOR A PERIOD OF THREE (3) YEARS.

3.1.2 A GTAC evaluation committee will screen bidders for compliance with the administrative requirements of the bid:

Step	Administrative Requirements	Check
1	Master bid document	Provided and bound
2	Four copies of the Bid document	Provided and bound
Included in the bid document		
3	SCM SBD 1	Completed and signed
4	Tax clearance certificate and csd registration number	Provided and valid
5	SCM SBD 4	Completed and signed
6	SCM SBD 6.1	Completed and signed
7	SCM SBD 8	Completed and signed
8	B-BBEE Certificate if applicable	Provided and valid
9	SCM SBD 9	Completed and signed
10	Certified proof of company registration	Provided and certified
11	Terms of reference compliance table	Provided
12	CV	Provided
13	Certified copy of academic qualifications	Provided and certified

GTAC reserves the right to reject applications that are not submitted in the prescribed format or where the information presented is illegible or incomplete.

GTAC006-2017: FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES TO ASSIST WITH LONG TERM ADVISORY SUPPORT TO THE NATIONAL TREASURY FOR A PERIOD OF THREE (3) YEARS.

3.1.3 Phase II: Functionality evaluation as per attached Terms of Reference

- a. Bids will be evaluated strictly according to the bid evaluation criteria stipulated in this section of the terms of reference. During this stage bidders' responses will be evaluated for functionality based on achieving a minimum score of 70 percent.
- b. Bidders must, as part of their bid documents, submit supportive documentation for all technical requirements as indicated hereunder. The panel responsible for scoring the respective bids will evaluate and score all bids based on their submissions and the information provided.
- c. Bidders will not rate themselves, but need to ensure that all information is supplied as required. The Bid Evaluation Committee (BEC) will evaluate and score all responsive bids and will verify all documents submitted by the bidders.
- d. The panel members will individually evaluate the responses received against the following criteria as set out below. The technical evaluation of individual CV's will be carried out as per evaluation criteria stipulated below:

3.1.4 Phase III: Interview as per evaluation process

Interviews will be used to verify and clarify the issues around this bid.

3.1.5 Phase IV: Price evaluation as per PPPFA

- a) The Price will be evaluated as per paragraph 5 indicated below.
- b) Price/ Financial proposals must be submitted in South African Rand.
- c) GTAC reserves the right to negotiate rates submitted by bidders.

GTAC006-2017: FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES TO ASSIST WITH LONG TERM ADVISORY SUPPORT TO THE NATIONAL TREASURY FOR A PERIOD OF THREE (3) YEARS.

4 EVALUATION CRITERIA:

4.1 FUNCTIONALITY EVALUATION CRITERIA

Evaluation process will be conducted in accordance with the mandatory requirements, technical suitability and the provision of the PPPFA as specified in the bid. Below is an indication of the general evaluation criteria. The evaluation criteria and scoring will be tailored to respond to the requirements of the bidder as identified in the ToR:

The panel members will individually evaluate the responses received against the following criteria as set out below:

	Technical evaluation criteria Failure to meet a minimum total technical threshold of 70% will result in disqualification of bidder.	Weight	Scoring
A	Post graduate qualification / NQF level 8 in the fields of Business Administration/ Economics/ Finance/Public Administration	5 = Post-graduate degree (NQF8) 4 = Degree (NQF 7) 3 = National diploma (NQF 6) 2 =National certificate (NQF 5) 1 = Matric	20
B	Experience: 10 plus years' senior advisory experience in areas of identified technical competency.	5: 12 years > 4: 10-12 years 3: 7-9years 2: 5-7 years 1 = below 1 year	30
C	Knowledge: - Demonstrable competency in strategic planning and financial and economic analysis;	5 = Excellent (Meets and exceeds the functionality requirements) 4 = Very good (Above average compliance to the requirements)	30

GTAC006-2017: FOR THE PROVISION OF TECHNICAL ASSISTANCE SERVICES TO ASSIST WITH LONG TERM ADVISORY SUPPORT TO THE NATIONAL TREASURY FOR A PERIOD OF THREE (3) YEARS.

	<ul style="list-style-type: none"> - Oversight of State-owned Companies and Development Finance Institutions; - Working knowledge of Strategic Planning and Coordination Support economic and financial statistics, data analysis and performance/ operation metrics and leadership abilities; and - Special Projects and Strategic Assignments 	<p>3 = Good (Satisfactory and should be adequate for stated element)</p> <p>2 = Below Average (Does not meet set criteria)</p> <p>1 = Poor (Unacceptable, does not meet set criteria)</p>	
D	<p>Approach and Methodology:</p> <ul style="list-style-type: none"> • Demonstrate the ability to work as a team member, • Impart knowledge, • Excellent negotiation skills, • Transfer skills and build the capacity of individuals, high level of written and verbal communications skills 	<p>5 = Excellent (Meets and exceeds the functionality requirements)</p> <p>4 = Very good (Above average compliance to the requirements)</p> <p>3 = Good (Satisfactory and should be adequate for stated element)</p> <p>2 = Below Average (Does not meet set criteria)</p> <p>1 = Poor (Unacceptable, does not meet set criteria)</p>	30
	-		
	Total	100	
	Minimum Threshold (Failure to meet this threshold will disqualify the bid)		80%

The mandatory relevant experience forms a large component of the Technical Scorecard evaluation. It is, therefore, imperative that the requirements in the ToR find expression in the CV submitted. The panel members will individually evaluate the responses received against the following criteria as set out above:

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4.2 Interview Evaluation Criteria

4.2.1 Bidders who are successful in meeting the minimum total technical threshold of 80% will be invited for interviews. Interviews will be used to verify the following:

Failure to meet a minimum total technical threshold of 80% will result in disqualification of bidder.

	Technical evaluation criteria Failure to meet a minimum total technical threshold of 80% will result in disqualification of bidder.	Weight	Scoring
A	<p>Demonstrated understanding of the ToR:</p> <p>As reflected in your suggested approach and methodology to be undertaken in managing the project in a way that ensures that the outcomes are achieved.</p>	<p>5 = Excellent (Meets and exceeds the functionality requirements)</p> <p>4 = Very good (Above average compliance to the requirements)</p> <p>3 = Good (Satisfactory and should be adequate for stated element)</p> <p>2 = Below Average (Does not meet set criteria)</p> <p>1 = Poor (Unacceptable, does not meet set criteria)</p>	50
B	<p>Experience of Resource:</p> <ul style="list-style-type: none"> - As reflected in the experience of your bid proposal as per TOR. 	<p>5 = Excellent (Meets and exceeds the functionality requirements)</p> <p>4 = Very good (Above average compliance to the requirements)</p> <p>3 = Good (Satisfactory and should be adequate for stated element)</p> <p>2 = Below Average (Does not meet set criteria)</p> <p>1 = Poor (Unacceptable, does not meet set criteria)</p>	50
	Total		100
	Minimum Threshold (Failure to meet this threshold will disqualify the bid for further PPPFA evaluation)		80%

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- 4.3. Each panel member will rate each individual criterion on the score sheet using the following scale:
- 1 – Poor; 2 – Below Average, 3-Good, 4-Very Good, 5-Excellent**
- 4.4 Individual value scores will be multiplied with the specified weighting for the criterion to obtain the marks scored for all elements. These marks will be added and expressed as a fraction of the best possible score for all criteria. This score will be converted to a percentage and only bidders that have met or exceeded the minimum threshold of 80% for functionality will be evaluated and scored in terms of pricing and socio-economic goals as indicated hereunder.
- 4.5 Any proposal not meeting a minimum score of 80% functionality proposal will be disqualified and the financial proposal will remain unopened
- 4.6 The value scored for each criterion will be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for each criterion. These marks will be added and expressed as a fraction of the best possible score for all criteria.
- 4.7 This score will be converted to a percentage and **only** bidders that have met or exceeded the minimum threshold of 80 percent for functionality will be evaluated and scored in terms of pricing and socio economic goals as indicated hereunder.
- 4.8 Any proposal not meeting a minimum score of 80 percent functionality proposal will be disqualified and the financial proposal will remain unopened.

5 EVALUATION CRITERIA

- a. In terms of regulation 5 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the 90/10-preference point for Broad-Based Black economic empowerment in terms of which points are awarded to bidders on the basis of:
- The bid price (maximum 90 points)
 - Broad-based black Economic Empowerment as well as specific goals (maximum 10 points)
- b. The following formula will be used to calculate the points for price in respect of bidders with a Rand value above R1 000 000:

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$$P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

A maximum of 10 points may be awarded to a bidder for being a Broad-Based Black Economic Empowerment and/or subcontracting with a Broad-Based Black Economic Empowerment stipulated in the Preferential Procurement regulations. For this bid the maximum number of Broad-based black Economic Empowerment status that could be allocated to a bidder is indicated in paragraph 5.1.

- c. The State reserves the right to arrange contracts with more than one contractor.
- d. It is the Government's intention to promote the following Broad-Based Black Economic Empowerment with this bid, and the points to be allocated are indicated against each level of contributor:

5.1 POINTS

The Preferential Procurement Policy Framework Act 2000 (PPPFA) Regulations were gazetted on 8 June 2011 (No. 34350) and effective from 7 December 2011. These regulations require bidders to submit valid original or certified copies of their B-BBEE Status Level Certificates from a SANAS accredited verification agency and accredited Auditing firm, the 90/10 preference points systems will be applied in accordance with the formula and applicable points provided for in the respective status level contributor tables in the Regulations.

B-BBEE Status Level of Contributor	Number of points (90/10 system)
1	10
2	9
3	8
4	5
5	4
6	3

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7	2
8	1
Non-complaint contributor	0

Failure to capture the required status level and to submit the required B-BBEE status level certificates will lead to a zero (0) status level for non-compliant service providers.

- a. The points scored by a bidder in respect of the points indicated above will be added to the points scored for price.
- b. Bidders are requested to complete the various preference claim forms in order to claim preference points.
- c. Only a bidder who has completed and signed the declaration part of the preference claim form will be considered for B-BBEE status.
- d. Supply Chain Management may, before a bid is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to B-BBEE status.
- e. Points scored will be rounded off to the nearest 2 decimals.
- f. In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for B-BBEE status. Should two or more bids be equal in all respects, the award shall be decided by drawing of lots.

A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

The bidder must submit copies of identity documents of all directors or shareholders of the company with the bid documents at the closing date and time of the bid.

6 MANDATORY REQUIREMENTS

The bidder must submit copies of identity documents of directors or shareholders of the company who will be responsible for this project with the bid documents at the closing date and time of the bid, and failure to do so your bid may not be considered.

The bidder must submit certified copies of academic qualifications of the resource/s who will be responsible for this project with the bid documents at the closing date and time of the bid.

Failure to comply with any of the above requirements will invalidate the bid

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7 TAX CLEARANCE CERTIFICATE

A valid Tax Clearance Certificate issued by the South African Revenue Services certifying that the taxes of the bidder are in order must be submitted at the closing date and time, where consortium/joint ventures/sub-contractor are involved each party to the association must submit a separate valid original Tax Clearance Certificate. Failure to do so your bid will be invalidated

8 VALUE ADDED TAX

All bid prices must be inclusive of 14% Value-Added Tax.

9 REGISTRATION

Latest proof of company registration from Companies and Intellectual Property Commission (CIPC) must be submitted in the form of certified copies of the relevant registration documents

10 CLIENT BASE

- 10.1 Bidders must have specific experience and submit at least four recent references (in a form of written proof (s) on their company's letterhead including relevant person (s), telephone, fax numbers and e-mails) of similar work undertaken.
- 10.2 GTAC reserves the right to contact references during the evaluation and adjudication process to obtain information.

11 LEGAL IMPLICATIONS

Successful service providers must be prepared to enter into a service level agreement with the GTAC

The GTAC reserves the right to award this bid on a non-exclusive basis, i.e. GTAC may procure similar services outside this bid with the view of securing the best service and value for money.

12. COMMUNICATION

Supply Chain Management within GTAC will communicate with bidders for, among others, where bid clarity is sought, to obtain information or to extend the validity period. Any communication either by facsimile, letter or electronic mail or any other form of correspondence to any government official, department or representative of a testing institution or a person acting in an advisory capacity for the National Treasury in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

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13. COUNTER CONDITIONS

Bidders' attention is drawn to the fact that amendments to any of the Information to bid by bidders will result in invalidation of such bids.

14. PROHIBITION OF RESTRICTIVE PRACTICES

a. In terms of section 4(1) of the Competition Act No. 89 of 1998, as amended, an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a bidder(s) is/ are or a contractor(s) was/were involved in:

- directly or indirectly fixing a purchase or selling price or any other trading condition;
- dividing markets by allocating customers, suppliers, territories or specific types of goods or services; or
- collusive bidding.

b. If a bidder(s) or contractor(s), in the judgment of the purchaser, has/have engaged in any of the restrictive practices referred to above, the purchaser may, without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered or terminate

the contract in whole or in part and refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998.

15. FRONTING

a. The National Treasury supports the spirit of broad based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the National Treasury condemns any form of fronting.

b. The National Treasury, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid

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documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the

Department of Trade and Industry, be established during such enquiry/investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder/contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the National Treasury may have against the bidder/contractor concerned.

16. INTERVIEWS

GTAC will require interviews from short-listed bidders as part of the bid process.

17. TIMEFRAMES AND FORMAL CONTRACT

Successful bidder(s) will be required to enter into formal contract with the National Treasury.

18. PACKAGING OF BID

The bidder shall place both the sealed Technical Proposal and Price/ Financial Proposal envelopes into an outer sealed envelope or package, and must be clearly marked as follows:

18.1 FUNCTIONALITY/TECHNICAL PROPOSAL

18.1.1 The bid submission must include four individually bound documents:

18.1.2 The originally signed and bound master document; and

18.1.3 Four individually bound copies of the master document. The bid document must include the following;

Sequence	Document Title
1	SCM SBD 1
2	Original Tax clearance certificate and csd registration number
3	SCM SBD 4
4	SCM SBD 6.1
5	SCM SBD 8
6	B-BBEE Certificate if applicable
7	SCM SBD 9
8	Certified proof of company registration
9	Terms of reference compliance table
10	CV

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Sequence	Document Title
11	Certified copy of academic qualifications

18.2 The bid shall not include any other documentation (eg. Annual reports, brochures).

18.3 The bid shall be enclosed in a sealed envelope.

18.4 The envelope is to be addressed as follows:

Tender:	Technical Advisor for the Office of Director-General
No:	GTAC: 006-2017
Submission closing date:	Monday 9 March 2017
Submission closing time:	11:00 am
Name of bidder:	
Contact number of bidder:	
Address of bidder:	

18.4 PRICE/ FINANCIAL PROPOSAL

Description: GTAC006-2017: For the provision of technical assistance services to assist with Long Term Advisory Support to the National Treasury for a period of three (3) years.

Bid closing date and time: 9 March 2017 at 11h00

Name and address of the bidder:

In this envelope, the bidder shall provide the price/ financial proposal.

19 CONTACT DETAILS

Professional Services Procurement, 24th floor at GTAC,

Private Bag x 115, Pretoria, 0001

Physical address: 240 Madiba Street (Vermeulen), Pretoria

For General enquiries: Aletta Mbuyane/Sanele Msomi, tel: 012-315-5867/012 315 5572,

For Technical enquiries before 9 March 2017: psp@gtac.gov.za

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes

1.2 The value of this bid is estimated to be more than R1 000 000 (all applicable taxes included) and therefore the 90/10 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

1.3.1 The maximum points for this bid are allocated as follows:

	POINTS
1.3.1.1 PRICE	90
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	10
Total points for Price and B-BBEE must not exceed	100
1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.	
1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.	

2. DEFINITIONS

- 2.1 **"all applicable taxes"** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **"B-BBEE status level of contributor"** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **"comparative price"** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **"consortium or joint venture"** 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;
- 2.8 **"contract"** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **"EME"** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **"Firm price"** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **"functionality"** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **"non-firm prices"** means all prices other than "firm" prices;
- 2.13 **"person"** includes a juristic person;
- 2.14 **"rand value"** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **"sub-contract"** means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **"total revenue"** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **"trust"** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and

- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE 2010 PREFERENCE POINT SYSTEMS

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

90/10

$$Ps90\left(1 - \frac{Pt - P_{\min}}{P_{\min}}\right)$$

Where

- Ps = Points scored for comparative price of bid under consideration
- Pt = Comparative price of bid under consideration
- Pmin = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)
1	10
2	9
3	8
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: =(maximum of 10 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?%
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm :

9.2 VAT registration number :

9.3 Company registration number
:

9.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....

9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

WITNESSES:

1.

.....
SIGNATURE(S) OF BIDDER(S)

2.

DATE:.....
 ADDRESS:.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	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

Js365bW

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS
DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

November 2011

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 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. disregard 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. cancel 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 proposals.

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

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 been 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 been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

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 consortium⁹ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

⁹ 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

Js914w 2

**GOVERNMENT PROCUREMENT
GENERAL CONDITIONS OF CONTRACT**

NOTES

The purpose of this document is to:

- (i) Draw special attention to certain general conditions applicable to government bids, contracts and orders; and
- (ii) To ensure that clients be familiar with regard to the rights and obligations of all parties involved in doing business with government.

In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.

- The General Conditions of Contract will form part of all bid documents and may not be amended.
- Special Conditions of Contract (SCC) relevant to a specific bid, should be compiled separately for every bid (if applicable) and will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

General Conditions of Contract

1. Definitions

1. The following terms shall be interpreted as indicated:
 - 1.1 "Closing time" means the date and hour specified in the bidding documents for the receipt of bids.
 - 1.2 "Contract" means the written agreement entered into between the purchaser and the supplier, as recorded in the contract form signed by the parties, including all attachments and appendices thereto and all documents incorporated by reference therein.
 - 1.3 "Contract price" means the price payable to the supplier under the contract for the full and proper performance of his contractual obligations.
 - 1.4 "Corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value to influence the action of a public official in the procurement process or in contract execution.
 - 1.5 "Countervailing duties" are imposed in cases where an enterprise abroad is subsidized by its government and encouraged to market its products internationally.
 - 1.6 "Country of origin" means the place where the goods were mined, grown or produced or from which the services are supplied. Goods are produced when, through manufacturing, processing or substantial and major assembly of components, a commercially recognized new product results that is substantially different in basic characteristics or in purpose or utility from its components.
 - 1.7 "Day" means calendar day.
 - 1.8 "Delivery" means delivery in compliance of the conditions of the contract or order.
 - 1.9 "Delivery ex stock" means immediate delivery directly from stock actually on hand.
 - 1.10 "Delivery into consignees store or to his site" means delivered and unloaded in the specified store or depot or on the specified site in compliance with the conditions of the contract or order, the supplier bearing all risks and charges involved until the supplies are so delivered and a valid receipt is obtained.
 - 1.11 "Dumping" occurs when a private enterprise abroad market its goods on own initiative in the RSA at lower prices than that of the country of origin and which have the potential to harm the local industries in the RSA.
 - 1.12 "Force majeure" means an event beyond the control of the supplier and not involving the supplier's fault or negligence and not foreseeable.

- 2. Application**
- 2.1 These general conditions are applicable to all bids, contracts and orders including bids for functional and professional services, sales, hiring, letting and the granting or acquiring of rights, but excluding immovable property, unless otherwise indicated in the bidding documents.
- 2.2 Where applicable, special conditions of contract are also laid down to cover specific supplies, services or works.
- 2.3 Where such special conditions of contract are in conflict with these general conditions, the special conditions shall apply.
- 3. General**
- 3.1 Unless otherwise indicated in the bidding documents, the purchaser shall not be liable for any expense incurred in the preparation and submission of a bid. Where applicable a non-refundable fee for documents may be charged.
- 3.2 With certain exceptions, invitations to bid are only published in the Government Tender Bulletin. The Government Tender Bulletin may be obtained directly from the Government Printer, Private Bag X85, Pretoria 0001, or accessed electronically from www.treasury.gov.za
- 4. Standards**
- 4.1 The goods supplied shall conform to the standards mentioned in the bidding documents and specifications.
- 5. Use of contract documents and information; inspection.**
- 5.1 The supplier shall not, without the purchaser's prior written consent, disclose the contract, or any provision thereof, or any specification, plan, drawing, pattern, sample, or information furnished by or on behalf of the purchaser in connection therewith, to any person other than a person employed by the supplier in the performance of the contract. Disclosure to any such employed person shall be made in confidence and shall extend only so far as may be necessary for purposes of such performance.
- 5.2 The supplier shall not, without the purchaser's prior written consent, make use of any document or information mentioned in GCC clause 5.1 except for purposes of performing the contract.
- 5.3 Any document, other than the contract itself mentioned in GCC clause 5.1 shall remain the property of the purchaser and shall be returned (all copies) to the purchaser on completion of the supplier's performance under the contract if so required by the purchaser.
- 5.4 The supplier shall permit the purchaser to inspect the supplier's records relating to the performance of the supplier and to have them audited by auditors appointed by the purchaser, if so required by the purchaser.
- 6. Patent rights**
- 6.1 The supplier shall indemnify the purchaser against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the goods or any part thereof by the purchaser.
- 7. Performance security**
- 7.1 Within thirty (30) days of receipt of the notification of contract award, the successful bidder shall furnish to the purchaser the performance security of the amount specified in SCC.

supplies which do comply with the requirements of the contract. Failing such removal the rejected supplies shall be returned at the suppliers cost and risk. Should the supplier fail to provide the substitute supplies forthwith, the purchaser may, without giving the supplier further opportunity to substitute the rejected supplies, purchase such supplies as may be necessary at the expense of the supplier.

8.8 The provisions of clauses 8.4 to 8.7 shall not prejudice the right of the purchaser to cancel the contract on account of a breach of the conditions thereof, or to act in terms of Clause 23 of GCC.

9. Packing

9.1 The supplier shall provide such packing of the goods as is required to prevent their damage or deterioration during transit to their final destination, as indicated in the contract. The packing shall be sufficient to withstand, without limitation, rough handling during transit and exposure to extreme temperatures, salt and precipitation during transit, and open storage. Packing, case size and weights shall take into consideration, where appropriate, the remoteness of the goods' final destination and the absence of heavy handling facilities at all points in transit.

9.2 The packing, marking, and documentation within and outside the packages shall comply strictly with such special requirements as shall be expressly provided for in the contract, including additional requirements, if any, specified in SCC, and in any subsequent instructions ordered by the purchaser.

10. Delivery and documents

10.1 Delivery of the goods shall be made by the supplier in accordance with the terms specified in the contract. The details of shipping and/or other documents to be furnished by the supplier are specified in SCC.

10.2 Documents to be submitted by the supplier are specified in SCC.

11. Insurance

11.1 The goods supplied under the contract shall be fully insured in a freely convertible currency against loss or damage incidental to manufacture or acquisition, transportation, storage and delivery in the manner specified in the SCC.

12. Transportation

12.1 Should a price other than an all-inclusive delivered price be required, this shall be specified in the SCC.

13. Incidental services

13.1 The supplier may be required to provide any or all of the following services, including additional services, if any, specified in SCC:

- (a) performance or supervision of on-site assembly and/or commissioning of the supplied goods;
- (b) furnishing of tools required for assembly and/or maintenance of the supplied goods;
- (c) furnishing of a detailed operations and maintenance manual for each appropriate unit of the supplied goods;
- (d) performance or supervision or maintenance and/or repair of the supplied goods, for a period of time agreed by the parties, provided that this service shall not relieve the supplier of any warranty obligations under this contract; and

- 16. Payment**
- 16.1 The method and conditions of payment to be made to the supplier under this contract shall be specified in SCC.
- 16.2 The supplier shall furnish the purchaser with an invoice accompanied by a copy of the delivery note and upon fulfillment of other obligations stipulated in the contract.
- 16.3 Payments shall be made promptly by the purchaser, but in no case later than thirty (30) days after submission of an invoice or claim by the supplier.
- 16.4 Payment will be made in Rand unless otherwise stipulated in SCC.
- 17. Prices**
- 17.1 Prices charged by the supplier for goods delivered and services performed under the contract shall not vary from the prices quoted by the supplier in his bid, with the exception of any price adjustments authorized in SCC or in the purchaser's request for bid validity extension, as the case may be.
- 18. Contract amendments**
- 18.1 No variation in or modification of the terms of the contract shall be made except by written amendment signed by the parties concerned.
- 19. Assignment**
- 19.1 The supplier shall not assign, in whole or in part, its obligations to perform under the contract, except with the purchaser's prior written consent.
- 20. Subcontracts**
- 20.1 The supplier shall notify the purchaser in writing of all subcontracts awarded under this contracts if not already specified in the bid. Such notification, in the original bid or later, shall not relieve the supplier from any liability or obligation under the contract.
- 21. Delays in the supplier's performance**
- 21.1 Delivery of the goods and performance of services shall be made by the supplier in accordance with the time schedule prescribed by the purchaser in the contract.
- 21.2 If at any time during performance of the contract, the supplier or its subcontractor(s) should encounter conditions impeding timely delivery of the goods and performance of services, the supplier shall promptly notify the purchaser in writing of the fact of the delay, its likely duration and its cause(s). As soon as practicable after receipt of the supplier's notice, the purchaser shall evaluate the situation and may at his discretion extend the supplier's time for performance, with or without the imposition of penalties, in which case the extension shall be ratified by the parties by amendment of contract.
- 21.3 No provision in a contract shall be deemed to prohibit the obtaining of supplies or services from a national department, provincial department, or a local authority.
- 21.4 The right is reserved to procure outside of the contract small quantities or to have minor essential services executed if an emergency arises, the supplier's point of supply is not situated at or near the place where the supplies are required, or the supplier's services are not readily available.

the intended penalty as not objected against and may impose it on the supplier.

23.5 Any restriction imposed on any person by the Accounting Officer / Authority will, at the discretion of the Accounting Officer / Authority, also be applicable to any other enterprise or any partner, manager, director or other person who wholly or partly exercises or exercised or may exercise control over the enterprise of the first-mentioned person, and with which enterprise or person the first-mentioned person, is or was in the opinion of the Accounting Officer / Authority actively associated.

23.6 If a restriction is imposed, the purchaser must, within five (5) working days of such imposition, furnish the National Treasury, with the following information:

- (i) the name and address of the supplier and / or person restricted by the purchaser;
- (ii) the date of commencement of the restriction
- (iii) the period of restriction; and
- (iv) the reasons for the restriction.

These details will be loaded in the National Treasury's central database of suppliers or persons prohibited from doing business with the public sector.

23.7 If a court of law convicts a person of an offence as contemplated in sections 12 or 13 of the Prevention and Combating of Corrupt Activities Act, No. 12 of 2004, the court may also rule that such person's name be endorsed on the Register for Tender Defaulters. When a person's name has been endorsed on the Register, the person will be prohibited from doing business with the public sector for a period not less than five years and not more than 10 years. The National Treasury is empowered to determine the period of restriction and each case will be dealt with on its own merits. According to section 32 of the Act the Register must be open to the public. The Register can be perused on the National Treasury website.

24. Anti-dumping and countervailing duties and rights

24.1 When, after the date of bid, provisional payments are required, or anti-dumping or countervailing duties are imposed, or the amount of a provisional payment or anti-dumping or countervailing right is increased in respect of any dumped or subsidized import, the State is not liable for any amount so required or imposed, or for the amount of any such increase. When, after the said date, such a provisional payment is no longer required or any such anti-dumping or countervailing right is abolished, or where the amount of such provisional payment or any such right is reduced, any such favourable difference shall on demand be paid forthwith by the contractor to the State or the State may deduct such amounts from moneys (if any) which may otherwise be due to the contractor in regard to supplies or services which he delivered or rendered, or is to deliver or render in terms of the contract or any other contract or any other amount which may be due to him

25. Force Majeure

25.1 Notwithstanding the provisions of GCC Clauses 22 and 23, the supplier shall not be liable for forfeiture of its performance security,

- (b) the aggregate liability of the supplier to the purchaser, whether under the contract, in tort or otherwise, shall not exceed the total contract price, provided that this limitation shall not apply to the cost of repairing or replacing defective equipment.
- 29. Governing language** 29.1 The contract shall be written in English. All correspondence and other documents pertaining to the contract that is exchanged by the parties shall also be written in English.
- 30. Applicable law** 30.1 The contract shall be interpreted in accordance with South African laws, unless otherwise specified in SCC.
- 31. Notices** 31.1 Every written acceptance of a bid shall be posted to the supplier concerned by registered or certified mail and any other notice to him shall be posted by ordinary mail to the address furnished in his bid or to the address notified later by him in writing and such posting shall be deemed to be proper service of such notice
- 31.2 The time mentioned in the contract documents for performing any act after such aforesaid notice has been given, shall be reckoned from the date of posting of such notice.
- 32. Taxes and duties** 32.1 A foreign supplier shall be entirely responsible for all taxes, stamp duties, license fees, and other such levies imposed outside the purchaser's country.
- 32.2 A local supplier shall be entirely responsible for all taxes, duties, license fees, etc., incurred until delivery of the contracted goods to the purchaser.
- 32.3 No contract shall be concluded with any bidder whose tax matters are not in order. Prior to the award of a bid the Department must be in possession of a tax clearance certificate, submitted by the bidder. This certificate must be an original issued by the South African Revenue Services.
- 33. National Industrial Participation Programme (NIP)** 33.1 The NIP Programme administered by the Department of Trade and Industry shall be applicable to all contracts that are subject to the NIP obligation.