



South African Nursing Council  
Regulating nursing, advocating for the public

Enquiries: SCM officials  
[Quotations1@sanc.co.za](mailto:Quotations1@sanc.co.za)

Bidder's Information: The Director

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.....  
.....

*Dear Sir/Madam*

**RE- INVITATION TO BID: RFQ 60/02/2022: APPOINTMENT OF A LAND SURVEYOR AND/OR TOWN PLANNER TO CONSOLIDATE TWO PROPERTIES AT THE SOUTH AFRICAN NURSING COUNCIL**

You are requested to complete the RFQ documents and submit them in accordance with the stipulations mentioned hereunder:

1. The conditions contained in the attached annexures apply.
2. The quotation may be submitted via email [Quotations1@sanc.co.za](mailto:Quotations1@sanc.co.za) on or before closing date **30 March 2023 at 12H00.**
3. The attached forms/annexures, if completed in full and returned, will form part of your price quotation.
4. Please take note that, this price quotation will be evaluated in terms of 80/20 Preference Point System in line with the Preferential Procurement Regulations 2022.
5. **Please note that the compulsory site meeting will be held on 23 March 2023 at 10H00, Cecilia Makiwane Building, 602 Pretorius Street, Arcadia, 0083.**



Cecilia Makiwane Building,  
602 Pretorius Street, Arcadia, Pretoria 0083  
Private Bag X132, Pretoria 0001,  
Republic of South Africa



Tel: 012 420 1000  
Fax: 012 343 5400  
SANC Fraud Hotline: 0800 20 12 16



website: [www.sanc.co.za](http://www.sanc.co.za)

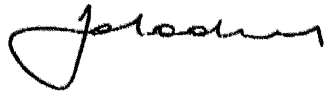
Chairperson: Dr MC Molepo, Vice-Chairperson: Dr SM Zuma, Registrar & CEO: Prof NG Mtshali

6. With reference to the Preference Point Claim form (SBD 6.1), the following documents must be submitted with your price quotation:
- a) Proof that the supplier is registered and complying with National Treasury - Central Supplier Database (CSD) requirements (CSD report).
  - b) **Proof of Specific goals - Ownership and verification may be conducted in various forms including but not limited to the following documents namely: - CIPC documents, valid copy of B-BBEE certificate, copy of Identity Document, medical report for disability ownership and declaration letter signed by the tenderer. Failure to attach proof, the tenderer will be allocated 0 points on specific goals.**
7. All communication should be made through the use of an email. The cut-off date for all enquiries will be at **16H30 on 27 March 2023.**

Yours faithfully

**Chief Financial Officer**

**Mr Thamsanqa Ndadana**



Signature: .....

**2023-03-16**

Date: .....

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NURSING COUNCIL</b>					
BID NUMBER:	RFQ 60/02/2022	CLOSING DATE:	30 March 2023	CLOSING TIME:	12H00
DESCRIPTION	<b>APPOINTMENT OF A LAND SURVEYOR AND/OR TOWN PLANNER TO CONSOLIDATE TWO PROPERTIES AT THE SOUTH AFRICAN NURSING COUNCIL</b>				
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO		
CONTACT PERSON	Pebetsi Madisha		CONTACT PERSON	Makoko Nkadameng	
TELEPHONE NUMBER	012 426 9581		TELEPHONE NUMBER	012 426 9573	
E-MAIL ADDRESS	<a href="mailto:Quotations1@sanc.co.za">Quotations1@sanc.co.za</a>		E-MAIL ADDRESS	<a href="mailto:mnkadameng@sanc.co.za">mnkadameng@sanc.co.za</a>	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]	<b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>			
<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>DOES THE ENTITY HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p><b>IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b></p>			

**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g., company resolution)

DATE: .....

## TERMS OF REFERENCE (ToR)

### **APPOINTMENT OF A LAND SURVEYOR AND/OR TOWN PLANNER TO CONSOLIDATE TWO PROPERTIES**

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#### **1. Purpose:**

- 1.1. The South African Nursing Council (SANC) hereby invites suitably qualified and experienced service providers to submit proposals and quotations to consolidate the two South African Nursing Council (SANC) properties (portion 2 of ERF 95 and ERF 1325) in order to obtain approval from the City of Tshwane (CoT) to erect a fence and carports.

#### **2. Background and Discussion:**

- 2.1. The South African Nursing Council intends to acquire the services of a Land Surveyor and/or Town Planner to consolidate two of the SANC's properties, adjacent to each other in Arcadia, Pretoria.
- 2.2. In its quest to improve the security and provide safe parking space for the SANC staff, the SANC lodged an application with the City of Tshwane to erect carports and install a security control point between two adjacent properties.
- 2.3. In order for the plans to be approved, the CoT requires the SANC to have these two adjacent properties consolidated.

#### **3. Scope of Work and Deliverables:**

- 3.1. Lodge an application with the necessary authorities for the consolidation of two properties.
- 3.2. Engage all other professionals necessary to facilitate the process of consolidation, i.e. notaries and conveyancers.
- 3.3. The outcome should be that the two South African Nursing Council (SANC) properties (portion 2 of ERF 95 and ERF 1325) are consolidated.

#### **4. General Requirements:**

- 4.1. The service provider shall ensure that its team has relevant expertise and provide diligent and necessary support to the SANC when required and at regular intervals.
- 4.2. **The service providers shall submit a detailed breakdown of the costs on their cost proposal, indicating what services they will be billing the SANC for.**
- 4.3. The service provider will under no circumstance divulge, furnish, or disclose any sensitive information concerning the SANC or any other Stakeholders' activities to the public or news media. The SANC reserves the right to have confidentiality agreement signed with the successful service provider.

## 5. Evaluation Process:

5.1. Bids will be evaluated in two (2) steps (Mandatory Requirements and Price and Specific Goals). The following qualifying criteria will be used:

### a) Step 1: Mandatory Requirements:

Document that must be submitted	Non-compliance with items against which a "YES" is denoted shall result in disqualification	
Tax Status	YES	i. Proof of Registration on the Central Supplier Database. ii. The CSD verification outcome will take precedence.
Declaration of Interest	YES	Complete and sign the supplied pro forma document.
Preference Point Claim Form	NO	Non-submission of supplied proforma document will lead to a zero (0) score on specific goals.  Proof of Specific goals Ownership and verification will be confirmed using the following documents namely: <ul style="list-style-type: none"> <li>• CIPC documents,</li> <li>• valid copy of B-BBEE certificate,</li> <li>• copy of Identity document, or</li> <li>• medical report for disability ownership</li> </ul> <b>NB: Failure to attach proof, the tenderer will be allocated 0 points on specific goals</b>
Compulsory Briefing Session	YES	The compulsory site briefing will be held as follows:  <b>Date:</b> 23 March 2023  <b>Time:</b> 10h00  <b>Venue:</b> 602 Pretorius Street, Arcadia, 0083  <b>NB: The bidders must submit their bids with the attendance certificate.</b>
Written price quotation	YES	Submit a detailed written price quotation

**b) STEP 2: Evaluation on Price and Specific Goals**

• **Price Calculations**

The following formula must be used to calculate points out of 80 for price in respect of an invitation for a tender with a rand value from R 2000.00 to or below R50 millions inclusive of all applicable taxes:

$$P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid or offer under consideration

$P_{min}$  = Price of lowest acceptable bid or offer.

• **Allocation Of Preference Points Based on Specific Goals.**

The South African Nursing Council tenders will be evaluated on the following specific goals premised on addressing the legacy of apartheid's historical injustices, with a consideration on the following categories (of Historically Disadvantaged People - HDP) using race, gender, youth, and people with disability.

A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

**Preferential points will be allocated as per table below:**

<b>Specific goal</b>	<b>80/20 Preference Point system</b>
Black Ownership	8
Black Women Ownership	4
Black Youth Ownership	4
Disability Ownership	4
<b>Total Points allocated to Specific Goals</b>	<b>20</b>



Black Ownership points will be awarded to a Tenderer who has a 51% or more black ownership. Black ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

**Preferential points for black ownership will be awarded as follows:**

<b>Black Ownership</b>	<b>80/20 Preference Point system</b>
Tenderers who have 100% black ownership	8
Tenderers who have 51% to 99% black ownership	5
Tenderers who have less than 51% black ownership	0

Black women ownership points will be awarded to a Tenderer who has a 30% or more black women ownership. Black women ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

**Preferential points for black women ownership will be awarded as follows:**

<b>Black Women Ownership</b>	<b>80/20 Preference Point system</b>
Tenderers who have 100% black women ownership	4
Tenderers who have 30% to 99% black women ownership	2
Tenderers who have less than 30% black women ownership	0

Black youth ownership points will be awarded to a Tenderer who has a 30% or more black youth ownership. Black youth ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

**Preferential points for black youth ownership will be awarded as follows:**

<b>Black Youth Ownership</b>	<b>80/20 Preference Point system</b>
Tenderers who have 100% black youth ownership	4
Tenderers who have 30% to 99% black youth ownership	2
Tenderers who have less than 30% black youth ownership	0

Disability Ownership points will be awarded to a Tenderer who has a 20% or more disability ownership owners. Disability ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

**Preferential points for disability ownership will be awarded as follows:**

<b>Disability Ownership</b>	<b>80/20 Preference Point system</b>
Tenderers who have 20% or more owners with disability	4
Tenderers who have less than 20% owners with disability	2
Tenderers who have 0% owners with disability	0

### PRICING SCHEDULE

NO	DESCRIPTION	PRICE EXCLUDING VAT	PRICE VAT INCL
		R	R
		R	R
		R	R
		R	R
Total excluding VAT			R
VAT			R
Grand Total including VAT			R

Required by (End-User):

Facilities Section

Required at (Address):

602 Cecilia Makiwane Building, Pretorius Street, Pretoria

Brand and model (if applicable):

.....

Country of origin (if applicable):

.....

Guarantee period (if applicable):

.....

Does the offer comply with the specification?

☐ Yes

☐ No

☐

**\*Mark the relevant block with an X**

If not to specification, indicate deviation(s)

.....

How long it will take for the bidder to deliver goods/services after receipt of a purchase order?

.....

(Only firm delivery period will be considered):

#### DECLARATION BY THE BIDDER:

I ..... confirm that the information furnished is correct and true. I accept that the South African Nursing Council may act against me should this declaration prove to be false.

Name of Bidder: .....Position: .....

Signature: .....Date: .....

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

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 000 000.00 (all applicable taxes included).
- 1.2 **To be completed by the organ of state**
- a) The applicable preference point system for this tender is the 80/20 preference point system.
- 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.
- 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 PREFERENCE POINT SYSTEMS

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

**80/20**

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

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 points is allocated for price on the following basis:

**80/20**

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

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 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 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 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 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 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	Description of the goals	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black Ownership	Tenderers who have 100% black ownership	8	
	Tenderers who have 51% to 99% black ownership	5	
	Tenderers who have less than 51% black ownership	0	
Black Women Ownership	Tenderers who have 100% black women ownership	4	
	Tenderers who have 30% to 99% black women ownership	2	

The specific goals allocated points in terms of this tender	Description of the goals	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
	Tenderers who have less than 30% black women ownership	0	
Black Youth Ownership	Tenderers who have 100% black youth ownership	4	
	Tenderers who have 30% to 99% black youth ownership	2	
	Tenderers who have less than 30% black youth ownership	0	
Disability Ownership	Tenderers who have 20% or more owners with disability	4	
	Tenderers who have less than 20% owners with disability	2	
	Tenderers who have 0% owners with disability	0	

#### DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- 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:	.....
	.....



## 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 interest<sup>1</sup> 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

- 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:

.....  
.....

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<sup>1</sup> 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.

- 2.3 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 respect;
- 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 consortium<sup>2</sup> 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.
- 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.

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<sup>2</sup> 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.

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

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Name of bidder