

**REQUEST FOR PROPOSALS FROM SERVICE PROVIDERS  
TO DEVELOP AN INTEGRATED TRADE AND INVESTMENT STRATEGY FOR THE PROVINCE OF KWAZULU-NATAL.**

**REFERENCE NUMBER: 3210/2018/01**

**General & Procurement Enquiries:**

Mr. Matthew Canham

Tel: 031 368 9600/07

Email: [matthew@tikzn.co.za](mailto:matthew@tikzn.co.za)

**Technical Enquiries:**

Mr. Sihle Ngcamu

Tel: 031 368 9600

Email: [sihle@tikzn.co.za](mailto:sihle@tikzn.co.za)

**KwaZulu-Natal Office**

-  Trade & Investment House, 1 Arundel Close, Kingsmead Office Park, Durban, 4001, South Africa
-  PO Box 4245, Durban, 4000, South Africa
-  +27 (0) 31 368 9600
-  +27 (0) 31 368 5888

**Gauteng Office**

-  Financial Place, 99 George Storrar Avenue, Groenkloof, Pretoria, 0181
-  +27 (0) 12 346 4386/6763
-  +27 (0) 12 346 4774
-  [info@tikzn.co.za](mailto:info@tikzn.co.za)
-  [www.tikzn.co.za](http://www.tikzn.co.za) / [www.expportkzn.co.za](http://www.expportkzn.co.za)



## **1. INTRODUCTION**

**Trade & Investment KwaZulu-Natal (TIKZN)** is a listed provincial public entity under the Kwa-Zulu-Natal Department of Economic Development Tourism and Environmental Affairs (EDTEA). The entity's mandate is to position KwaZulu-Natal (KZN) as a premier investment destination as well as to promote trade, particularly to increase exports from the province.

### **1.1. PROJECT PURPOSE**

TIKZN intends to engage a service provider to develop an Integrated Trade and Investment Strategy for the Province of KZN.

### **1.2. SERVICE PROVIDER'S TERMS OF REFERENCE**

It is the intention of TIKZN to enter into a formal Service Level agreement with the successful Service Provider (s) to provide the services described hereunder.

The Terms of Reference (ToR) would serve to guide the process of selecting and appointing a qualified service provider by ensuring a match between the Strategy and Policy Development requirements of the TIKZN as an entity and the knowledge & experience of the service provider.

These ToRs and the service provider's proposal will form the basis of the service level agreement to be entered between the parties.

### **1.3. BACKGROUND**

EDTEA in partnership with TIKZN seeks to develop an Integrated Trade and Investment Strategy for the Province. KZN province has been making concerted efforts to attract investment to the province and to address structural hindrances to growth and development. In an effort to intensify investment attraction efforts within the province, EDTEA developed the Provincial Investment Strategy which was endorsed by Provincial Cabinet in June 2011. After the adoption of the 2011 KZN Investment Strategy, EDTEA also concluded the development of District Municipality Investment Promotion and Facilitation Strategies (DMIPFS) and while COGTA concluded the District Investment Profiles (DIP) for all districts and local municipalities within the province. Furthermore, EDTEA also developed the Draft KZN Export Strategy in 2017.

Notably, over six (6) years have lapsed since the adoption of the 2011 KZN Investment Strategy. As such, the timeframe since adoption of the 2011 KZN Investment Strategy, coupled with the recent conclusion of the Draft KZN Export Strategy, DMIPFS and DIPs for all KZN districts, has therefore necessitated a review and update of the 2011 KZN Investment Strategy. This would enable a review of progress in the implementation of the 2011 KZN Investment Strategy, and an incorporation of findings from the recently developed Draft KZN Export Strategy, DMIPFS AND DIPs. Considering this, one of the main objectives emanating from this review process will be to harmonise the Provincial Export Strategy and the Investment Strategy into a comprehensive Integrated Trade and Investment Strategy for the province which also takes into account, local investment attraction efforts.

### **1.4. SCOPE OF SERVICES/ OUTPUTS OF THE SERVICES PROVIDED / KEY DELIVERABLES**

#### **1.4.1 Specific Activities and Outputs**

The following activities are expected in order to meet the objectives of this initiative:

##### **Inception report**

- i. Project set-up and preparation of the inception report detailing all deliverables including a work plan of activities to be achieved during the contract period.
- ii. Service provider required to commence by drafting the inception report detailing the overall approach, methodology and expected timeframes.

- iii. The draft inception report will serve as a discussion document and will be the basis upon which the detailed approach to the project is agreed.
- iv. The inception report is an interim deliverable that is expected to be completed in two weeks from the date of appointment of the service provider.

#### **1.4.2 Situational Analysis/Status Quo Report**

This exercise should produce an updated situational analysis for the Integrated Trade and Investment Strategy incorporating individual situational analyses for each of KZN's districts and local municipalities. The updated situational analysis should have a pronounced trade and investment focus. The situational analysis should incorporate the specific areas outlined below:

- i. Reviewing of the 2011 KZN Investment Strategy
- ii. Current global investment review
- iii. Benchmarking and global best practice (Local and International)
- iv. Policy review: An assessment of the global, national, provincial and local policy environment
- v. Cost of doing business and business confidence in KZN: comparative analysis on the cost of doing business
- vi. Benchmark KZN Ease of Doing Business factors with other regions (local & international);
- vii. Assessment of KZN investment environment/climate
- viii. Assessment of KZN investment promotion and facilitation
- ix. Assessment of business retention and expansion in KZN
- x. Assessment of investment monitoring and evaluation
- xi. Assessment of investment opportunities
- xii. Catalytic Projects in each KZN local municipality, district and the province
- xiii. Industry support measures/Incentives
- xiv. Assessment of institutional coordination and harmonisation of roles among investment stakeholders
- xv. Import substitution initiatives
- xvi. Reviewing and updating of the draft KZN Export Strategy Situational Analysis and integration of KZN Export Strategy situational analysis with the KZN Investment Strategy situational analysis to form the KZN Trade and Investment Strategy situational analysis
- xvii. Stakeholder consultations and stakeholder workshops

#### **1.4.3 Drafting of KZN Investment Strategy**

Taking into account the findings of the situational analysis the service provider should draft the Integrated KZN Trade and Investment Strategy ensuring that it is aligned to the National Development Plan, Provincial Growth and Development Strategy, Draft 2017 Provincial Export Strategy, Tourism Master plan, Aerotropolis Master plan as well as the Special Economic Zones and Industrial Hubs initiatives, among others.

#### **1.4.4 Integration of Draft KZN Investment Strategy with the 2017 Draft KZN Export Strategy**

The service provider will be expected to update, align and integrate the 2017 Draft KZN Export Strategy with the KZN Investment Strategy drafted above, in order to form the KZN Integrated Trade and Investment Strategy.

#### **1.4.5 Implementation Plan and Monitoring & Evaluation Framework**

This phase should produce a Trade and Investment Plan for the province of KZN. The KZN Trade and Investment Plan will be a merger of the KZN Investment Strategy Implementation Framework and accompanying M&E Framework; with the 2017 Draft Export Strategy Implementation Framework and accompanying M&E Framework.

#### **1.4.6 Close out report**

- i. Preparation of a project close-out report.
- ii. Organising and hosting of a close-out meeting to present the close-out report.

## 2. INSTRUCTION TO SERVICE PROVIDERS

The services required by Trade & Investment KwaZulu-Natal are described in these Terms of Reference and therefore all applicable annexures which are listed as mandatory must be comprehensively covered in your proposal.

### 2.1. ALTERATIONS OR WITHDRAWAL OF PROPOSALS

Service Providers may withdraw their proposals by written notification on or before the closing date.

### 2.2. COMPULSORY TENDER BRIEFING AND PRESENTATION

**A COMPULSORY TENDER BRIEFING SESSION WILL BE HELD ON WEDNESDAY 2<sup>nd</sup> MAY 2018 AT 10H00 AT THE TIKZN OFFICES IN DURBAN. FAILURE TO ATTEND THE COMPULSORY TENDER BRIEFING SESSION WILL RESULT IN YOUR BID BEING DISQUALIFIED.**

**A detailed strategy information document will be handed to the attendees during compulsory briefing session.**

All short-listed bidders will be required to present their methodology to the Bid Evaluation Committee. The bidders will be given 3 days notification to allow for preparation for these presentations.

### 2.3. COSTS FOR PREPARATION OF RFP / RFQ PROPOSAL

The costs incurred by the Service Provider in respect of the attendance of any briefing or presentation meetings or costs incurred in preparing any proposal will be borne by the Service Provider and Trade & Investment KwaZulu-Natal shall in no way be liable to reimburse the Service Provider for such costs incurred.

## 3. REQUIRED EXPERTISE AND COMPETENCIES

The proposal must provide a detailed description of the team composition (profile of the skills and competences), as well as key experts. CV's of all team members should to be submitted in the attached format (Annexure 1). A company and or consortium profile must be provided detailing previous work history and experience.

To achieve the scope of work, the service provider/s appointed to undertake this service, should demonstrate the following key competencies:

- a) Be independent of the entity;
- b) Be competent in the professional practice of Strategy and Policy Development;
- c) Be well versed in the best practices of the profession;
- d) Have at least five (5) years of recent experience
- e) Has provided Strategy and Policy Development services to a minimum of five public entities similar to the TIKZN.
- f) Proven track record in international trade and investment
- g) Vast knowledge of Economics and particularly the KZN economy
- h) Report writing and presentation skills
- i) A sound approach and methodology towards delivering on this assignment
- j) Accessibility and dedication for the duration of this project

KINDLY NOTE THAT FAILURE TO FULLY COVER THIS IN YOUR PROPOSAL WILL RESULT IN YOUR PROPOSAL BEING REJECTED WITHOUT FURTHER CONSIDERATION.

## 4. SUPPORTING DOCUMENTATION

- a) An original valid Tax Clearance Certificate must be submitted with the bid proposal. (Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid proposal. Certified copies of the Tax Clearance Certificate will not be acceptable). In bids where Consortia /Joint Ventures/Sub-contractors are involved each party must submit a separate valid Tax Clearance Certificate.
- b) Verifiable references.

- c) B-BBEE Verification Certificate (would be an advantage).
- d) Annexure A: STANDARD BID DOCUMENT FORM (SBD 1).
- e) Annexure B: DECLARATION OF INTEREST FORM. (SBD 4).
- f) Annexure C: PREFERENTIAL POINTS CLAIM FORM. (SBD 6.1).
- g) Annexure E: PRICING SCHEDULE FOR PROFESSIONAL SERVICES FORM. (SBD 3.1).
- h) Annexure G: CERTIFICATE OF INDEPENDANT BID DETERMINATION FORM. (SBD 9).
- i) Annexure H: AUTHORITY TO SIGN A BID FORM.
- j) Annexure I: DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES.
- k) Annexure K: SCHEDULE OF ALTERNATIVE BIDS. (SBD 8).
- l) Annexure L: STATEMENT OF AVAILABILITY

KINDLY NOTE THAT FAILURE TO SUBMIT THE MANDATORY DOCUMENTS LISTED IN ANNEXURES (A, B, E, G, H, I, K AND L) WITH THE PROPOSAL WILL RESULT IN YOUR PROPOSAL BEING REJECTED WITHOUT FURTHER CONSIDERATION.

## 5. PREFERENTIAL PROCUREMENT

In compliance with the Preferential Procurement Policy Framework Act (PPPFA) laws applicable to Trade & Investment KwaZulu-Natal and in terms of Trade & Investment KwaZulu-Natal's procurement policy, preferential points will be awarded to Service Providers who demonstrate BEE representation in its management and ownership structures. In this regard Service Providers are required to expressly cover this in their proposals and state their BEE management and ownership status. Service providers should also include specific accreditation information where applicable.

NB: Companies must demonstrate compliance with the following categories of targeted groups:

- Black owned and percentage owned
- Women owned entities and percentage owned
- Youth owned entities and percentage owned

KINDLY NOTE THAT FAILURE TO EXPRESSLY DEAL WITH YOUR BEE STATUS IN YOUR PROPOSAL, WILL RESULT IN NO PREFERENTIAL POINTS BEING AWARDED FOR YOUR BEE STATUS.

## 6. SERVICE LEVEL AGREEMENT

a) The acceptance of any proposal shall only be confirmed with the conclusion of a written service level agreement between Trade & Investment KwaZulu-Natal and the Successful Service Provider, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between Trade & Investment KwaZulu-Natal and the Successful Service Provider.

b) Until such time that an appropriate service level agreement has been concluded between Trade & Investment KwaZulu-Natal and successful Service Provider, no rights shall be conferred nor shall any legitimate expectations be conferred to the successful Service Provider to carry out the works or services provided for in this call for proposals.

## 7. FEE STRUCTURE

a) Trade & Investment KwaZulu-Natal reserve the right to negotiate any aspect of the proposed fees and disbursements with the preferred Service Provider.

### 8.1. VALUE OF BID

The value of this bid is estimated not to exceed R50 000 000.00 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

### 8.2. PREFERENCE POINTS

The preference points awarded for this bid shall be for:

- a) Price and B-BBEE status level of contribution.
- b) The maximum 100 points which includes the Price and the B-BBEE status level of contribution.

## 9. THE AWARDING OF POINTS

For the 80/20 or the 90/10 preference point systems, the awarding of points will be done for Price, Functionality and B-BBEE status level of contribution.

### 9.1 POINTS AWARDED FOR PRICE

For the 80/20 or the 90/10 preference point systems, a maximum of 80 or 90 points is allocated for price on the following basis:

<b>80/20</b>	<b>90/10</b>
$P_s = 80 - 1 \frac{P_t - P_{min}}{P_{min}}$	$P_s = 90 - 1 \frac{P_t - P_{min}}{P_{min}}$

*P<sub>s</sub>* = Points scored for comparative price of bid under consideration  
*P<sub>t</sub>* = Comparative price of bid under consideration  
*P<sub>min</sub>* = Comparative price of lowest acceptable bid

### 9.2. FUNCTIONALITY

The below mentioned criteria will guide the evaluation of functionality / technical phase and bidders who score less than 70% in this phase will be disqualified for the next phase of evaluation.

<b>FUNCTIONALITY ASSESSMENT SCORING CRITERIA</b>		<b>Weight</b>	<b>Score</b>	<b>Total</b>
<b>1. Technical Approach (40/100):</b>	<ul style="list-style-type: none"> <li>• Methodology Proposed – Understanding of the scope of services, as well as Approach and Methodology to the Research, Strategy and Policy Development covering the areas with reference to scope of services</li> </ul>	15		
	<ul style="list-style-type: none"> <li>• Company Knowledge and experience - Minimum number of years (five years) of relevant experience providing service related to economic research, strategy and policy development.</li> </ul>	15		
	<ul style="list-style-type: none"> <li>• Workplan – comprehensive work plan describing each activity and associated timeframe as well as responsible personnel</li> </ul>	10		
<b>(Rating score values for technical approach is allocated as follows:</b> Unsatisfactory = 1; Satisfactory = 2; Good = 3; Very Good = 4 and Excellent = 5. The maximum score value which can be awarded is 5 per technical approach category).				
<b>2. Project Manager &amp; Key Personnel (40/100)</b>	<ul style="list-style-type: none"> <li>• Project Manager and Senior Researcher: Economist - Proof of level of training with relevant experience (Should possess a Master's Degree in Economics, Development Economics, International Trade, Investment Promotion or equivalent with a minimum of 8 years of experience doing similar work)</li> </ul>	15		
	<ul style="list-style-type: none"> <li>• Strategy and Policy Development Expert: (Should possess a Master's Degree in Business Administration (MBA), Economics, Policy Studies, Development Economics, International Trade, International Economics, Investment Promotion, Business Strategy, Strategic Management or equivalent with minimum of 5 years of experience doing similar work)</li> </ul>	10		

<ul style="list-style-type: none"> <li>Junior Researcher: Economist: Degree in Economics or equivalent with at least 3 years as an Economic researcher with at least 3 research work successfully completed.</li> </ul> <p>CV's of all managers, experts and research team must be provided and reference for research work completed</p>		15		
<p><b>(Rating score values for key personnel of proposal is allocated as follows: Unsatisfactory = 1; Satisfactory = 2; Good = 3; Very Good = 4 and Excellent = 5. The maximum score value which can be awarded is 5).</b></p>				
<p><b>3. Junior Research Team (10/100)</b></p> <ul style="list-style-type: none"> <li>Junior Researchers University Students: Post graduate student skilled in research methodology design, policy &amp; strategy formulation and quality reporting. The service provider must indicate selection method and composition of the team. Clear roles to be played by university students must be articulated.</li> </ul> <p>CV's of all junior research team must be provided together with qualification.</p>		10		
<p><b>(Rating score for Junior Researchers University Students is allocated as follows: One students Allocated =1; Two students allocated =2; Three students allocated is=3; Four students allocated= 4 and Above 4 students allocated= 5 The maximum score value which can be awarded is 5.)</b></p>				
<p><b>4. Number (minimum 5 references) and value of similar projects managed (10/100):</b></p> <ul style="list-style-type: none"> <li>This must be supported by the submission of a list of all projects successfully completed, and letters of completion and references from current/previous clients must be included with the proposal.</li> </ul>		10		
<p><b>(Rating score values for similar projects is allocated as follows: No similar projects = 0; One similar project completed = 1; Two similar projects = 2; Three similar projects = 3; Four similar projects = 4 and Five and more similar projects completed = 5. The maximum score value which can be awarded is 5).</b></p>				
<b>TOTAL</b>		<b>100</b>		

### 9.3. B-BBEE STATUS LEVEL OF CONTRIBUTION

In terms of Regulation 6 (2) and 7 (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>B-BEE status level of contribution</b>	<b>Number of points (90/10) system</b>	<b>Number of points (80/20) system</b>
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
<i>Non-compliant contributor</i>	0	0

**9.3.1.** Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a sworn affidavit issued by the EME representative and attested by a Commissioner of Oaths.

**9.3.2.** 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.

- 9.3.3. 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.
- 9.3.4. 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.
- 9.3.5. 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.
- 9.3.6. 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.
- 9.3.7. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprises that does not have equal or higher B-BBEE status level than the person concerned unless the contract is subcontracted to an EME that has the capability and ability execute the sub-contract.

**10. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED**

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete Annexure C: Preferential Points Claim Form. (Points claimed must be in accordance with the table reflected in paragraph 9.3. 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).

**11. CONTRACTUAL OBLIGATIONS**

The acceptance of any proposal shall only be confirmed with the conclusion of a written service level agreement between Trade & Investment KwaZulu-Natal and the Successful Service Provider, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between the Trade & Investment KwaZulu-Natal and the Successful Service Provider.

Until such time that an appropriate service level agreement has been concluded between Trade & Investment KwaZulu-Natal and successful Service Provider, no rights shall be conferred nor shall any legitimate expectations be conferred to the successful Service Provider to carry out the works or services provided for in this call for proposals.

**12. INTELLECTUAL PROPERTY RIGHTS**

Copyright, patent rights and other similar rights in any works or products created as a result of the performance of this tender and its assignments shall vest in and are hereby transferred to TIKZN, unless specifically agreed otherwise, in the form of individual written Agreement signed by both parties.

For this purpose only, all works created in terms of this tender and the assignments thereof shall be deemed to have been created under the control and direction of TIKZN. All information documents, records and books provided by TIKZN to any service provider in connection with the proposal or otherwise are strictly private and confidential. Any proposer to any third party shall not disclose them, except with the express consent of TIKZN, which shall be granted in writing prior to such disclosure. TIKZN however reserves the right to disclose any information provided by any service provider to any of the members of TIKZN.

**13. TERMINATION OF CONTRACT**

TIKZN reserves the right to terminate the award of any tender to any party if there are reasonable grounds for considering that there is non-performance by the contractor in terms of the contract. TIKZN also reserves the right to curtail the scope of any tender awarded or to curtail any aspect of any tender. In the event of any such cancellation or curtailment, the tenderer shall have no claim or recourse against TIKZN, of whatsoever nature, save the recoupment of the tenderer's actual and reasonable costs already expended on the project.



**14. SUBMISSION OF PROPOSALS**

The sealed envelope must be placed in the tender box at the Reception of the ***Trade and Investment House, 1 Arundel Close, Kingsmead Office Park, Durban by no later than Friday 25<sup>th</sup> May 2018 before 12 noon***. Any proposal not in the tender box at the time of the proposal closing, such a proposal will be regarded as a late proposal. Late proposal will not be considered. No proposal received by telegram, telex, e-mail, facsimile or similar medium will be considered. Bids may be addressed to the following:

**The Procurement Officer  
Trade and Investment House  
1 Arundel Close  
Kingsmead Office Park  
Durban  
4000**

**LIST OF OPTIONAL OR MANDATORY ANNEXURES**

<b>ANNEXURES</b>	<b>ANNEXURE DESCRIPTION</b>	<b>OPTIONAL OR MANDATORY</b>
ANNEXURE A	STANDARD BID DOCUMENTATION FORM (SBD1)	MANDATORY
ANNEXURE B	DECLARATION OF INTEREST FORM (SBD 4)	MANDATORY
ANNEXURE C	PREFERENTIAL POINTS CLAIM FORM (SBD 6.1)	OPTIONAL
ANNEXURE E	PRICING SCHEDULE FOR PROFESSIONAL SERVICES FORM (SBD 3.1)	MANDATORY
ANNEXURE G	CERTIFICATE OF INDEPENDANT BID DETERMINATION FORM (SBD 9)	MANDATORY
ANNEXURE H	AUTHORITY TO SIGN A BID FORM	MANDATORY
ANNEXURE I	DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)	MANDATORY
ANNEXURE K	SCHEDULE OF ALTERNATIVE BIDS	OPTIONAL
ANNEXURE L	STATEMENT OF AVAILABILITY	MANDATORY

**ANNEXURE A: STANDARD BID DOCUMENTATION FORM (SBD 1)**

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.

**SECTION A: TIKZN BID INFORMATION**

BID NUMBER: ..... CLOSING DATE: ..... CLOSING TIME: 12:00

DESCRIPTION:.....

CONTRACT PERIOD:.....

VALIDITY PERIOD:.....

CENTRAL SUPPLIER DATABASE REGISTRATION NO:.....

Please note the successful bidder will be required to fill in and sign a written Contract Form (SBD 13).

**SECTION B: BIDDER INFORMATION**

NAME OF BIDDER:.....

POSTAL ADDRESS:.....

STREET ADDRESS:.....

TELEPHONE NUMBER: CODE..... NUMBER..... CELLPHONE NUMBER:.....

FACSIMILE NUMBER: CODE..... NUMBER..... EMAIL ADDRESS:.....

VAT REGISTRATION NUMBER:.....

**SECTION C: BIDDER SUPPORTING INFORMATION**

1. HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? **YES or NO**

2. HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? **YES or NO**

3. IF YES FOR QUESTION 2, WAS THE B-BBEE 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); OR A REGISTERED AUDITOR? **YES or NO**

4. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS OR SERVICES OFFERED?  
**YES or NO**

## SECTION C: SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF BIDDING FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999, THE KWAZULU-NATAL SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK AND THE GENERAL CONDITIONS OF CONTRACT.

1. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
2. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
3. Any alteration made by the bidder must be initialled.
4. Bidding documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Bids submitted must be complete in all respects.
7. Bids will be opened in public as soon as practicable after the closing time of bid.
8. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
9. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.
10. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
11. No bid submitted by telefax, telegraphic or other electronic means will be considered.
12. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
13. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
14. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and visa versa and with words importing the masculine gender shall include the feminine and the neuter.
15. Use of correcting fluid is prohibited.
16. Where practical, prices are made public at the time of opening bids.

## ANNEXURE B: DECLARATION OF INTEREST FORM (SBD 4)

Any legal person, including persons employed by the state<sup>1</sup>, 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.

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

1. Full Name of bidder or his or her representative: .....
2. Identity Number:.....
3. Position occupied in the Company (director, trustee, shareholder member):.....
4. Registration number of company, enterprise, close corporation, partnership agreement or trust: .....
5. Tax Reference Number:.....
6. Vat Registration Number:.....

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

"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 Entities; or
- (e) Parlia
- (f) ment.

"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.

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

If so, furnish the following particulars:

- (a) Name of person / director / trustee/shareholder/ member: .....
- (b) Name of state institution to which the person is connected: .....
- (c) Position occupied in the state institution: .....
- (d) Any other particulars: .....

9. 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**

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)

if no, furnish reasons for non submissions of such proof: .....

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

If so, furnish particulars: .....

11. 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**

If so, furnish particulars: .....

12. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

If so, furnish particulars: .....

13. Do you or any of the directors /trustees /shareholders/members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

If so, furnish details of directors /trustees /members /shareholders:

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Perusal Number

**DECLARATION**

I, THE UNDERSIGNED 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.

.....  
Name of Bidder

.....  
Signature of Bidder

.....  
Position

.....  
Date

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS  
2017**

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, 2017.**

## 1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 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

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“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 goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);





**5. BID DECLARATION**

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

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

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

7.1.1 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 or QSE

(Tick applicable box)

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

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.5 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

8.6 Total number of years the company/firm has been in business:.....

8.7 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 contributor indicated in paragraphs 1.4 and 6.1 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 paragraphs 1.4 and 6.1, 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 contributor 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) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....

## ANNEXURE G: CERTIFICATE OF INDEPENDENT BID DETERMINATION FORM (SBD 9)

1. This Standard Bidding Document (SBD) must form part of all bids' 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).<sup>2</sup> 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.
  - a) In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:
    - Includes price quotations, advertised competitive bids, limited bids and proposals.
    - 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.

I, the undersigned, in submitting the accompany bid (Bid number and Description): .....

In response to the invitation for the bid made by Trade and Investment KwaZulu-Natal, do hereby make the following statements that certify to be true and complete in every respect. I certify, on behalf (Name of Bidder): .....that:

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 consortium' 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.
- g) 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.
- h) 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.

*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) 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

**ANNEXURE H: AUTHORITY TO SIGN A BID FORM**

1. If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid in the following format:

**AUTHORITY BY BOARD OF DIRECTORS** by resolution passed by the Board of Directors on .....20.....

Mr/Mrs ..... (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of (Name of Company): .....

**IN HIS/HER CAPACITY AS:** .....

**SIGNED ON BEHALF OF COMPANY (PRINT NAME):** .....

**SIGNATURE OF SIGNATORY:** ..... **DATE:** .....

**WITNESSES:**

- 1. ....
- 2. ....

2. If a Bidder is a sole proprietor (One-Person Business) the person who signs the bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the sole proprietor must be submitted with this bid, that is before the closing time and date of the bid in the following format:

I, the undersigned .....hereby confirm that I am the sole owner of the business trading as .....

**SIGNATURE OF SIGNATORY:** ..... **DATE:** .....

**WITNESSES:**

- 1. ....
- 2. ....

3. If a Bidder is a partnership, the following particulars in respect of every partner must be furnished and signed by every partner:

Name of Partner	Residential Address	Signature

We, the undersigned partners in the business trading as.....hereby authorise..... to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and / or contract on behalf of

.....  
**SIGNATURE**

.....  
**DATE**

4. In the case of a close corporation submitting a bid, a certified copy of the Founding Statement of such corporation shall be included with the bid, together with the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on .....20....at.....Mr/Ms ....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation).....

SIGNED ON BEHALF OF CLOSE CORPORATION: ..... (PRINT NAME)

IN HIS/HER CAPACITY AS.....

DATE:.....

**SIGNATURE OF SIGNATORY:**

**WITNESSES:**

1. ....

2. ....

5. If the Bidder is a Co-operative, A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on..... 20..... at.....Mr/Ms.....  
whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of  
(Name of cooperative): .....

SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY: .....

IN HIS/HER CAPACITY AS: .....

DATE:.....

SIGNED ON BEHALF OF CO-OPERATIVE: .....

**NAME IN BLOCK LETTERS:** .....

**WITNESSES:**

1. ....

2. ....

6. If a bidder is a joint venture, a certified copy of the resolution/agreement passed/reached signed by the duly authorised representatives of the enterprises, authorising the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the joint venture must be submitted with this bid, before the closing time and date of the bid.

**AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE**

By resolution / agreement passed / reached by the joint venture partners on: .....20.....

Mr/Mrs,.....

Mr/Mrs.....

Mr/Mr.....and

Mr/Mrs.....

(whose signatures appear below) have been duly authorised to sign all documents in connection with this bid on behalf of: (Name of Joint Venture): .....

**IN HIS/HER CAPACITY AS:**.....

**SIGNED ON BEHALF OF (COMPANY NAME):** .....

**SIGNATURE:** ..... **DATE:**.....

**IN HIS/HER CAPACITY AS:** .....

**SIGNED ON BEHALF OF (COMPANY NAME):** .....

**SIGNATURE:** ..... **DATE:**.....

**IN HIS/HER CAPACITY AS:** .....

**SIGNED ON BEHALF OF (COMPANY NAME):** .....

**SIGNATURE:** ..... **DATE:**.....



7. If a bidder is a consortium, a certified copy of the resolution/agreement passed/reached signed by the duly authorised representatives of concerned enterprises, authorising the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the consortium must be submitted with this bid, before the closing time and date of the bid.

**AUTHORITY TO SIGN ON BEHALF OF THE CONSORTIUM**

By resolution/agreement passed/reached by the consortium:

on:.....20..... Mr/Mrs .....

(whose signature appear below) have been duly authorised to sign all documents in connection with this bid on behalf of:..... (Name of Consortium)

**IN HIS/HER CAPACITY AS:** .....

**SIGNATURE:**.....

**DATE:**.....

**ANNEXURE I: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)**

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

Item	Question	Yes	No
4.1.	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (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). The Database of Restricted Suppliers now resides on the National Treasury's website( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1.	If so, furnish particulars:		
4.2.	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1.	If so, furnish particulars:		
4.3.	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1.	If so, furnish particulars:		
4.4.	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1.	If so, furnish particulars:		

**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

### ANNEXURE K: SCHEDULE OF ALTERNATIVE BIDS

(This form is to be used whenever it is applicable)

Consideration will be given to alternative offers which the bidder may wish to submit. Such offers shall be described, measured and priced in sufficient detail to enable Trade and Investment KwaZulu-Natal to evaluate the alternative. He/she shall set out his/her proposal clearly hereunder or alternatively make photocopies of the original bid documentation.

SECTION	PAGE	ITEM

SIGNATURE: ..... DATE: .....

NB: Trade and Investment KwaZulu-Natal reserve the right to accept or reject alternative bids in line with the bid requirements.

**ANNEXURE L: STATEMENT OF AVAILABILITY**

**TENDER REF:** \_\_\_\_\_

I, the undersigned, hereby declare that I agree to participate exclusively with the tender <tender name> in the above mentioned service tender procedure. I further declare that I am able and willing to work for the period(s) foreseen for the position for which my CV has been included.

From	To
<start of period 1>	<end of period 1>
<start of period 2>	<end of period 2>
<etc>	

<b>Name</b>	
<b>Signature</b>	
<b>Date</b>	