

TERMS OF REFERENCE

REQUEST FOR PROPOSALS FOR THE REQUEST FOR PROPOSALS FOR THE ISSUING AND PUBLICATION OF ENERGY PERFORMANCE CERTIFICATES (EPCs) BASED ON GATHERED ENERGY DATA IN SELECTED GOVERNMENT BUILDINGS FOR A PERIOD OF 24 MONTHS

Closing date: **23 August 2021**

Time: **11:00**

Submission format: Electronic submission to 170.procurement@sanedi.org.za

Name of the respondent:.....

Late bids will not be accepted for consideration.

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BID DETAILS

| | |
|-------------------------------------|--|
| Bid Title | The issuing and publication of energy performance certificates (epcs) based on gathered energy data in selected government buildings for a period of 24 months |
| Procurement Reference Number | 170 |
| Description of Goods & Services | Issuing and publication of energy performance certificates (epcs) based on gathered energy data |
| Date of TENDER | 02 August 2021 |
| Date of Compulsory Briefing Session | 16 August 2021 @ 11:00 |
| Date of Tender CLOSING | 23 August 2021 |

CONTACT INFORMATION

Any enquiries regarding the bidding procedure may be directed to:

Ms Vulani Ngoveni

E-mail: enquiries.procurement@sanedi.org.za

BIDDER'S DETAILS

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

CONTACT PERSON

TELEPHONE NUMBER Code Number

CELL PHONE NUMBER Code Number

FACSIMILE NUMBER Code Number

E-MAIL ADDRESS

Signature of Bidder **Date**

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Submission Criteria

1. Notice and Invitation to submit Proposals

The **SOUTH AFRICAN NATIONAL ENERGY DEVELOPMENT INSTITUTE** invites suitably qualified and experienced service providers to submit priced proposals for the supply of goods and services as indicated in the Scope of Works herein

SANEDI is a research and development entity established as a juristic person in terms of the Energy Act, Act 34 of 2008. SANEDI's key focus areas are research and development into new energy technologies and energy efficiency.

Respondents must comply with the terms and condition as specified in this Bid Document either in their singular capacity or as part of a Joint Venture or consortium.

Potentially emerging enterprises and SMME's who satisfy criteria stated in the Submission Data may submit proposals

Only respondents who submit fully completed priced proposals incorporating all Returnable Schedules duly complete and signed will be eligible to have their submissions evaluated

Queries relating to the issue of these documents may be addressed to

Ms Vulani Ngoveni

E-Mail: enquiries.procurement@sanedi.org.za

The closing time for receipt of Proposals is

11h00 on Monday the 23 August 2021

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2. Submission Data – Specific Conditions of Contract.

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| 1. | <p>The Employer</p> <p>The Employer is SANEDI and is referred to as the CLIENT or EMPLOYER.</p> |
| 2. | <p>Composition of Bid Document</p> <p>The Call for Proposals, the price quotation and the Enterprises responding submission documents forms part of a BID DOCUMENT and may be referred to such further herein.</p> <p>The documents associated with the calling for Proposals issued by the employer comprise:</p> <p>Submission Criteria</p> <ul style="list-style-type: none"> • Notice and Invitation to Submit a Quotation • Submission Data – Specific Conditions of Contract • Evaluation Criteria and Scoring • Tax Clearance Requirements • Central Supplier Database (CSD) summary report <p>Returnable Schedules</p> <ul style="list-style-type: none"> • Enterprise Questionnaire • Technical Proposal & Methodology Statements • Tax Clearance Certificate • B-BBEE Declaration • Declaration of Interest • Certificate of Past Procurement Performance • Certificate of Bid Independence • Certificate of Acceptance – General Conditions of Contract • Certificate of Acceptance – Bid Evaluation and Scoring Criteria • Certificate of Understanding – Scope of Works • Certificate of Attendance – Tender Clarification Meeting • Pricing Schedule / Schedule of Rates • Form of Tender • Schedule of Proposed Amendments and Qualifications • Record of Addenda or Errata to the Bid <p>Only respondents who submit fully completed Proposals incorporating all Returnable Schedules duly complete and signed will be eligible to have their submissions evaluated</p> |

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| 3. | <p>Bid Clarification Meeting</p> <p>A compulsory briefing meeting with representatives of the Employer will take place on the 16 August 2021 at 11:00pm via Zoom. Bidders must RSVP by the 13 August at 12:00pm and further details of the bid clarification meeting will be sent to them. All RSVP's should be sent to enquiries.procurement@sanedi.org.za.</p> |
| 4. | <p>ELECTRONIC RETURN OF SUBMISSIONS AND NO MANUAL SUBMISSION WILL BE ACCEPTED.</p> <p>Submissions / Bid Documents may be returned to the CLIENT by means of Electronic Submissions via E-Mail.</p> <p>The Submission E-Mail address designated is 170.procurement@sanedi.org.za</p> <p>The Bidder shall ensure that the Bid Documents Returnable Schedules together with all Statutory Returns are duly completed, signed and scanned and uploaded to the designated E-mail address in a lock PDF format file.</p> <p>Documents transmitted in an editable format will be regarded as non-returns and may render the submission unresponsive.</p> <p>The size limits for SANEDI Email is 20 MB. Bidders may submit more than one E-mail.</p> |
| 5. | <p>The closing time for submissions is as stated in the Notice and Invitation to Submit a Proposal Quotation, in the manner specified is</p> <p>Closing date: 23 August 2021 at 11h00</p> |
| 6. | <p>Telephonic, telegraphic, telex, facsimile submissions offers will not be accepted.</p> |
| 7. | <p>NO Late submissions, or submissions not deposited in the designated Tender Box will be considered, and it is incumbent on the Bidder to ensure that their submission together with all supporting documentation is in the designated Tender Box before the closing Time and date specified.</p> |
| 8. | <p>The Bidder holds SANEDI harmless and indemnifies SANEDI in the event of any failure that prevents or delays the bid submission from being in the designated Tender Box/email address at the time of Bid Closure.</p> <p>Bidders are prohibited from using SANEDI Staff acting as their couriers, agents or delivery mediums to deposit bids in the tender box, and the bidder acknowledges that the use of SANEDI staff in this way will immediately disqualify their tender submission.</p> <p>It is the sole responsibility of the bidder to ensure that the documents submitted via PDF format are not corrupt and that any corrupt documents received by the closing date will be automatically excluded from being evaluated.</p> |
| 9. | <p>Information and data to be completed in all respects</p> <p>Accept that Bid offers, which do not provide all the data or information requested completely and, in the form, required, may be regarded by the Employer as non-responsive.</p> <p>Accept that the Employer shall not assume any responsibility for the misplacement or Premature opening of the tender offer if the Bid is not submitted in the required format and clearly marked with the bid reference and placed in the designated tender box before bid closing.</p> |
| 10. | <p>SANEDI Reserves the RIGHTS to contract with suppliers who are BEE Compliant.</p> |

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| 11. | SANEDI reserves the to rotate suppliers |
| 12. | SANEDI reserves the right to independently verify Information that is submitted by the bidder. |
| 13. | Bidders are prohibited and will be disqualified if they share resources amongst themselves for the same tender e.g. the proposed team member of company "A" is also a team member of company "B". |

3. Scope of works/Technical specifications

3.1 BACKGROUND

The draft post-2015 National Energy Efficiency Strategy (NEES) requires that public buildings reduce the specific energy consumption by 37% for buildings already in existence in 2015, relative to the average for the existing 2015 building stock.

Moreover, buildings are a key part of the climate change challenge in South Africa (SA), presently accounting for about 15% of the country's greenhouse gas emissions (GHGs) and more than a third of emissions globally.

As a result, the Minister of Mineral Resources and Energy under section 19(1) (b) of the National Energy Act issued and promulgated on 8 December 2020, the regulations for the Mandatory Display and Submission of Energy Performance Certificates for Buildings.

The regulations introduce mandatory requirements for the display of Energy Performance Certificates in non-residential buildings, and also provide for the display and submission of Energy Performance Certificates by organs of state and private building owners.

Moreover, the issuing of the Energy Performance Certificates for buildings requires accurate and reliable building energy consumption and activity data that will also be included in the National Building Energy Performance Register (NBEPR) developed by the South African National Energy Development Institute, (SANEDI). The energy performance of a building is measured in terms of kilowatt-hours per square meter, per annum (kWh/m² /pa) of net floor area in accordance with SANS 1544:2014 for energy performance of buildings.

The regulations also apply to non-residential buildings with a net floor area of at least 2,000 m² in privately owned buildings and 1,000 m² for government owned buildings, operated or occupied by an organ of the state.

The building energy performance is graded from **A** to **G**, with A being the most energy efficient and G the least efficient. Buildings are expected to achieve at least a D-rating in order to be compliant with the national building regulations, and must clearly display their EPC at the building entrance of the facility.

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Furthermore, DMRE and SANEDI is embarking on an energy performance contracting project for the implementation of high-efficient technologies in selected government buildings, with suitable Energy Service Companies (ESCO's). This initiative is funded by the General Budget Support (GBS) programme, through a grant from the European Union (EU), and will start by collecting energy data as part of the energy technical audits that could be used to appoint an ESCo for the retrofitting of government buildings, and the issuing of energy performance certificates.

It is against this background that SANEDI would like to request proposals from SANAS accredited EPC bodies to provide quality assurance and verification of energy data collected by service provider(s) appointed SANEDI for energy audits in selected government buildings and to issue the EPC in each case.

3.2 Application Process for the EPC

3.2.1 The regulations require that an accounting officer of an organ of state or the owner of a building must submit a certified copy of the Energy Performance Certificate (EPC) to SANEDI, and SANEDI shall maintain the National Building Energy Performance Register, which shall include the particulars of all valid building Energy Performance Certificates.

3.2.2 It should be noted that the validity of the EPC will not exceed a period of 5 years from date of issue, and below is the illustration of the high-level roles and responsibilities of the various stakeholders intimately involved in the entire process.

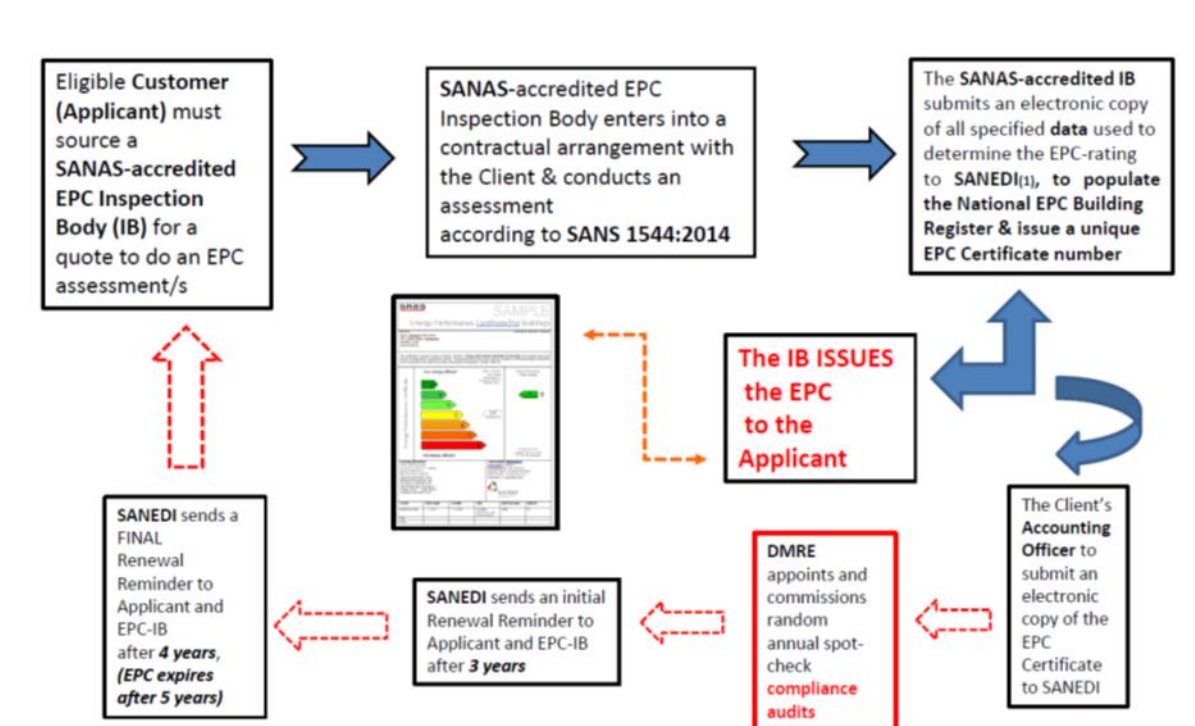


Figure 1 Energy Performance Certificate Application Process.

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3.2.3 Furthermore, the regulations requires that the EPC and related data be submitted to SANEDI should be mainly from the four building classes indicated in the table below, and the SANAS-accredited Inspection Body must sign and issue the EPC on behalf of the building owner in line with the SANS 1544:2014.

| Building Occupancy Class | Occupancy | Description |
|---------------------------------|--|--|
| A1 | Entertainment and public assembly | Occupancy where persons gather to eat, drink, dance or participate in other recreation. |
| A2 | Theatrical and indoor sport | Occupancy where persons gather for the viewing of theatrical, operatic, orchestral, choral, cinematographic or sport performances. |
| A3 | Places of instruction | Occupancy where school children, students or other persons assemble for the purpose of tuition or learning. |
| G1 | Offices | Occupancy comprising offices, banks, consulting rooms and other similar usage. |

3.3 Project Objective

3.3.1 The objective of this project is to appoint a SANAS-accredited EPC Body to provide quality assurance and verification of energy data collected by service provider(s) appointed by SANEDI for energy audits of government buildings. Key specific objectives will include the following:

3.3.1.1 Quality assurance and verification of energy data collected by service provider(s) appointed by SANEDI for energy audits in at least four hundred (400) government buildings.

3.3.1.2 Analysis and determination of energy performance of at least 400 government buildings based on the verified data collected by SANEDI appointed service provider(s) for energy audits and installed smart meters.

3.3.1.3 Consultation with government building owners for selected buildings on the energy performance results of the selected buildings.

3.4 Project Sites

3.4.1 There are at least 400 government buildings that are targeted for energy audits and inclusion in the National Building Energy Performance Register and these will be from the following:

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3.4.1.1 National Buildings under the custodianship of the Department of Public Works and Infrastructure in four regions, namely: Polokwane, Cape Town, Durban and Pretoria, including DMRE's Trevena and Matimba Buildings, (Pretoria).

3.4.1.2 State Owned Entity (SoE) Buildings, namely SABs Building (Pretoria); SANAS Building (Pretoria); CEF House Building (Johannesburg); Lehae La SARS Building (Brooklyn, Pretoria).

3.4.1.3 Municipal Buildings from municipalities participating in the Energy Efficiency and Demand Side Management (EEDSM) grant programme for 2021/22 financial year.

3.5 Scope for Issuing Energy Performance Certificates

3.5.1 The scope of work for energy data verification, quality assurance and issuing of EPCs for at least four hundred (400) government buildings, include the following:

3.5.1.1 Determination of data requirements for the issuing of Energy Performance Certificates for government buildings, in line with the promulgated regulations and SANS 1544:2014 and building classifications.

3.5.1.2 Review and update data collection questionnaires and protocols that will be used to collect data for the issuing of EPCs.

3.5.1.3 Verification and quality assurance of data collected by the appointed service provider(s) appointed by SANEDI for energy audits and from installed smart meters.

3.5.1.3 Municipal Buildings from municipalities participating in the Energy Efficiency and Demand Side Management (EEDSM) grant programme for 2021/22 financial year.

3.5.1.4 Conduct 6 x workshops/meetings with government building owners (4 x workshops) and (2 x workshops) with service provider(s) appointed for energy audits and data collection.

3.5.1.5 Issuing and signing of EPCs for at least four hundred (400) government buildings in line with the promulgated regulations and SANS 1544:2014, based on the verified data collected by the SANEDI appointed service provider(s) for energy audits.

3.5.1.6 Ensure that the issued EPCs and related energy performance information of four hundred (400) government buildings is submitted to SANEDI and included in the National Building Energy Performance Register.

3.6 Project Outputs/Deliverables

3.6.1 Inception report with project activities, milestones, timeframe, and protocols on how the project will be implemented with the SANEDI appointed service provider(s) for energy audits.

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3.6.2 A report indicating the required data and protocols to be followed by both the SANAS accredited body and SANEDI appointed service provider(s) in the issuing of the EPCs for selected government buildings.

3.6.3 Reviewed and updated data collection questionnaires and protocols that will be used to collect data for the issuing of EPCs.

3.6.4 Report on verified and quality assured data collected by the appointed service provider(s) appointed by SANEDI for energy audits and from installed smart meters.

3.6.5 Conduct 6 x workshops/meetings with government building owners (4 x workshops) and (2 x workshops) with service provider(s) appointed for energy audits and data collection.

3.6.6 Issued and signed EPCs for at least four hundred (400) government buildings in line with the promulgated regulations and SANS 1544:2014, based on the verified data collected by the SANEDI appointed service provider(s) for energy audits.

3.7 Duration of Project

3.7.1 The duration of the project will be 24 months from the date of signing the Service Level Agreement with the successful Service Provider(s).

3.8 Payment

3.8.1 Payment will be based on the achievement of the deliverables and in line with the approved payment schedule. SANEDI will not make an upfront payment to a successful Service Provider(s).

3.8.2 Payment will only be made within 30 days in accordance to the delivery of services that will be agreed upon by both parties and upon receipt of an original invoice.

3.9 Reporting

3.9.1 The appointed Service Provider(s) will submit the achieved deliverables to the Project Manager on a monthly basis.

3.9.2 All resulting reports and data shall be delivered in two copies, (i) in electronic format, and (ii) in hard copies. All draft and final reports shall be printed in full colour. The reporting language is English. All documents and copyrights, including data and databases developed during the process, will remain the intellectual property of SANEDI.

3.9.3 All drafts and final reports shall be submitted in full to the Project Manager, and should be edited, complete and presented in their final versions.

3.10 Evaluation Criteria

The Service Provider(s) should also take note that proposal will be evaluated using Price and B-BBEE using an 80/20 point system as outlined in the Preferential Procurement Policy Framework Act (PPPFA).

3.10.1 The proposal will be evaluated in three phases:

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Phase 1

- I. Minimum criteria, the service provider must be a SANAS-accredited EPC Inspection Body.
- II. Bidders will be evaluated based on functionality. The minimum threshold for functionality is 70 out of 100 points (Phase 2).
- III. Bidders who fail to meet the minimum threshold will be disqualified and will not be evaluated on price and B-BBEE (Phase 3).

3.10.2 Cost

- I. The Service Provider(s) is also requested to give a cost regarding the work to be undertaken for this project. A summary of the overall proposed charges for the services should be provided. The cost must be VAT inclusive and should be quoted in South African rand.
- II. Detailed costing should be aligned with the project scope and deliverables.
- III. A breakdown of the charges to be applied to each of the task described including any reimbursable and miscellaneous expenses should be provided in the pricing schedule.

3.11 Service Providers Who Qualify as EME's

- I. Accounting officers as contemplated in the CCA; or
- II. Verification agencies accredited by SANAS; or
- III. Registered auditors (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).

4 Evaluation Criteria

| | | | |
|----|--|----------------------------------|------------------|
| 1. | The evaluation criteria that are to be scored and the maximum score assigned to each of such criteria are as follows: | | |
| | Criteria | Scoring Guidelines (1-10) | Weighting |
| | Company Experience | 7 years or more = 5 points | 25% |
| | Service provider should have years' of experience in energy efficiency projects or verification and quality assurance of energy data. | 6 years = 4 points | |
| | | 5 years = 3 points | |
| | | 4 years = 2 points | |
| | | 3 years or less = 1 point | |
| | Reference Letters | 7 letters or more = 5 points | 15% |
| | Five (5) reference letters on energy efficiency projects or verification and quality assurance of energy data | 6 letters = 4 points | |
| | | 5 letters = 3 points | |

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| | These letters must also be in the client letterhead and include the following, <ul style="list-style-type: none"> ▪ email address ▪ Work phone numbers ▪ Duly signed by person in authority | 4 letters = 2 points 3 letters or less = 1 point | |
| | Project Methodology and Approach Proposed implementation methodology detailing the approach on the energy data verification, quality assurance, and issuing of energy performance certificates including stakeholder consultation. | Methodology with description of all services , and identifies risks= 5 Methodology with all required services but no risks identified = 4 Methodology provided with only one of the required services = 3 Methodology provided without the required services = 2 or 1 point | 45% |
| | Project Implementation Plan Project implementation plan with activities, milestones, timelines and deliverables. | Project plan with detail activities, milestones, timelines and deliverables = 5 points Project plan provided with milestones and timelines = 4 points Project plan provided = 3 points Project plan attached but not activities, milestones and deliverables = 2 points No project plan attached = 1 point | 15% |
| | Threshold | | 70 |
| | Total | | 100 |
| 2. | <p>The Bid will be evaluated on 80/20 Preferential Point System according to the Preferential Procurement Policy Framework Act,2000</p> <p>The points scored out of 80 should be calculated according to the following formula:</p> <p>(i) The 80/20 preference point system</p> $Ps = 80 \left(1 - \frac{Hs - Rs}{Rs} \right)$ <p>where</p> <p>Ps = points scored for functionality and price of the bid/proposal under consideration</p> <p>Hs = highest percentage scored by any acceptable bidder for functionality and price</p> <p>Rs = percentage scored for functionality and price by bid/proposal under consideration</p> | | |
| 3. | | | |

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| | The maximum score for this bid shall be awarded as follows: | |
| | POINTS | PRICE |
| | BBBEE Status level of Contribution | 20 |
| | Points for price | 80 |
| | Total points for price and BBBEE do not exceed | 100 |

5 Tax Clearance Requirements

| | |
|------------|--|
| 4. | 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. |
| 5. | 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. |
| 6. | 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. |
| 7. | 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. |
| 8. | In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate. |
| 9. | 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 |
| 10. | 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 . |
| 11. | FAILURE TO SUBMIT A VALID TAX CLEARANCE CERTIFICATE WILL RENDER THE BID AS UNRESPONSIVE AND DISQUALIFY SUCH BID FROM FURTHER EVALUATION. |

6 Returnable Schedules

6.1 Enterprise Questionnaire

Bidders must return submission date for all sections under item 6.1.1 – 6.1.4. On separate sheets where applicable.

Detailed documentation must be attached to this section under sub clauses 6.1.1 – 6.1.4 to provide substantive returns

6.1.1 Company Profile

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.

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| | | |
| Section 1: Name of enterprise: | | |
| | | |
| Section 2: VAT registration number, if any: | | |
| | | |
| Section 3: CIDB registration number, if any: | | |
| | | |
| Section 4: Particulars of sole proprietors and partners in partnerships | | |
| Name* | Identity number* | Personal income tax number* |
| | | |
| | | |
| | | |
| <p>* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners</p> | | |
| Section 5: Particulars of companies and close corporations | | |
| Company registration number | | |
| Close corporation number | | |
| Tax reference number | | |

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Section 6: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

- | | |
|--|---|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> an official of any municipality or municipal entity | |

If any of the above boxes are marked, disclose the following:

| Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder | Name of institution, public office, board or organ of state and position held | Status of service (tick appropriate column) | |
|---|---|--|-----------------------|
| | | Current | Within last 12 months |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

*insert separate page if necessary

Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

| Name of spouse, child or parent | Name of institution, public office, board or organ of state and position held | Status of service (tick appropriate column) | |
|---------------------------------|---|--|-----------------------|
| | | Current | Within last 12 months |
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*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

6.1.2 Bidders Experience Profile

The experience of the tenderer or joint venture partners in the case of an unincorporated joint venture or consortium as opposed to the key staff members / experts in similar projects or similar areas and conditions in relation to the scope of work over the last five years will be evaluated.

Tenderers should very briefly describe his or her experience in this regard and attach this to this schedule.

The description should be put in tabular form with the following headings:

| Description of work (service) | Value of work (i.e. the service provided) inclusive of VAT (Rand) | Date completed |
|-------------------------------|---|----------------|
| | | |

6.1.3 Key Personnel

The tenderer should propose the structure and composition of their team i.e. the main disciplines involved, the key staff member / expert responsible for each discipline, and the proposed technical and support staff and site staff. The roles and responsibilities of each key staff member / expert should be set out as job descriptions. In the case of an association / joint venture / consortium, it should, indicate how the duties and responsibilities are to be shared.

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The experience of assigned staff member in relation to the scope of work will be evaluated from three different points of view:

- 1) General experience (total duration of professional activity), level of education and training and positions held of each discipline specific team leader.
- 2) The education, training, skills and experience of the Assigned Staff in the specific sector, field, subject, etc which is directly linked to the scope of work.
- 3) The key staff members' / experts' knowledge of issues which the tenderer considers pertinent to the project e.g. local conditions, affected communities, legislation, techniques etc.

A CV of the Project Director and Team Leader of not more than 2 pages should be attached to this schedule, together with the Bidders organization and staffing demographics

DECLARATION OF BIDDER – ENTERPRISE QUESTIONNAIRE

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of the sections 5.1.1 – 5.1.3 schedule are within my personal knowledge and are to the best of my belief both true and correct.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

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6.2 Technical Proposal & Methodology Statement

6.2.1 Solution Statement

The **Solution Statement and Methodology** must respond to the scope of work and outline the proposed technical solution offered. This technical solution statement should articulate what value add the tenderer will provide in achieving the stated objectives for the project and detail the time frames and proposed methodology. Vulture

The layout of the solution statement and Methodology should be such that it mirrors the headings contained in the Scope of Works, Section 6 of this Bid Document.

The tenderer must as such explain his / her understanding of the objectives of the assignment and the Employer's stated and implied requirements, highlight the issues of importance, and explain the technical approach they would adopt to address them. The document should explain the technical attributes and contain specifications of all equipment proposed, to demonstrate the compatibility and capability of the solution. The technical paper should also include a quality plan which outlines processes, procedures for the testing and verification of deliverables, and meet the requirements and indicate how risks will be managed and what contribution can be made regarding value management. The Methodology statement must also include an activity Gantt reflecting a work breakdown structure.

DECLARATION OF BIDDER – TECHNICAL PROPOSAL AND METHODOLOGY STATEMENTS

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of the sections 5.2 schedule is within my personal knowledge and is to the best of my belief both true and correct.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

6.3 Tax Clearance Certificate

The Bidder is to attach a valid original Tax Clearance Certificate here

TERMS OF REFERENCE

6.4 B-BBEE Bid Declaration

BEE Terms and Conditions

If it is detected that false information regarding the B-BBEE status level of contribution, local production content, or any other matter which will affect or has affected the evaluation of the tender, or where the tender has failed to declare any subcontracting arrangements, 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 favorable 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

| | | |
|---|------------|------------------------------------|
| Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following: | | |
| B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED (Points claimed for BBBEE 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). | | Points Claimed |
| SUB-CONTRACTING | YES | NO |
| Will any portion of the contract be sub-contracted? | | |
| If yes, indicate: what percentage of the contract will be subcontracted? | % | |
| the name of the sub-contractor? | | |
| the B-BBEE status level of the sub-contractor? | | |
| is the sub-contractor an EME? | | |

I, the undersigned (full name).....

TERMS OF REFERENCE

Certify that the B-BBEE information furnished on this declaration form is true and correct and attach a current broad-based black economic empowerment certificate as verified by an accredited agency.

i accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

6.5 Bidder's Declaration of Interest

| | |
|--|--|
| | <p>Any legal person, including persons employed by the state, 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 favoritism, 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</p> <ul style="list-style-type: none"> - 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. |

| COMPANY & REPRESENTATIVE DETAILS | |
|---|--|
| Full Name of bidder or his or her representative | |
| Identity Number | |
| Position occupied in the Company (director, trustee, shareholder, member): | |
| Registration number of company, enterprise, close corporation, partnership agreement or trust | |
| Tax Reference Number | |
| VAT Registration Number | |

| DECLARATIONS | YES | NO |
|--|-----|----|
| Are you or any person connected with the bidder presently employed by the state? | | |
| 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: | | |

TERMS OF REFERENCE

| | | | |
|--|---|--|--|
| | If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? | | |
| | If yes, did you attach proof of such authority to the bid document? <u>(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.)</u> | | |
| | If no, furnish reasons for non-submission of such proof: | | |
| | 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? | | |
| | If so, furnish particulars: | | |
| | 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? | | |
| | If so, furnish particulars: | | |
| | Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies Wither or not they are bidding for this contract? | | |
| | If so, furnish particulars: | | |

Full details of directors / trustees / members / shareholders.

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 table below.

| Full Name | Identity Number | Personal Income Tax Reference Number | State Employee Number / Persal Number |
|-----------|-----------------|--------------------------------------|---------------------------------------|
| | | | |
| | | | |
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TERMS OF REFERENCE

| | | | |
|--|--|--|--|
| | | | |
| | | | |

“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.

“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.

DECLARATION OF INTEREST

I, the undersigned (name).....

Certify that the information furnished in this declaration is correct and I accept that SANEDI may reject the bid or act against me should this declaration prove to be false.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

6.6 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> | <p>Yes</p> <p><input type="checkbox"/></p> | <p>No</p> <p><input type="checkbox"/></p> |

TERMS OF REFERENCE

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

TERMS OF REFERENCE

| | |
|-------|-----------------------------|
| 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.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

6.7 Certificate of Independent Bid Determination

I, the undersigned, in submitting the accompanying bid for

in response to the invitation for the bid made by SANEDI do hereby make the following statements that I certify to be true and complete in every respect:

I therefore certify, on behalf of

that I have read and I understand the contents of this Certificate;

1. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
2. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
3. 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;
4. 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
5. 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.
6. 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.

TERMS OF REFERENCE

7. 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.
8. 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. 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.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

6.8 Certificate of Acceptance – General Conditions of Contract

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

Warrants that I am duly authorised to do so on behalf of the enterprise, and confirm that the terms and conditions of contract are acceptable to the enterprise and that such contract will be acceptable to the enterprise should the contract or part thereof be awarded to the enterprise, and that such contract will be signed by the enterprise within 7 days of a request to sign the contract.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

6.9 Declaration of Acceptance – Bid Evaluation Criteria

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

Warrant that I am duly authorised to represent our company in the submission of this Bid and we acknowledge that we are fully conversant with, and accept the Bid Evaluation, Scoring and Adjudication Criteria as contained in the Special Conditions of the Bid together with the General conditions as contained on the SANEDI web site, and acknowledge that we have read, understand and accept such as the methodology of bid evaluation and adjudication for this bid.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

6.10 Declaration of Understanding – Scope of Works

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

Warrant that I am duly authorised to represent our company in the submission of this Bid and we acknowledge that we are fully conversant with the scope of works and technical specifications and all requirements enabling us to submit a proposal.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

7 Pricing Schedule

| No: | Description of the activity | Price |
|------------------------|-----------------------------|-------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| Total | | |
| Vat @15% | | |
| Total inclusive of VAT | | |

TERMS OF REFERENCE

| | |
|---|--|
| <p>AMOUNT IN WORDS To be carried forward to Section 8 Form of Tender BID 170</p> <p>..... SIGNATURE OF BIDDER</p> | |
|---|--|

I confirm that I am duly authorised to sign and certify that the price indicated on the schedule is our bid price submitted

NAME (PRINT) CAPACITY

SIGNATURE

NAME OF FIRM DATE

TERMS OF REFERENCE

8 Form of Tender

| | |
|-----|---|
| 12. | <p><u>Conditions of Acceptance</u></p> <ul style="list-style-type: none"> ▪ The Tenderer is required to complete this FORM of TENDER in every respect, and tenders will not be considered unless this FORM of TENDER is completed in every particular and each page is initialled by the tenderer and fully signed on this page. ▪ This Form of Tender shall be completed by the tenderer in black ink and no corrections, use of correcting fluids or any alterations will be permitted. ▪ The FORM of TENDER and price schedules shall be stated in South African Rand (ZAR) and the price indicated on the schedules shall be binding on the tenderer, and no exception shall be made for omissions, casting errors or errors of whatsoever nature. ▪ Where a tenderer is not returning a price for a line item, or costs associated with that line item are included in another line item, the tendered shall endorse that line item with the words, “No Cost” or “incorporated in Item (NO.....)” whichever being applicable. |
| 13. | <p><u>Confidentiality</u></p> <p>All information pertaining to the services acquired by SANEDI from the service provider or furnished to the service provider shall be treated as confidential by the service provider and shall not be used or furnished to any other person other than for the purposes of the services without the written Consent of the Accounting Officer unless such information is or later becomes public knowledge, other than by breach of the afore-going.</p> |
| 14. | <p>The service provider shall ensure that all its officers, employees, agents or subcontractors treat all information relating to the services as confidential.</p> |
| 15. | <p>The service provider shall ensure that proper security procedures are implemented and maintained to restrict, as far as possible, access to confidential information. The service provider shall ensure that no confidential information is copied or reproduced without prior written approval by the Accounting Officer.</p> |
| 16. | <p>Failure by the service provider to comply with the provisions of this Clause shall constitute a material breach of the contract and shall constitute a ground for termination of the contract by SANEDI, by giving the service provider thirty days’ notice.</p> |
| 17. | <p><u>Priced Proposal</u></p> |
| 18. | <p>FIXED PRICE PROPOSAL</p> <p>The price quoted in the pricing schedule and returned in the Form of Tender is returned as a FIXED PRICE PROPOSAL valid for a period of contract and is not subject to cost price escalations, foreign currency variation or additionality as agreed in the Conditions of Contract</p> |

TERMS OF REFERENCE

| | |
|------------|---|
| 19. | The Bidder is advised that SANEDI will remit the appointed service provider directly and shall be required to comply with all remittance requirements stipulated in the Conditions of Contract specific to this appointment. |
| 20. | The Bidder is advised to plan and provide for all possible risks that may affect the delivery project on time and what mechanisms are in place to manage such risks. |
| 21. | We/I the undersigned, who warrants that they are duly authorised to do so on behalf of the enterprise, confirms that the contents of the conditions of acceptance pertaining to the FORM of TENDER are acceptable, and having fully understood the scope of works and conditions of bidding, herewith warrant that We/I have satisfied ourselves as to the correctness and sufficiency of the rates and prices set out in the Schedule and therefore offer the following PRICE and offer to undertake the works in accordance with the standards and specifications required. |
| 22. | The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that this Form of Tender is submitted in good faith, free of corrections, alterations or encumbrances and such price is binding on the enterprise for a period of 90 days from date of tender close and may be extended by mutual agreement between the parties for a further period of 90 days thereafter. |
| 23. | We/I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk. |
| 24. | We/I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to SANEDI in accordance with the requirements and specifications stipulated in bid number 170 at the price/s quoted. This offer remains binding and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid. |
| 25. | We/I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents in accordance with the SANEDI STANDARD CONDITIONS OF CONTRACT pertaining to the supply of goods and services. The Bidder is advised to familiarise themselves with the SANEDI STANDARD CONDITIONS OF CONTRACT pertaining to the supply of goods and services which can be viewed on the SANEDI Website at www.SANEDI.ORG.ZA |
| 26. | We/I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract. |
| 27. | We/I declare that we/I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid. |
| 28. | This Clause is intentionally left blank |

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

Warrants that I am duly authorised to do so on behalf of the enterprise, and confirm that the Bid submitted has been checked and all prices shown are full and final, and inclusive of all taxes, levies, duties and encumbrances, and shall remain valid for a period of 90 days from date of Quotation Closure as depicted in the Submission Data Section of this Bid Document

TERMS OF REFERENCE

Therefore our TOTAL Tender Price in respect of the Goods and Services requested under this Call for Proposals (BID REF 170) as stated in South African Rand (ZAR) and upon the terms and conditions set out in the Bid Document free of exceptions, amendments or qualifications save those listed in Schedule 9 shall be:

Tender Amount

R

Amount in Words

.....

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

9 ADDENDA

9.1 Proposed Amendments and Qualifications

| 29. | <p>The Tenderer should record any deviations or qualifications they may wish to make to the tender documents in this Returnable Schedule.</p> <p>If the space provided is insufficient, the Tenderer must reflect the headings and emphasis of matter in this schedule and provide detailed amplification of such deviations and qualifications in a separate sheet and incorporate such response in the singular bound bid document submitted at the time of Tender.</p> <p>The Tenderer accepts that the Client will, at its sole discretion determine the validity of such amendments and or qualifications and apportion weighting to such in addition to the BID SCOPE or evaluation criteria in the best interest of the Client.</p> <p>The decision of the Client in this regard is final, and the Client reserves the right to negotiate with a bidder to finalise the implications of such amendments and qualifications</p> <p>Tenderers must not include deviations or qualifications relating to the scope of work in this schedule where they are required to submit an Approach Paper.</p> | | | | | |
|------------|--|----------|----------------|----------|--|--|
| | <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Page</th> <th style="width: 25%;">Clause or item</th> <th style="width: 60%;">Proposal</th> </tr> </thead> <tbody> <tr> <td style="height: 150px;"></td> <td></td> <td></td> </tr> </tbody> </table> | Page | Clause or item | Proposal | | |
| Page | Clause or item | Proposal | | | | |
| | | | | | | |

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

TERMS OF REFERENCE

11.2 Record of Addenda to Tender Documents

We confirm that the following communications received from the CLIENT before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

| | Date | Title or Details |
|----|------|------------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date



senedi

South African National Energy
Development Institute