

COVER LETTER

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF GROOTE SCHUUR HOSPITAL,
DEPARTMENT OF HEALTH WESTERN CAPE GOVERNMENT**

BID NUMBER: GSH:1/2024

CLOSING DATE: 16 JULY 2024

CLOSING TIME: 11:00

THE SUPPLY, DELIVERY, INSTALLATION, COMMISSIONING, DEMONSTRATION AND TRAINING OF A STATE OF THE ART MODERN COMPUTED TOMOGRAPHY (CT) SCANNER AND ASSOCIATED HARDWARE, SOFTWARE AND ACCESSORIES, INCLUDING THE REMOVAL AND SAFE DISPOSAL OF THE EXISTING TOSHIBA AQUILION PRIME CT SCANNER, AS WELL AS ROOM RENOVATIONS IN C7 SEMINAR ROOM IN RADIOLOGY DEPARTMENT SHALL BE DONE BY THE SUCCESSFUL BIDDER. THIS BID WILL BE EVALUATED ON TOTAL COST OF OWNERSHIP.

The successful bidder will be required to complete and sign a written contract form (WCBD7.1).

BID DOCUMENTS MAY BE POSTED TO: **NOMANGESI NTLANTSANA, PROCUREMENT (BID OFFICE), FIRST FLOOR F46, ROOM 53, OLD MAIN BUILDING, GROOTE SCHUUR HOSPITAL, OBSERVATORY 7925**

OR

DEPOSITED IN THE BID BOX SITUATED IN: **THE FOYER, MAIN ENTRANCE, OLD MAIN BUILDING, GROOTE SCHUUR HOSPITAL, OBSERVATORY 7925**

Please note the following important information and requirements:

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration. Should uncertainty exist regarding the location of the Institution's bid box, bidders are advised to refrain from soliciting the advice of the Security Personnel on duty and to rather contact **Nomangesi Ntlantsana (Tel: 021 404 3122)** for assistance. No names of bidders or prices will be read out at the time of closing. The bid box is generally open 24 hours a day, 7 days a week.

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All bids must be submitted on the official forms – (not to be re-typed) and only **originally signed documents** will be considered. **Failure to complete and sign the bidding documents, certificates, questionnaires and specification forms in all respects, will invalidate the bid.**

All bids must be accompanied by a letter signed by the bidder, authorizing the Institution, in name, instead of the bidder, to confirm with third parties the accuracy of any information submitted as part of this bid.

Bidder to indicate which other currently pending bids issued by the Institution it has applied for, and which bids, if any, have been awarded to it in the past. If bidders have previously submitted offers for other bids or are at the same time bidding in relation to the supply of other goods/services, the Institution reserves the right to compare the respective bid documentation and information provided by the bidder.

This bid is subject to the General Conditions of Contract (GCC) and, if applicable, any other Special Conditions of Contract. **The 80:20 Points System shall be applicable to bids up to R50 000 000 and the 90:10 Points System to bids over R50 000 000. The lowest acceptable tender will be used to determine the preference point system.**

All Bidders must be duly registered on the following databases at the time of bid closing:

- The Central Supplier Database (CSD, national)

All prospective **unregistered Bidders** must register as a supplier on the **Central Supplier Database**

	CENTRAL SUPPLIER DATABASE	
Self-registration	www.csd.goc.za (self-registration only)	

All **Bidders already registered on the CSD** should ensure that their status is up to date on www.csd.gov.za respectively. All Bidders should have confirmation of their registration **BEFORE bidding.**

Bidders who are not duly registered on the CSD databases at the time of bid closing, or whose registration has been suspended, will be deemed non-compliant and their bids will not be considered.

Bidders are advised that only the B-BBEE status reflected on **form WCBD 6.1** in their bid document will apply to the evaluation of the relevant formal bids and **not their B-BBEE status on the WCSEB or CSD.** All other mandatory documents held on the WCSEB and CSD (TCC, WCBD 4, etc.), will be accepted by Western Cape Government Health (WCGH) for the consideration of formal bids.

Bidders need to submit bid documents **under the same name as per the site meeting attendance register and/or as per the bid register** when they obtain the bid documents. Bid documents will not be evaluated if there is a discrepancy in the company name.

If you know of any corrupt, fraudulent or collusive actions in the Institution, please report it by calling the National Hotline 0800 701 701.

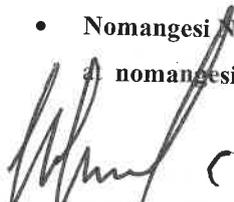
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The following completed bid documents are the documents required in your bid and can be submitted to this office in the order as suggested:

- **Special Conditions** (if applicable)
- **WCBD 1 – The Bid. (FAILURE TO COMPLETE AND SIGN PART A & PART B FORMS WILL INVALIDATE YOUR BID.)**
- **WCBD 3.1** - Specification/your schedule of offers
- **WCBD 4** – Declaration of interest
- **WCBD 5** – National Industrial Participation Programme
- **Amended WCBD6.1** – form to claim points as BBBEE contributor
- **Sworn Affidavit** – BBBEE Qualifying Small Enterprise
- **Supplier's checklist**
- **BBBEE Certificate (valid original or certified copy)**

Please refer all bid as well as specification enquiries to the following official:

- **Nomangesi Ntantsana** at telephone number **(021) 404-3122** or e-mail nomangesi.ntantsana@westerncape.gov.za



DEPUTY DIRECTOR: SUPPLY CHAIN MANAGEMENT

DATE:

COLLIN FRANK
27 MAY 2024
**DEP. DIRECTOR - FINANCE
& SCM**

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SPECIAL CONDITIONS OF CONTRACT

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THIS BID IS DUE AT 11H00 ON 16 JULY 2024

VALIDITY EXPIRES ON 16 SEPTEMBER 2024

1. DELIVERY LOCATIONS

1.1 Goods are required for delivery to the Direct Issue Store, A-floor, A22 of Groote Schuur Hospital, an institution under the control of the Department of Health, Western Cape Government in such quantities as specified in the bid specification/pricing schedules.

2. DELIVERY AND DOCUMENTS (GCC Par. 10.1 and 10.2)

2.1 The successful bidder is to ensure that delivery of the offered equipment be supplied and delivered by no later than **31 December 2024 and in line with point 26.1 of the specification.**

3. PRICES (GCC Par. 17)

3.1 Bid prices shall be quoted firm or subject to Rate of Exchange.

3.2 All prices quoted must include delivery to the various stores as indicated in paragraph 1 above.

3.3 **Bid prices shall be quoted net and VAT INCLUSIVE.** Bidders providing a discount may indicate so.

4. PAYMENT

4.1 In the interest of security and expeditious payment, it is the policy of the Groote Schuur Hospital to effect payments by electronic funds transfer (EFT) as far as possible. If a successful bidder is not yet a regular participant in Groote Schuur Hospital's contracts and has not been registered already, the supplier will be required to furnish the Groote Schuur Hospital with its banking details for the systems in operation (Logis, BAS, Syspro) in order to be registered. Successful bidders must ensure, therefore, that their banking details are provided to institutions on request where necessary.

4.2 Payment shall be 30 days from receipt of invoice.

4.3 Payment Conditions (GCC Par. 16.1)

Payment in full will be made when the designated Hospital Official confirms in writing that the contract conditions have been complied with and that handover in good working order has been received.

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4.4 Payment Currency (GCC Par. 16.4)

Payment will only be made in Rands in the Republic of South Africa.

5. **NEGOTIATIONS**

5.1 Groote Schuur Hospital reserves the right to enter into negotiations with bidders (before the contract is concluded) and contractors (after the contract is concluded) regarding *inter alia* price revisions, increases and service delivery should it be deemed necessary.

6. **PERFORMANCE SECURITY (GCC Par. 7.1 + 7.4)**

6.1 No performance security amount is specified or required to be paid to the purchaser.

7. **INSURANCE (GCC Par. 11.1)**

7.1 The ownership of the goods and responsibility for safekeeping thereof remains the responsibility of the supplier until the equipment are handed over in good working order to the designated official in the hospital.

8. **TRANSPORTATION (GCC Par. 12.1)**

8.1 An all inclusive delivered, to point of use price is required.

9. **WARRANTY (GCC Par. 15)**

9.1 Warranty period (GCC Par. 15.2)

- The warranty shall remain valid for 12 months after the equipment have been handed over to the designated hospital official.

10. **SETTLEMENT OF DISPUTES (GCC Par. 27)**

10.1 **Mediation Proceedings (GCC Par.27.1)**

- The mediation shall be informal. The Head: Department of Health shall have the absolute discretion to determine the procedure to be followed.

11. **APPLICABLE LAW (GCC Par. 30)**

- The contract shall be determined in accordance with South African laws.

12. **GENERAL**

Receipt of the invitation to bid does not confer any right on any party in respect of the services or in respect of, or against, Groote Schuur Hospital. Groote Schuur Hospital reserves the right, in its sole discretion:

12.1 **To withdraw** any services from the bid process, **to terminate** any party's participation in the bid process or **to accept or reject** any response to this invitation to bid on notice to the bidders without liability to any party;

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accordingly, parties have no rights, expressed or implied, with respect to any of the services as a result of their participation in the bid process,

12.2 **To amend** the bid process, closing date or any other date at its sole discretion,

12.3 **To cancel** the bid or any part of the bid before the bid has been awarded,

12.4 **Not to accept** the lowest or any other bid and to accept the bid which it deems shall be in the best interest of the Department,

12.5 **Not to award** the bid to the highest points or lowest price,

12.6 **To reject** all responses submitted and to embark on a new bid process.

13. **CONTACT DETAILS**

13.1 Please provide the particulars of the contact person responsible for all queries related to this bid, and if you are successful, this contract, and to whom all correspondence can be directed:

Name:

Designation:

Telephone no with area code: Fax no:

Cellphone no: Email address:

14. Enquiries may be directed to the bid administrator, **Nomangesi Ntlantsana** at tel no (021) 404 3122/ 2067 or e-mail **Sylvia.Dhayalan-Nair@westerncape.gov.za**

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WCBD 1

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF HEALTH – GROOTE SCHUUR HOSPITAL					
BID NUMBER:	GSH:1/2024	CLOSING DATE:	16 JULY 2024	CLOSING TIME:	11H00
DESCRIPTION	<p>THE SUPPLY, DELIVERY, INSTALLATION, COMMISSIONING, DEMONSTRATION AND TRAINING OF A STATE OF THE ART MODERN COMPUTED TOMOGRAPHY (CT) SCANNER AND ASSOCIATED HARDWARE, SOFTWARE AND ACCESSORIES, INCLUDING THE REMOVAL AND SAFE DISPOSAL OF THE EXISTING TOSHIBA AQUILION PRIME CT SCANNER, AS WELL AS ROOM RENOVATIONS IN C7 RADIOLOGY DEPARTMENT SHALL BE DONE BY THE SUCCESSFUL BIDDER. THIS BID WILL BE EVALUATED ON TOTAL COST OF OWNERSHIP.</p>				
<p>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT THE FOYER, ENTRANCE 5, OLD MAIN BUILDING, GROOTE SCHUUR HOSPITAL.</p>					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	NOMANGESI NTLANTSANA		CONTACT PERSON	LEON VAN NIEKERK	
TELEPHONE NO	021 404 3122		TELEPHONE NO	021 404 4402	
FACSIMILE NO	N/A		FACSIMILE NO	N/A	
E-MAIL ADDRESS	nomangesi.ntantsana@westerncape.gov.za		E-MAIL ADDRESS	leon.vanniekerk@westerncape.gov.za	
SUPPLIER INFORMATION					

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NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER		CODE		NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER		CODE		NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS		WCSEB REGISTRATION NO.		AND	CSD No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT [TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?			A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QSEs) MUST BE SUBMITTED TOGETHER WITH A COMPLETED 6.1 IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

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<p><u>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</u></p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES ENCLOSE PROOF]</p>	<p><u>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</u></p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES, ANSWER PART THE QUESTIONNAIR BELOW]</p>
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO
- DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
- IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.2 BELOW.

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PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (WCB7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.3 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE WITH A RESULT SUMMARY PAGE (DOWNLOADED FROM EFILING) TOGETHER WITH THE BID.
2.4 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE AND CSD NUMBER AS MENTIONED IN 2.2 ABOVE.
2.5 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS WHO ARE PERSONS IN THE SERVICE OF THE STATE.”

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

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COMPULSORY BRIEFING SESSION FOR BID GSH1/2024

DATE: 25 JUNE 2024

TIME: 11H00 AM

VENUE: C11 SEMINAR ROOM, RADIOLOGY DEPARTMENT, NEW MAIN BUILDING, GROOTE SCHUUR HOSPITAL.

BIDDERS TO NOTE: TO AVOID DELAYS IN THE BRIEFING SESSION, BIDDERS ARE REQUIRED TO ARRIVE BEFORE 10H30AM, TO COMPLETE AN ATTENDANCE REGISTER, NO LATE BIDDERS WILL BE ALLOWED TO ENTER THE VENUE AFTER 11H00, AS THE DOORS WILL BE CLOSED.

PLEASE RSVP BY CONTACTING THE BID OFFICE AT THE NUMBER OR E-MAIL PROVIDED ON THE COVER PAGE

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SPECIFICATION

DETAILS OF OFFER

NOTE:

IF YOUR OFFER COMPLIES WITH THE APPLICABLE BLOCK OF PARAGRAPHS THEN NOTE "COMPLY" IN THE "DETAILS OF OFFER" BOX ADJACENT TO THE BLOCK. SHOULD THE EQUIPMENT OFFERED DEVIATE FROM ANY SPECIFIED TECHNICAL REQUIREMENTS, FULL DETAILS OF SUCH DEVIATIONS MUST BE GIVEN. IN THE EVENT OF THE AVAILABLE SPACE BEING INSUFFICIENT SUCH DETAILS MUST BE GIVEN ON A SEPARATE SHEET, INDICATING THE RELEVANT PARAGRAPH NUMBER IN THE SPECIFICATION.

THE "DETAILS OF OFFER" SECTION MUST BE COMPLETED IN FULL. FAILURE TO REPLY TO ALL SECTIONS WILL RESULT IN THE OFFER NOT BEING CONSIDERED.

1.	SCOPE	DETAILS OF OFFER
1.1	This specification establishes the requirements for the supply, delivery, installation, commissioning, demonstration and training of a state of the art modern computed tomography (CT) scanner and associated hardware, software and accessories, including the removal and safe disposal of the existing Toshiba Aquilion Prime CT scanner, as well as room renovations in C7 Radiology Department shall also be done by the successful bidder. this bid will be evaluated on total cost of ownership.	
1.2	The CT system is required for rapid and sophisticated diagnostic computed tomographic examinations on adult patients. The following CT examinations shall be included but not limited to: 1.2.1 Head (all neuroradiological head and neck examinations), including CT perfusion 1.2.2 Ear, nose, and throat imaging (all examinations) 1.2.3 Chest, including high-resolution scans 1.2.4 Abdomen and pelvis 1.2.5 Musculo-skeletal system 1.2.6 Spine 1.2.7 Soft tissues 1.2.8 Vessels 1.2.9 CT Angiography 1.2.10 Cardiac and coronary CT 1.2.11 3-D reconstructions, including MPR, MIP, SSD and Volumetric displays.	
1.3	The offered bid will be for a fully functional, all-inclusive system.	

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		DETAILS OF OFFER
1.4	All equipment and software on offer must be licensed for sale in the South African market by a recognized supplier who can prove that service, spares, and application support is available in South Africa to maintain the system at peak operating performance.	
1.5	The equipment offered to render the service must currently be in production and must be tried and tested in a clinical setting. Evidence that the equipment being offered can meet the specifications must be provided.	
1.6	A list of all users in South Africa, where the equipment that is offered in this bid is currently in clinical use, must be provided. Indicate the current models and equipment configurations per site. If no users are available in South Africa, provide a list of users in other countries. The Department of Health & Wellness Western Cape Province reserves the right to independently verify the performance and support on the offered unit.	
1.7	Past user experiences with the equipment offered will be considered.	
1.8	The system offered must comply with, or exceed, all the minimum performance specifications as indicated below for the various sub-components, supported by factory-supplied product specifications/brochures.	
1.9	Descriptive literature, pamphlets and brochures and technical data sheets applicable to the offer, for all components of the system, must accompany the tender, failing which, the bid will not be considered.	
1.10	The equipment and any accessories ordered from the successful Bidder will be delivered, installed, tested, calibrated, demonstrated (including specified training) and acceptance testing performed in the specific hospital at the expense of the successful Bidder, prior to full payment being made.	
1.11	The equipment must be installed in the room currently housing the Toshiba Aquilion Prime CT scanner, C7, Division of Radiology, Groote Schuur Hospital. The Bidder must inspect the installation site, electrical supplies, air conditioning supplies, radiation shielding and other services and supplies, at the specified compulsory site meeting, before submitting their offer. The site meeting will take place on 25 June 2024 at 11h00 am, in C11 Seminar room, New Main Building at Groote Schuur Hospital.	

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		DETAILS OF OFFER
1.12	The bid includes the decommissioning, removal and safe disposal of the existing Toshiba Aquilion Prime CT scanner, housed in the intended room, in line with the applicable regulations and laws of South Africa.	
1.13	The bid includes minor room renovations, as detailed in the Scope of works document, and will be discussed at the compulsory site meeting.	
1.14	The bid includes making good of any damage caused.	
2.	APPLICABLE DOCUMENTS	
<i>The onus rests with the prospective Bidder to familiarise themselves with the following documents, which form part of this specification:</i>		
2.1	General Condition of Contract (GCC).	
2.2	Special Conditions of Contract (SCC).	
2.3	IEC 601-1.	
2.4	IEC 60601.	
2.5	IEC 61217.	
2.6	SANS10142	
2.7	SANS10400	
2.8	Hazardous Substances Act No 15 or 1973. A certified copy of the license issued in terms of the aforementioned Act, in respect of applicable equipment, must be submitted with the bid. Failure to comply will result in disqualification of the bid offer.	
2.9	International Certification, CE (Conformité Européenne) or FDA, must be supplied.	
2.10	DICOM RT certification must be supplied (electronic format).	
2.11	Any other documents that may be required to fulfil national regulations to comply with all Health and Safety standards.	
3.	SPECIFICATION AND REQUIREMENTS	
3.1	GENERAL:	
3.1	The Bidder must clearly indicate if their offered product complies with the stated requirements, by indicating, "Comply" or "Does not comply" next to the corresponding clause.	
3.2	The Bidder must clearly state any parameter values or additional information as requested in relevant clauses.	
3.3	The Bidder must provide a clear pricing schedule listing all the requirements and the associated pricing.	

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3.4	Any requested options and optional extras must be clearly defined, and a separate pricing schedule must be provided by the Bidder.	
3.5	The Bidder must clearly indicate if their offered product exceeds the stated requirement by noting, with proof, "Above specification" next to the corresponding clause.	
3.6	All responses must be clear and legible.	
3.7	A site meeting will be needed, and attendance is compulsory. Bidders will inspect the room and area, located in C7, Division of Radiology, Groote Schuur Hospital, during the specified site meeting.	
3.8	The offered system must be of the latest technology. The Bidder must state how long this technology (hardware and software) has been commercially available (state when the model offered was launched), as well as if any near future updates are expected.	
3.9	Bidder to state when the next model hardware and software will be released.	
3.10	All reusable accessories, required for the offered system to be fully functional, must be included as part of the bid.	
3.11	Bidder to state the manufacturing company's policy regarding availability of spare parts after production of the new unit stops.	
3.12	All prices are to include VAT and are to be firm prices in Rand. The Bidder is to state the period for which the firm price is valid.	
3.13	Bidder to confirm that specifications of unit offered at least conforms to the tolerances set out in the <i>Requirements For Licence Holders With Respect To Quality Control Tests For Diagnostic X-Ray Imaging Systems</i> with respect to quality control tests for diagnostic x-ray imaging systems, as required by SAHPRA, as a minimum.	
3.14	The offered system must be installed and handed over fully functional, which must include all the aspects as identified in the clauses below.	

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3.15	If the products offered are unknown to the Department, the Department reserves the right to have the units evaluated by a team of technical and clinical experts with regards to its functionality, performance, and quality. The decision of this committee will be used as a motivation for the acceptance or non-acceptance of the units. For this reason, an identical demonstration unit shall be readily available within four (4) working days, failing which the offer will be automatically disqualified. Alternatively, the Bidder shall take representatives of the Department to a site where a similar unit is installed and in clinical operation. The cost for this site visit is for the account of the Bidder and it shall not place any obligation on the Department to procure from this specific Bidder.	
4.	SITE INSPECTION	
4.1	All prospective Bidders are required to attend a compulsory briefing session/site meeting will take place on 25 June 2024 at 11h00 am, in C11 Seminar room, New Main Building at Groote Schuur Hospital.	
4.2	Failure to attend this site meeting shall lead to automatic disqualification of the Bidder's offer.	
4.3	The Bidders shall communicate with the Hospital's coordinators and verify the appropriateness of the designated area for the installation of the system. Furthermore, the Bidder shall timeously inform the Hospital of any additional requirements (e.g. structural, electrical, IT infrastructure, etc) necessary for the installation of the system.	
5.	TECHNICAL SPECIFICATIONS	
5.1	General:	
5.1	The CT scanner must include dedicated state of the art components capable of performing current CT scanning techniques, with adaptability for future scanning techniques.	
5.2	The specified components must be fully compatible and interfaceable with one another, to function as an integrated system.	
5.3	The complete system must fully integrate with other existing equipment in the Department - the current Picture Archiving and Communication System (PACS), Philips Intellispace Enterprise. The system must also be capable of full integration with future upgrades, to PACS.	
5.4	The system will include all licenses and software necessary to integrate with the current Philips Intellispace Enterprise PACS.	

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5.5	The system shall allow whole body CT scanning of active scan length range of approximately 150-170 cm. Bidder to state the maximum whole body CT scanning length.	
5.6	The system shall support variable fields of view (FOV).	
5.7	The system will be a multi-slice detector system, allowing at minimum 128 slice acquisition per gantry rotation. Bidder to state offered unit's slice acquisition.	
5.8	The system will be a dual energy CT scanner. Bidder to state how dual energy scans are acquired with the offered system.	
5.9	Bidder to state maximum scan range in longitudinal direction.	
5.10	The system must be capable of performing multiple bi-directional scans.	
5.11	CT scanning protocols for diagnostic radiology imaging scans must be pre-configured and set up on the system, for easy selection, in consultation with the end user.	
5.12	The system shall allow the preparation of multi-protocols. These protocols shall enable the user to program acquisitions of varying slice thicknesses, kilovoltage (kV), milliamperes-second (mAs) and scan delay pauses, table speeds and gantry tilts.	
5.13	The system must adhere to SAHPRA Radiation Control standards for quality assurance and radiation protection.	
5.2	Gantry system:	
5.2.1	The aperture size of the bore must be at least 70 cm diameter. Bidder to state bore size of system offered.	
5.2.2	The true scan FOV must be at least 50 cm. Bidder to specify.	
5.2.3	The display FOV must be at least 50 cm. Bidder to specify.	
5.2.4	It must be possible to vary/select the scanning FOV for different scan sites, and within a scan site, to allow for patient demographics.	
5.2.5	The system must allow at least 128 slice acquisition. Bidder to state slice acquisition of system offered.	
5.2.6	The gantry shall include an internal slice plane laser marker system with an accuracy less than 2 mm. Bidder to state accuracy offered.	
5.2.7	Electronic patient breathing instructions, at least in English and Xhosa, must be provided.	

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5.2.8	The gantry must have a tilt facility of at least 30 degrees in both directions. Bidder to state the gantry tilt angle offered.	
5.2.9	Remote and local tilting operation from the operator's console and at the gantry shall be present.	
5.2.10	The offered scanner will allow for head-first or feet-first in prone or supine acquisition.	
5.2.11	Controls/control panels must be available on both sides of the treatment couch.	
5.2.12	Bidder to state pitch range offered. Pitch must be user selectable.	
5.3	X-ray generator and tube:	
5.3.1	The scanner must have a modern high frequency generator of at least 75 kW. Bidder to state the power rating (kW) of the generator.	
5.3.2	Bidder to state the selectable kV range of the generator.	
5.3.3	Bidder to state variable mA setting of system offered, with offered mA range. Bidder to state mA selection increments.	
5.3.4	Bidder to state the maximum mA for each selectable kV option.	
5.3.5	Bidder to supply x-ray tube heating and cooling curves.	
5.3.6	Bidder to specify the anticipated tube lifespan.	
5.4	Reconstruction, filters, artefact reduction and image processing:	
5.4.1	Iterative reconstruction must be included in the bid. Bidder to state reconstruction algorithms offered.	
5.4.2	Dose optimisation/reduction capability must be included in the bid. Bidder to state dose reduction options included.	
5.4.3	Bidder to state reconstruction field of view (FOV) range offered.	
5.4.4	Bidder to state reconstruction image matrices available.	
5.4.5	Bidder to state image reconstruction filters offered.	
5.4.6	Post off-line reconstruction must be available.	

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		DETAILS OF OFFER
5.4.7	Metal artefact reduction algorithm must be included. Bidder to state option offered and provide examples of effectiveness.	
5.4.8	The software shall enable the operator to generate Digitally Reconstructed Radiographs (DRR), Digitally Composited Radiographs (DCR) and Multi-planar Reformatted Images (MPR).	
5.4.9	<p>Standard image view and manipulation options should be provided, including but not limited to: (Bidder to specify if each requirement is included and the options included)</p> <ul style="list-style-type: none"> • Adjustable window width and level • Image pan and zoom • Image rotation • Multiple image display • Image magnification • Comment display • Annotation • Arrow insertion • Distance and angle measurement • Co-ordinates in centimetre, millimetre or pixels of the cross wire or cursor position • ROI's of all types shall be provided, including circular, oval, user defined and automatic • The Bidder to state the number of simultaneous presentations of ROI's, stating mean, standard deviation, area and number of pixels • Simultaneous scout view (or pilot view, scannogram or topogram) and reference axial image display • CT number values including mean, standard deviation and area displayed within ROI • Superimposition of scale grid • Image addition and subtraction • Reconstructive filters to enhance specific imaging parameters • Fusion imaging techniques for noise reduction • Reconstructive continuous zooms using raw data as well as high zoom • Beam hardening correction • Metal correction • Bowel gas correction • Segmental reconstruction • Multi-planar reconstruction of sagittal, axial, coronal and oblique and user defined compound oblique directions 	

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		DETAILS OF OFFER
	<ul style="list-style-type: none"> • Curved multi-planar reconstructions • Stacking • Dynamic analysis • 3-D surface rendering 	
6.	Clinical application packages required	
6.1	CT Fluoroscopy	
6.1.1	CT Fluoroscopy mode for drainages, fine needle aspiration biopsy, cutting needle biopsies, ablations etc.	
6.1.2	3-image display mode must be possible.	
6.1.3	Ceiling suspended arm for the display monitor is required.	
6.1.4	Console to control ability to interactively change table height, longitudinal table position and gantry angulation. Separate price and full details are to be included.	
6.1.5	Bidders must state what dose reduction techniques are available to limit applied dose to the Radiologists hands.	
6.2	Digital Subtraction Angiography for CT	
6.2.1	A true Digital Subtraction Angiography package for brain examinations.	
6.2.2	Bone removal must be done automatically by the software package and not by sculpting away the bone or by grey level threshold techniques. State the method used to get the resultant images.	
6.3	Brain Perfusion Functionality	
6.3.1	A perfusion package to analyse blood flow in the brain of patients to aid stroke diagnosis is required.	
6.3.2	Colour image generation showing the extent of brain tissue damage and the planning of treatment is required.	
6.3.3	The following measurements must be possible: a) Regional Cerebral Blood Flow (rCBF). b) Mean Transmit Time (MTT). c) Regional Cerebral Blood Volume (rCBV).	
6.4	Cardiac Scanning and Evaluation	
6.4.1	Fully automated cardiac scanning and evaluation package is required.	
6.4.2	ECG gated scanning including patient monitor.	

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		DETAILS OF OFFER
6.4.3	ECG gated reconstruction techniques is required (Bidder to provide details of how this is achieved).	
6.4.4	A 75 ms temporal resolution is required. State temporal resolution and state heart-beat range that can be scanned. Full details required.	
6.4.5	Left ventricle analysis is required, give full details.	
6.4.6	MPR cross sectional images that are horizontal and vertical to the cardiac axis are required, with real-time switching between views.	
6.4.7	MPR images, cardiac volume curves and cardiac function parameters must be capable of being displayed on a single window.	
6.4.8	Cardiac MPR.	
6.4.9	MPR processing of ECG gated data according to various cardiac axis.	
6.4.10	Reconstructions and displaying of images to show MPR images in the short axis, vertical long axis and horizontal long axis.	
6.4.11	<p>Left ventricle function analysis using the Volume method with the following calculation and displays:</p> <ul style="list-style-type: none"> i) Cardiac output (CO) ii) Cardiac ejection fraction (EF) iii) End-diastolic volume (EDV) iv) End-systolic volume (ESV) v) Stroke volume (SV) vi) Cardiac index (CI) vii) Stroke index (SI) viii) Left ventricle volume curve ix) Regional analysis via polar maps to display rate of change in cardiac wall thickness, amount of cardiac wall motion and regional ejection fraction. x) Left ventricle myocardial contour line display. xi) Left ventricle function analysis using the Simpson method with the following calculations and displays: <ul style="list-style-type: none"> a) Cardiac output b) Cardiac ejection fraction c) End-diastolic volume 	

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		DETAILS OF OFFER
	<p>d) End-systolic volume</p> <p>e) Stroke volume</p> <p>f) Cardiac index</p> <p>g) Stroke index</p> <p>h) Left ventricle volume curve</p> <p>i) Regional analysis to display rate of change in myocardial wall thickness</p> <p>j) Left ventricle myocardial contour line display.</p> <p>k) Additional cardiac functionality required: Heart rate and body surface area.</p>	
6.4.12	<p>Coronary Analysis Software</p> <p>Coronary artery analysis.</p> <ul style="list-style-type: none"> • 2D, 3D and 4D cardiac viewing must be possible. • Two curved vessel views orthogonal to each other must be possible. • MIP oblique and MPR views must be possible. • Short axis, two chamber axis and four chamber long axis views must be possible. • Percentage stenosis calculations are required. • Length measurements are required. 	
6.4.13	<p>CARDIAC CALCIUM SCORING</p> <p>Bidders must provide full details in this regard.</p>	
6.4.14	<p>VASCULAR ANALYSIS</p> <p>To be used with CT contrast examinations on vessels measuring 3mm to 6mm in diameter for pre-surgical diagnosis, planning and stent planning.</p> <p>Must be capable of being used for at least the following anatomical areas:</p> <ul style="list-style-type: none"> • Abdominal aorta • Carotid arteries • Coronary arteries • Renal arteries • 2D and 3D image reference must be possible • MIPS, MPR and curved MPR views must be possible • The following measurements are required: • Length of the centreline curve. • Minimum and maximum cross-sectional areas and diameters. • Stenosis percentage calculation 	

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	DETAILS OF OFFER
<p>Intellispace Portal Software</p> <p>The following software packages required to optimise reporting and patient safety:</p> <ol style="list-style-type: none"> 1. Multimodality Tumor Tracking, post processing software used to display, process, analyze and quantify anatomical and functional images, for CT, MR at one or multiple time points. 2. The application offers enhanced semi-automatic volumetric segmentation, as well as selectable oncology response criteria including standards such as RECIST 1.0, RECIST 1.1, WHO, CHOI, PERCIST, irRC and mRECIST. 3. Findings can be shared with other Advanced Visualization Workspace applications such as CT Liver Analysis and CT Viewer or exported in different formats including RT Structures. 4. Multimodality Tumor Tracking supports the creation of Quantitative EASL (qEASL) maps used to measure segmented volumes of interest in heterogeneous lesions. 5. CT Lung Nodule analysis offers deep-learning based detection capabilities for all nodules types including solid, part-solid and ground-glass. This software provides adjunctive information to aid the radiologist in the detection of pulmonary nodules during review of CT examinations of the chest on an asymptomatic population, as well as in already diagnosed patients. 6. CT Liver Analysis automatically identifies, segments and quantifies the liver from the portal venous phase of a tri-phase liver scan, and automatically segments and classifies the hepatic and portal veins. The application features several semi-automatic segmentation methods to segment the liver (i.e. Couinaud) and provides tools to analyze and quantify the whole liver, liver segments and user-defined regions of interest. CT Liver Analysis also enables virtual hepatectomy, providing volumetric estimates of resected and residual liver segments. 	

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	<p>7. CT TAVI Planning application provides 2D and 3D visualization as well as automated measurements designed to assist in proper TAVI-device sizing, on contrast-enhanced, prospectively ECG-gated axial or retrospectively gated helical CT images. These include area and diameter calculations for the aortic annulus, LVOT, sinotubular junction, sinus of valsalva and ascending aorta planes, as well as distance to coronary ostia from the annulus plane. The application provides 3D segmentation and visualization of aortic valve calcifications. The application also provides tools such as inspection of minimal diameter, calcifications and vessel tortuosity, to assess the peripheral vessels along the access route.</p> <p>8. CT Pulmonary Artery Analysis (PAA) offers automatic and manual segmentation tools to assist in localization of suspected pulmonary embolism findings on segmental and sub-segmental contrast-opacified pulmonary arteries. A suite of tools helps visualize the lungs, review results, and report any pulmonary embolism findings.</p> <p>9. CT ASPECT scoring application is used to assist the clinician in the assessment and characterization of brain tissue abnormalities using CT image data. The software automatically registers images, segments and analyzes ASPECTS (Alberta Stroke Program Early CT Score) Regions of Interest (ROIs).</p>	

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7.	Data management:	
7.1	The system must be capable of transferring image data sets to at least hospital PACS and RIS. The system must be able to include future hardware and software upgrades.	
7.2	The bid must include all licenses needed for integration with existing systems in the department, including PACS and RIS.	
7.3	The system must provide archiving and networking capabilities necessary to effectively manage multi-slice data sets.	
7.4	Image archiving must be organized according to the DICOM 3.0 hierarchical model, in a DICOM 3.0-compliant image format.	
7.5	The image archive must allow storage of raw scan-data as well as reconstructed data.	
7.6	A storage capacity of at least 150 GB is required. Bidder to state control console storage capacity.	
7.7	Offered system must have the ability to transfer data, with viewing software, to an external device such as CD, DVD or USB. Bidder to state options offered.	
7.8	The offered system must be integrated with the existing data management software used in the department. All required licenses must be included in the bid.	
8.	Dose management:	
8.1	The CT scanner must include a dose management system intended to reduce dose risk to the patient. Bidder to state what is included in the bid.	
8.2	Bidder to provide details of all dose reduction techniques used during patient scanning.	
8.3	Bidder to provide details of all dose management/modulation software used during patient scanning.	
8.4	The applied patient dose for the specific patient must be quantified and displayed on the operator's console. The display modes shall include: <ul style="list-style-type: none"> • Weighted CT Dose Index, • Volume CT Dose Index, • Dose Length Product, • Dose efficiency 	

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		DETAILS OF OFFER
8.5	The offered system must be integrated with the existing dose management software used in the department. All required licenses must be included in the bid.	
8.2	Image quality requirements:	
8.2.1	System to conform to at least the specifications as stipulated in Requirements For License Holders With Respect To Quality Control Tests For Diagnostic X-Ray Imaging Systems for CT.	
8.2.2	HU accuracy of water of at least ± 5 HU is required.	
8.2.3	HU accuracy of other materials (including air and bone) of at least ± 10 HU is required.	
8.2.4	Image noise ± 10 HU is required across the image.	
8.2.5	Image uniformity ± 10 HU is required across the image.	
8.2.6	Low contrast resolution of at least 2.0 mm at 0.3 % is required.	
8.2.7	Spatial resolution of at least 18 lppcm at cut-off is required.	
8.3	Patient support couch:	
8.3.1	The offered system's patient table shall meet or incorporate the following minimum requirements:	
8.3.2	Load capacity of at least 200 kg at full extension. The Bidder to state the offered unit's maximum load capacity at full extension.	
8.3.3	The Bidder to confirm that the patient table vertical movement can occur independently of any other table movement.	
8.3.4	The Bidder to state the offered patient table's longitudinal tabletop travel. This should be more than 150 cm longitudinal travel. Bidder to state what is offered.	
8.3.5	The Bidder to state the re-positioning accuracy of the tabletop. This must be at least ± 0.25 mm for a 180 kg patient.	
8.3.6	The ability of the tabletop to be manually removed and returned to the same scan plane position without re-indexing must be confirmed.	
8.3.7	The tabletop must be radiolucent with minimal filtering effect. Bidder to state radiation attenuation properties of top.	
8.3.8	The patient table controls must be available on both sides of the patient table or gantry as well as the operator's console.	

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		DETAILS OF OFFER
8.3.9	The Bidder to state whether there is a facility to program the motorized removal of tabletop from the gantry and subsequent re-positioning without re-indexing for continued patient scanning for emergency or interventional access to patient.	
8.4	Patient positioning accessories must include:	
8.4.1	<ul style="list-style-type: none"> • axial headrest supports; • coronal headrest supports; • auxiliary cart/storage cupboard; • table leg extender; • security/immobilizing straps; • arm support for IV procedures; • knee support; • adjustable body and head clamp straps for adult patients; • patient transfer board; • 2x mattress; • I.V. pole • Bed extension 	
8.5	Operator console:	
8.5.1	Acquisition station(s) for controlling the acquisition and reconstruction and post-processing of CT scans must be provided.	
8.5.2	Seamless integration with PACS and RIS is required. Bidder to state option offered.	
8.5.3	Dual operator consoles with independent monitors (at least 19 inch), keyboards plus mice and linked with multi-tasking functionality, are required in the operator control room. These must be supplied and installed as part of the bid.	
8.5.4	Interlock mechanisms must be provided in order to ensure proper operation of the CT scanner.	
8.5.5	The status of each interlock must be indicated on or near the control console.	
8.5.6	X-ray tube protection feature must be displayed on the console.	
8.5.7	Electronic patient breathing instructions must be available in multiple languages, including English and Xhosa.	
8.5.8	Bidder must indicate what post-processing software and functionality is included.	

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		DETAILS OF OFFER
8.5.9	Emergency off switch must be located on the control console.	
8.5.10	Slave monitor display, showing the scanner console, must be included inside the imaging room. Monitors must have at least 3 Megapixel resolution and be at least 19 inch in size.	
8.6	Patient monitoring and communication:	
8.6.1	Bidirectional audio intercom system, to connect imaging and control rooms, must be provided and installed as part of the bid.	
8.7	Accessories and quality assurance equipment:	
8.7.1	All calibration and service phantoms must be provided as part of the bid.	
8.7.2	A daily QA phantom, which checks at least the HU for water, air and a range of other materials; image noise; image uniformity must be provided as part of the bid.	
8.7.3	Two calibrated (certificates must be provided) electronic personal dosimeters must be provided.	
8.7.4	A digital calibrated (certificate must be provided) radiation survey meter must be provided.	
8.7.5	2 x Large and 2 x Extra-Large 0.35mm lead equivalence lead aprons (two-piece type) and 4 x 0.35mm lead equivalence thyroid shields must be provided.	
8.7.6	Pendulum power/electricity supply must be installed close to the gantry with at least 4 x three-prong plugs, connected to emergency power supply.	
8.7.7	Repeat and reject statistics and Pregnant patient dose software, that integrates seamlessly with existing dose and data management software in the department, must be included in the bid.	
9	SYSTEM	
9.1	Networking:	
9.1.1	Full integration of the offered system, i.e. scanner and all accessories, hardware and software, with current and future upgraded versions of PACS and RIS is required.	

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		DETAILS OF OFFER
9.1.2	The cost of networking the system to all existing equipment must form part of the installation cost and must be included in bid. Bidder to investigate and evaluate existing network and confirm suitability, including if number of network points is sufficient.	
9.1.3	System to comply with the INTEGRATION and DICOM conformance statement. Bidder to state compliance.	
9.1.4	The system must support IHE requirements for DICOM 3.0 connectivity and the IHE statement must be supplied (electronic format).	
9.1.5	The following must be possible as standard procedure and the Bidder must state compliance: <ul style="list-style-type: none"> a) DICOM 3.0 store b) DICOM 3.0 storage commitment c) DICOM 3.0 print d) Query and retrieve e) DICOM 3.0 Modality Worklist (DMWL) f) MPPS (Modality Performed Procedure Step) g) DICOM 3.0 Dose Report h) Radiation Structured Dose Report (RSDR), separate from the image set 	
9.1.6	The CT scanner shall be capable of generating standard DICOM Radiation Dose Standard Reports. The scanner shall be configured to export these dose reports automatically at the end of a scan to PACS and a DICOM export node whose details shall be supplied by the user.	
9.1.7	All proposed networking installations must be approved by Groote Schuur Hospital Information Management before installation may commence.	
10.	INSTALLATION REQUIREMENTS	
10.1	The equipment must be installed in the current CT Scanner room in the Radiology Division at Groote Schuur Hospital. The bid price shall include delivery, any rigging necessary for access, installation and acceptance testing of equipment, as well as preparing and making good the access route and relevant spaces.	

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		DETAILS OF OFFER
10.2	The bid price shall include all installation costs and all costs of any alterations that might be necessary for the successful installation and functioning of the equipment. The alterations must be detailed and priced on a separate schedule. A complete scope of works and specification document for the renovations will be supplied by the Hospital.	
10.3	The equipment layout and the alterations must be shown on a plan that must be submitted with the bid documents.	
10.4	The bidder shall satisfy themselves as to the suitability of the power supply and the isolator. Bidders should test the current power supply to ensure conformity with the equipment offered. Should upgrading of the power supply or additional isolators, switches or filters be required, the cost of these and their installation must be included in the bid price and detailed in a separate schedule.	
10.5	Bidders shall satisfy themselves as to the environmental conditions. Any additional features that are required, such as air conditioning, must be detailed and included in the price.	
10.6	Bidders shall satisfy themselves with the current room shielding available. All additional shielding required must be included as part of the bid.	
10.7	This bid calls for a new state-of-the-art wide diagnostic CT scanner, installed, networked, fully functional and ready for use by the Department. Bidder shall include and specify all additional costs not covered by the above to achieve this goal.	
10.8	The successful Bidder shall make good any damages that occur to the walls, floors, ceiling, air conditioning, electrical wiring, or computer network during installation.	
10.9	The successful bidder shall first discuss all proposed changes with Groote Schuur Hospital representatives. The successful bidder may only commence with the proposed work when approval from the Department is granted.	
10.10	The successful bidder shall submit detailed floor/building, electrical wiring, and plumbing drawings/schematics. Should any structural changes, air conditioning, electrical distribution or any electrical wiring be required this must be indicated.	

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		DETAILS OF OFFER
10.11	Any alteration or additions (structural, electrical, plumbing, cooling and cosmetic) that are required to the physical location or environment of the CT scanner, or to install the CT scanner and its associated equipment, shall form part of the complete offer.	
10.12	Building alterations must be quoted on separately and must be discussed at the compulsory site meeting.	
10.13	The bid must include minor renovations as stipulated in the Scope of Works document.	
11.	AIR CONDITIONER and CHILLER	
11.1	The successful bidder must be responsible for the supply and installation of the air conditioners needed in the scanner room and control console room to support the unit in terms of air quality and temperature control.	
11.2	Should external air conditioning ducting be required, such systems will be installed as part of the bid in consultation with the Engineering Department.	
11.3	If a chiller is needed by the offered system, the bid must include all costs (supply, delivery, installation, interconnection, and commissioning) for a Chiller unit as part of the main bid price. Bidder to state.	
11.4	The Bidder must provide full details including make and model of proposed Chiller unit and installation requirements.	
11.5	The Bidder must provide proposed site layout of the Chiller Unit.	
12.	UPS AND SURGE PROTECTION	
12.1	Provide an in-line uninterrupted power supply (UPS) that must allow for safe shutdown of the system during a power outage/mains power failure.	
12.2	Adequate UPS systems must be supplied to prevent loss of data. The additional equipment/appliances must form part of the bid offer.	
12.3	All equipment supplied will be fitted with adequate surge protection devices that are not one-off surge but multi-surge protection devices.	
14.	SYSTEM WARRANTY	

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		DETAILS OF OFFER
14.1	A minimum warranty period of 12 months is applicable. All parts and all costs must be included during the warranty period. State included warranty period.	
14.2	All software upgrades must be supplied free of charge in the warranty period.	
15.	UPGRADE POLICY	
15.1	The Bidder shall describe their upgrade policy for future equipment improvement (hardware and software).	
15.2	All future upgrades relating to patient safety (hardware and software) must be offered and supplied at no additional cost.	
15.3	All future upgrades removing software bugs from existing software must be supplied at no additional cost.	
16.	REGULATIONS AND GENERAL SAFETY	
16.1	All equipment, the installation and any alteration/additions shall comply with all international safety regulations relevant to the installation and use of CT scanner and all ancillary support systems, and specifically, but not exclusively, to: <ul style="list-style-type: none"> a) The Occupational Health and Safety Act (1993) b) The wiring code SANS 10142 c) Hazardous Substance Act (1973) and d) The radiation safety regulations as laid down by the Directorate Radiation Control of the Department of Health and SAHPRA. e) Building regulation SANS 10400 	
16.2	Any regulations relevant to the safety of patients and operators of the system and peripheral equipment and all personnel present in the treatment room, whether in use or not.	
16.3	The System shall have all safety markings in English language.	
16.4	Bidder to supply and install all radiation safety monitoring equipment (warning signs, radiation warning lights, beam-interrupt safety features, emergency stops, integration with existing bunker gate) to allow for full compliance with Department of Health Radiation Safety control requirements.	
17.	GENERAL MAINTENANCE INFORMATION	

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		DETAILS OF OFFER
17.1	The Bidder shall provide spares, components, upgrades, and support for technical and clinical staff of Groote Schuur Hospital, over the expected life expectancy of the offered system, including software.	
17.2	The Bidder shall provide a firm commitment, in writing, from the principal manufacturer that the latter would fulfil the requirement stated above, should their local agents/supplier default.	
17.3	The Bidder shall provide a firm commitment from the principal manufacturer on how long the offered unit's spare parts and software will be available. A minimum period of 10 years after the end of standard production of the equipment is required.	
17.4	The Bidder shall provide a firm commitment from the principal manufacturer that the spare parts will be available at market related prices (consideration will be given to normal price escalations and rates of exchange) for the period stated above.	
17.5	State the service intervals per year as prescribed by the manufacturer. Supporting documents must be provided and clearly marked.	
17.6	State the duration of each service mentioned above (hours).	
17.7	Supply the names of the technicians, in direct employment, and <u>factory trained on the unit offered, and based in the Western Cape.</u> Supporting documents and <u>training certification</u> must be provided and clearly marked.	
17.8	Only offers that are supported by competent technical personnel located in the Western Cape will be evaluated.	
17.9	State the number of technicians in your employment in the Western Cape. A minimum of two (2) is required.	
17.10	An on-site response time of maximum 1 hour for local technical support is required. Bidder to state maximum response time.	
17.11	State the approximate turnaround time for spares in the case of a breakdown when the spares must be ordered from abroad.	
17.12	The Bidder must indicate which consumable and non-consumable items is required for the normal operation and standard maintenance of the offered equipment.	

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		DETAILS OF OFFER
17.13	All spares replaced must be new and carry a manufacturer warranty. State the warranty period of replaced spares.	
17.14	The bidder shall supply all software (including software-keys and/or passwords) to allow for trouble shooting (fault finding), maintenance, calibrations, repairs, and services at no additional costs.	
17.15	State the maximum ambient room temperature and humidity allowed for the system to function normally.	
17.16	Air conditioning systems, to control the CT scanner imaging and control room conditions within specification levels for normal functionality, must be installed as part of the bid.	
17.17	State the power requirements of the system under full load (in Watts).	
17.18	The successful bidder shall supply the original fully detailed technical/workshop maintenance manuals (not photocopies or copied CD's) at no additional cost.	
18.	PENALTIES	
18.1	The Bidder guarantees that the CT scanner will have an up-time of at least 98% (excluding outages for scheduled maintenance or external causes)	
18.2	Uptime is calculated on a basis of two hundred and fifty (250) operating days per year (weekly working days).	
18.3	Should the down time exceed two (2) working days cumulative on a six (6) months basis (i.e. summing up the hours), then the warranty and/or maintenance (as applicable) will be extended for a corresponding period.	
18.4	These penalties could be expanded and negotiated at the discretion of the Western Cape Government: Health & Wellness and will be addressed during the finalisation of the maintenance agreement.	
19	MAINTENANCE CONTRACT	
19.1	Bidder to state warranty period.	

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		DETAILS OF OFFER
19.2	A fully inclusive and comprehensive service, repair, and maintenance agreement for a three (3) year period <u>after</u> the warranty expiry date must be provided with an option to extend for two years. The Bidder must provide a pricing schedule listing year two to four (first year to 3rd year of contract) The following requirements must be included in the 3-year maintenance agreement: a) All spare parts. b) Items supplied as part of the bid must form part of the contract, including all third-party equipment, hardware and software. c) All accessories and options included must form part of the contract. d) Bid will be evaluated on the total cost of ownership.	
19.3	Preventative and corrective labour must be included.	
19.4	All traveling must be included.	
19.5	Guaranteed onsite response times of 1 hour.	
19.6	Immediate initial telephonic response.	
19.7	All preventative services per annum as required by the manufacturer must be included in the contract.	
20.	COST OF OWNERSHIP	
20.1	All parts, maintenance, corrective maintenance, labour, and travel costs must be included during the warranty period. The warranty period shall only commence once the unit is installed and operational.	
20.2	State the percentage annual increase planned for, in the estimate above.	
20.3	The Bidder must indicate the life expectancy of their offered system and software.	
20.4	The Bidder must provide a detailed breakdown of the cost of ownership of their offered system. The fully comprehensive maintenance contract must include the CT scanner and all supplied hardware, accessories, and software. Cost of the complete system plus 3 year fully comprehensive maintenance contract will form part of the evaluation criteria.	
21.	TRAINING	
21.1	Full training on the CT scanner and all associated equipment, hardware, software and devices must be included as part of the offer.	

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		DETAILS OF OFFER
21.2	Full training on all other equipment, hardware and software included in the bid will be offered, as part of the bid, to enable end-users to use the system safely and independently.	
21.3	International end-user training must include full cost of training, accommodation and travel. Bidder to state what is offered as part of the bid.	
21.4	The Bidder must undertake to provide a comprehensive on-site training schedule for all users (radiologists, radiographers, medical physicists) of the Hospital. Bidder to specify intervals of training.	
21.5	On-going application support during the warranty period must be provided at no additional cost.	
21.6	Offered training must include initial, basic and future advanced training.	
22.	DOCUMENTATION	
22.1	All documents must be in English and original documents – no copies will be accepted and at least one document must be supplied in a paper format, properly bound.	
22.2	One complete set of comprehensive workshop/service manuals, including wiring schematics and service software/passwords, must be supplied.	
22.3	One complete set of user manuals must be supplied.	
22.4	A licence issued in terms of the Hazardous Substances Act, (Act No. 15 of 1973) must be submitted with the bid. Failure to submit such a licence will result in the bid not being considered.	
22.5	Bidder must be registered with SAHPRA as a health products supplier.	
23.	OPTIONAL ACCESSORIES OFFERED BY BIDDER	
23.1	The Bidder to give a full description of any additional optional accessories offered, and the prices of each.	
24.	UNSPECIFIED OPTIONS	

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		DETAILS OF OFFER
24.1	The bidder is requested to offer (with costs and quoted separately) any additional available software or hardware options not specifically specified in this bid, and to motivate the benefits of each option.	
25.	ROOM RENOVATIONS	
25.1	As per the Scope of Works document, the cost of the minor room renovations must be included in the bid.	
26.	DELIVERY	
26.1	The successful bidder is to ensure that supply and delivery of the equipment by no later than 31 December 2024.	

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SCOPE OF WORK

SPECIFICATIONS FOR THE INSTALLATION OF THE COMPUTED TOMOGRAPHY SCANNER IN C7, RADIOLOGY, GROOTE SCHUUR HOSPITAL

NOTE: SHOULD THE FACILITY PREPARATION AND ALTERATIONS OFFERED BY THE BIDDER DEVIATE FROM ANY SPECIFIED REQUIREMENTS, FULL DETAILS OF SUCH DEVIATIONS SHALL BE GIVEN.

1. GENERAL PRINCIPLES

- 1.1. Bidders to provide a comprehensive quotation and indicate per line item the costing involved as well as the relevant quantities, as per the specifications provided.

The end user may choose to remove certain line items at any stage if the need changes, even after the order has been awarded.

Bidders are required to make provision for appropriate contingency to cover any unexpected costs that can arise throughout this room preparation and alteration portion of the project. This money is on reserve and is not allocated to any specific area of work. Essentially, the contingency acts as insurance against unforeseen costs. Contingency to be allocated – 20% of final quoted price.

The successful bidder would be required to provide a works programme indicating the start and end date as well as a weekly breakdown of the proposed work schedule, including a Gantt chart.

The successful bidder to ensure that a suitably qualified site supervisor (health and safety officer) be on site at all times during the duration of the project. It remains the responsibility of the appointed contractor to ensure the health and safety of the staff as well as ensuring that they wear the necessary PPE and identification when on site.

A health and safety plan and file must be submitted by the successful bidder for approval by Hospital Health and Safety.

Successful bidder to ensure proper signage be put up before commencing with construction.

The construction area is located in a fully operational clinical area, and the

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safety of patients and staff must be maintained at all times.

1.2. Fire Compliance

- 1.2.1. The successful bidder will be liable for the alterations and commissioning of any moved or added fire detection systems.
- 1.2.2. The fire detection system will be compliant and able to interact with the existing hospital fire detection system.
- 1.2.3. Any additional points added to the fire detection system shall be connected to the existing hospital system by the successful bidder.

1.3. Flooring

- 1.3.1. All flooring shall be minimum 2.5 mm vinyl and shall be installed by an accredited supplier/installers and must have a vinyl skirting that rises up the wall by not less than 100 mm.
- 1.3.2. All vinyl flooring in the scope of the construction area must be replaced and colours chosen by the Hospital.
- 1.3.3. Flooring needs to be compliant with anti-static requirements of machine / equipment where applicable.
- 1.3.4. Flooring needs to be vinyl sheeting in all other areas.
- 1.3.5. Fill all holes in flooring and make ready for screeding.
- 1.3.6. Prepare surface area before installation of new vinyl, including self-leveling screed.
- 1.3.7. Water/moisture content testing is to be carried out on the floor concrete as well as the screed prior to the installation of the vinyl. The moisture readings are to be equal or better than the minimum moisture content as set out in the vinyl manufactures requirements.
- 1.3.8. Supply and install appropriate underlay before installation.
- 1.3.9. Successful bidder must provide samples before installation that has to be approved by the Hospital.

1.4. Paint

- 1.4.1. All ceilings must be White in colour (OCCP 1).
- 1.4.2. Wall paint must be a washable PVA, colour shall be chosen by the end-user.
- 1.4.3. Doors and frames must be painted in an enamel paint. Paint colour shall be of the Hospital's choosing.
- 1.4.4. All paint must be low odor.
- 1.4.5. All paint must be water based.
- 1.4.6. All walls and ceilings to be suitable prepped before painting. Current surface mounted items to be removed and cracks and holes to be filled or skimmed, where needed, and sanded smooth.

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1.5. Walls

- 1.5.1. All dry walling must be taped, skimmed with rhino glide and painted as described in specifications for wall painting.
- 1.5.2. All internal and external dry walls shall have an extra skin of 12 mm fire retardant dry wall sheet added. All dry wall sheets must be mounted flush to each other without any gaps along seams or joints. This must then be skimmed and painted in a minimum of two coats of universal undercoat and topped with 3 coats of a washable PVA.

1.6. Electrical

- 1.6.1. All plug and switch units must be Crabtree Classic.
- 1.6.2. All Light Switches must be Crabtree Classic.
- 1.6.3. All electrical conduits must be Bosal.
- 1.6.4. All wiring must be done in "House Wire".
- 1.6.5. The hospital shall provide a point of connection in the nearest applicable distribution board capable of servicing the requirements of the project. Cable runs and connections to this board remain the responsibility the successful bidder.

1.7. Plumbing

All water piping must be Class 2 Copper Pipe with copper-to-copper braised joints, compression fittings should only be used where necessary.

All construction, electrical, plumbing, etc. work must be done by qualified and accredited professionals. No work will be considered completed until all necessary Electrical, Mechanical, Plumbing and Structural certificate of compliance (COCs) as well as Maintenance and Operation Manuals are provided in hard copy and in triplicate to the Hospital upon hand over of the project, as required by Department of Public Works Western Cape.

All measurements provided are approximations and it remains the responsibility of the bidders to do their own measurements to ensure accuracy.

Make good all walls and floor after removal and installation.

Provision must be made to remove and or relocate existing wall mount services as required.

Please note that any flooring damaged within the hospital and surrounding areas during the removal of current CT scanner and/or installation or transportation of the new equipment will be replaced at the expense of the successful bidder.

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2. C10, Radiology - New CT Scanner facility requirements

2.1. Control and Scanner rooms.

2.1.1. Ceiling

Ceiling to be suitably prepped (repair of water damage etc.) and painted White in colour (OCCP 1).

All fixtures to be removed before painting and those still in use to be re-fitted.

2.1.2. Electrical

All existing power points shall be kept.

All new power points shall be in close proximity to the devices that they feed. Service/clean existing light fittings.

Supply and install LED tubes in the warm white spectrum and modify or replace existing light fittings for these.

Adequate lighting must be provided for the control and the examination room.

Supply and install "emergency off" buttons.

Supply and install patient communication intercom if this doesn't come standard with the CT-Scanner.

Supply and install radiation warning lights at the treatment room doors.

Supply and install Execuduct trunking with provision for 6 x 3-pin, 4 x USB and 2 x Euro plugs each, along both sides of the control room.

2.1.3. Painting

Remove all wall mounted accessories/tiles before painting.

All walls to be prepped and painted as per the general specifications.

Wall paint must be a washable PVA. Color shall be discussed with the end-user.

Doors and frames must be painted in a non-drip enamel paint. Paint colour shall be of the clients choosing.

Paint to be supplied and applied by the bidder.

All fixtures to be removed before painting and those still in use to be re-fitted.

2.1.4. Flooring

Remove current vinyl flooring and supply and install new vinyl flooring and skirtings as per the general specifications.

Colour samples to be provided and approved by the end-user.

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2.1.5. **Plumbing**

Supply and install splashback tiling behind the basin. Samples to be approved by the Hospital.

2.1.6 **Walls and Sliding door**

The existing dry wall between the control room and the auxillary equipment room must be removed. All electrical and other fixtures must be moved to suitable positions.

The sliding door tracks must be replaced with a new top and bottom tracks, to standards acceptable to GSH.

2.1.7 **Joinery**

All countertops shall be removed and replaced new tops as below. Sizes will be discussed at the compulsory site meeting.

New counter tops shall be 30mm Formica worktops, with 2mm high-impact edging, on fixed stainless steel leg support. Samples to be approved by the Hospital.

All existing cupboards, including doors, hinges and shelves shall be serviced to ensure a "new" look.

Replacement or new under counter cupboards shall comply to the general specifications as below:

16 mm Melawood with 2 mm high-impact edging.

1 x set of drawers, 450 mm wide, x 4 drawers, equally divided into the height of space below countertop in control room.

2 x sets of drawers 450 mm wide, x 3 drawers, equally divided into the height of space below countertop in scanner room.

4 x doors with shelves in control room.

2 x doors with shelves in scanner room.

Heavy duty runners and stainless-steel solid bar type handles for the drawers is required.

Replacements and additional shelves shall be discussed at the compulsory site meeting.

Supply and install 2 x shelves at the back of the scanner room.

2.1.8 **Cabling**

All cabling needed for the installation to be supplied and installed, neatly in surface mounted cable ducts.

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2.1.9 Airconditioning

Supply and install new airconditioning systems in control and scanner rooms, to meet machine temperature and humidity requirements.
Remove existing airconditioning devices and make good.

2.1.10 Network points

Supply and install sufficient network points in the scanner and control rooms. This would be the number needed for successful operation and seamless integration of the scanner plus an additional 3 network points. These will be installed in the trunking in the control room.

2.1.11 Signage

The bidder shall supply and display all health and safety signage for the duration of the project.
The Bidder must supply and install radiation signage, upon completion of the project.

SAHPRA (SOUTH AFRICAN HEALTH PRODUCTS REGULATORY AUTHORITY) REGISTRATION:

Valid certified copy of SAHPRA certificate as a manufacturer, distributor or wholesaler of medical devices and IVD's must be included in your bid documents. A Valid Medicines Control Council certificate may also be considered. Failure to complete and submit the above documents will invalidate your bid. The contact number of SAHPRA is 012 395 9473 (Andrea Julsing) and e-mail address is: andrea.julsing@sahpra.org.za. Should you need to download application forms, please visit <https://www.sahpra.org.za>. Proof of application for registration will NOT be accepted, only a VALID SAHPRA or MCC certificate may be accepted.

IMAGING EQUIPMENT CONFORMANCE FOR PACS / RIS INTEGRATION

1. PREAMBLE:

The Provincial Health Top Management at its meeting on 5 September 2006 decided in principle to change to a digital image management system, commonly referred to as PACS (Picture Archiving and Communication System), with the associated conversion to digital image generation.

Following this decision, the DMIMTC (Digital Medical Imaging & Management Technical Committee) was established to facilitate this process.

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One of the first tasks given to this committee was to ensure that all equipment purchased thereafter would be able to integrate with the decision made by the Provincial Health Top Management. This addendum, to all imaging equipment tender documents, will serve as part of the compulsory specifications for all imaging equipment. The purpose of this will be to ensure that all imaging equipment purchased will comply with the provincial digitization vision.

2. STANDARDS:

The following internationally accepted standards should be adhered to:

2.1. DICOM VERSION 3-2007

- 2.1.1. The bidder shall provide a conformance statement for the modality.
- 2.1.2. The bidder shall comply with the following DICOM standards:

DICOM Storage	
DICOM Storage Commitment	
DICOM Modality Worklist	
DICOM Modality Performed Procedure Step	
DICOM Query / Retrieve	
DICOM Print	

2.2. IHE REVISION 7 (MAY 15, 2006)

- 2.2.1. The bidder shall provide the IHE integration statement for the modality.
- 2.2.2. The bidder shall comply to the following IHE actors and integration profiles:

Profile	Actor	
Scheduled Workflow (SWF)	Acquisition modality	
	Evidence creator	
	Image display	
Consistent Presentation of Images (CPI)	Acquisition modality	
	Print composer	
	Image display	
Presentation of Grouped Procedures (PGP)	Evidence creator	
	Acquisition modality	
	Evidence Documents (ED)	
Evidence Documents (ED)	Acquisition modality	
	Image display	
	Evidence creator	
Patient Information Reconciliation (PIR)	Acquisition modality	
	Key Image Note (KIN)	
	Acquisition modality	
Charge Posting (CHG)	Image display	
	Evidence creator	
	Acquisition modality	
Portable Data for Imaging (PDI)	Evidence creator	
	Print composer	
	Image display	
Access to Radiology Information (ARI)	Media creator	
	Image display	

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2.2.3. The bidder shall support the Assisted Protocol Setting Option and the Exception Management Option in IHE Scheduled Workflow as the Acquisition Modality Actor

3. *CONNECTING TO THE NETWORK*

3.1. TECHNICAL REQUIREMENTS

The imaging modality must be able to connect to a computer network	
The connection speed must be at least 1Gbit per second	
The network connection must be backwards compatible to 100Mbit per second	
Please state connection speed	
The connection must be at least via UTP	
Please state connection types supported	

3.2. INSTALLATION AND TRAINING

The bidder shall configure the network connectivity during installation	
The DoH shall provide the bidder with the relevant IP addresses, computer names, AE titles and AE ports for connectivity	
The bidder shall train the DoH to configure future network connections to allow for future changes to the network.	

4. *AUTHENTICATION*

The user shall have the ability to log on to the imaging modality	
Authentication shall occur at least via a unique user ID and password	
Please state the authentication used	
After a user defined period of inactivity, the imaging modality will automatically log off the user	

END

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WCBD 3.1

PRICING SCHEDULE (PURCHASES)

NAME OF BIDDER:BID NUMBER: **GSH:1/2024**

CLOSING TIME: **11:00 AM ON 16 JULY 2024**

OFFERS SHALL BE VALID FOR **60 DAYS** FROM THE CLOSING DATE OF BID

ITEM	ESTIMATED QUANTITY	DESCRIPTION OF PRODUCT	BID PRICE IN SA CURRENCY INCL VAT	
1		THE SUPPLY, DELIVERY, INSTALLATION, ACCEPTANCE TESTING DEMONSTRATION AND TRAINING OF A STATE OF THE ART MODERN COMPUTED TOMOGRAPHY (CT) SCANNER AND ASSOCIATED HARDWARE, SOFTWARE AND ACCESSORIES, INCLUDING REMOVAL AND SAFE DISPOSABLE OF THE EXISTING TOSHIBA AQUILION PRIME CT SCANNER ROOM, AS WELL AS ROOM RENOVATIONS AT DIVISION OF RADIOLOGY AT GROOTE SCHUUR HOSPITAL, AS PER THE ATTACHED SPECIFICATION, GENERAL CONDITIONS OF CONTRACT AND SPECIAL CONDITIONS OF CONTRACT.		
1.1	1	State of the art modern computed tomography (CT) scanner and associated hardware, software and accessories.	R	for the LOT
1.2	1	Cost of installation of the equipment	R	for the LOT
1.3	1	Cost of removal and disposal of the existing equipment	R	for the LOT
1.4	1	Scope of works	R	for the LOT
1.5	1	Maintenance Manuals, USB / CD	R	for the LOT
1.6	1	Operators Manuals, USB / CD	R	for the LOT
1.7	1	Operator Training	R	Per PERSON
1.8	1	Technical Training	R	Per PERSON
		GRAND TOTAL	R	for the LOT

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		Optional Extras	R	for OPTIONAL EXTRAS (only)
		TOTAL	R	for the LOT
2.		<u>MAINTAINABILITY</u>		
2.1		RUNNING COSTS		
2.1.1		CONSUMABLE ITEMS PROPRIETARY ITEMS		
			R	per EACH
			R	per EACH
			R	per EACH
			R	per EACH
2.1.2		CONSUMABLE ITEMS NON-PROPRIETARY ITEMS		
			R	per MONTH
			R	per MONTH
			R	per MONTH
			R	per MONTH

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			R	per MONTH
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3.		MAINTENANCE AND SERVICING CONTRACT		
3.1		Fully comprehensive maintenance contract for a three-year period with an option to extend a further 2 years to commence after the guarantee period expires as per paragraph 13 of General Conditions of Contract.		
		Year 1	R	per MONTH
		Year 2	R	per MONTH
		Year 3	R	per MONTH
		Year 4	R	per MONTH
		Year 5	R	per MONTH
3.2		Planned maintenance programme for a three-year period with an option to extend a further 2 years, to commence after the guarantee period expires as per paragraph 13 of General Conditions of Contract.		
		Year 1	R	per MONTH
		Year 2	R	per MONTH

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		Year 3	R	per MONTH
		Year 4	R	per MONTH
		Year 5	R	per MONTH

IMPORTANT: THE QUESTIONNAIRE BELOW MUST BE COMPLETED IN FULL BY REPLYING TO EACH AND EVERY QUESTION.

A. Required by: **C7 Radiology Department**

At: **Groote Schuur Hospital**
Observatory
Cape Town

B. Brand name (if applicable)

C. Product code (if applicable)

D. Country of origin

E. Does the offer comply with specification? Please circle your option. **YES / NO**

F. If not to specification, please indicate deviation(s)

G. Period required for delivery (**this must comply with or be better than the Department’s requirements in paragraph 26.1 of the Special Conditions**)

H. State packaging offered

I. Are the prices firm for the duration of the contract? Please circle your option. **YES / NO**

J. If non-firm prices are offered, please complete attached WCBD 3.1/2 forms.

Note: All delivery costs must be included in the bid price for delivery at the prescribed destination.

**** “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

***Delete if not applicable**

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WCBD 3.1/2

DEFINITION OF PRICING STRUCTURES

For the purpose of this bid the following explanations are provided:

1. Firm prices

1.1 Firm prices are prices which are only subject to **adjustments in accordance with the actual increase or decrease** resulting from the changes, imposition or abolition of customs or excise duty and any other duty, levy, or tax which is binding upon the contractor in terms of a law or regulation and has a demonstrable influence on the prices of any supplies, for the execution of the contract.

The following two pricing structures will also be considered as firm prices:

1.2 Firm prices linked to fixed period adjustments, i.e two tier prices (firm 1st and firm 2nd year prices), only subject to the variables indicated in the above paragraph.

1.3 Firm prices subject to rate of exchange fluctuations - claim shall be made within 60 days of delivery. (It is compulsory that the table below be completed for prices subject to rate of exchange variations). The Bill of entry, confirmation of the amount remitted abroad and supplier invoice must accompany all claims.

Note: Any advantage due to a more profitable exchange rate must be passed on to the Province.

Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE OF EXCHANG	PORTION OF PRICE SUBJECT TO ROE	AMOUNT IN FOREIGN CURRENCY REMITTED ABROAD
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

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2.2 In cases where prices are subject to the **escalation formula**, the next table **must** be completed.

IN THIS CATEGORY PRICE ESCALATIONS WILL ONLY BE CONSIDERED IN TERMS OF THE FOLLOWING:

$$Pa = (1 - V)Pt \left(D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + \dots Dn \frac{Rnt}{Rno} \right) + VPt$$

Where:

- Pa = The new escalated price to be calculated.
- (1-V)Pt = 85% of the original bid price. **Note that Pt must always be the original bid price and not an escalated price.**
- D1, D2 = Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors D1,D2 etc. must add up to 100%.
- R1t, R2t = Index figure obtained from new index (depends on the number of factors used).
- R1o, R2o = Index figure at time of bidding.
- VPt = 15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

3. THE FOLLOWING INDEX/INDICES WAS USED TO CALCULATE THE BID PRICE:

Index.....	Dated.....	Index.....	Dated.....
Index.....	Dated.....	Index.....	Dated.....
Index.....	Dated.....	Index.....	Dated.....

PLEASE FURNISH A BREAKDOWN OF YOUR PRICE IN TERMS OF ABOVE-MENTIONED FORMULA. THE TOTAL OF THE VARIOUS FACTORS MUST ADD UP TO 100%.

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WCBD 4

DECLARATION OF INTEREST, BIDDERS' PAST SCM PRACTICES AND INDEPENDENT BID DETERMINATION

This registration form must be completed annually. Should the information herein declared change in the course of the year or before the next renewal or in relation to any bid, quotation or contract, it is the entity's responsibility to advise the institution in writing of the change of such details.

1. To give effect to the requirements of the Western Cape Provincial Treasury Instructions, 2019: Supply Chain Management (Goods and Services), Public Finance Management Act (PFMA) Supply Chain Management (SCM) Instruction No. 3 of 2021/2022 - SBD 4 Declaration of Interest, Section 4 (1)(b)(iii) of the Competition Act No. 89 of 1998 as amended together with its associated regulations, the Prevention and Combating of Corrupt Activities Act No 12 of 2004 and regulations pertaining to the tender defaulters register, Paragraph 16A9 of the National Treasury Regulations and/or any other applicable legislation.
2. Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.
3. All prospective bidders intending to do business with the institution must be registered on the Central Supplier Database (CSD) and the Western Cape Supplier Evidence Bank (WCSEB) if they wish to do business with the Western Cape Government (WCG) via the Electronic Procurement Solution (EPS).
4. The status of enterprises and persons listed on the National Treasury's Register for Tender Defaulters will be housed on the ePS. Institutions may not under any circumstances procure from enterprises and persons listed on the Database of Tender Defaulters.
5. The status of suppliers listed on the National Treasury's Database of Restricted Suppliers will be housed on the ePS; however, it remains incumbent on institutions to check the National Treasury Database of Restricted Suppliers before the conclusion of any procurement process. For suppliers listed as restricted, institutions must apply due diligence and risk assessment before deciding to proceed with procurement from any such supplier.
6. **Definitions**
"Bid" means a bidder's response to an institution's invitation to participate in a procurement process which may include a bid, price quotation or proposal;

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“**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;

“**Business interest**” means -

- (a) a right or entitlement to share in profits, revenue or assets of an entity;
- (b) a real or personal right in property;
- (c) a right to remuneration or any other private gain or benefit,
- (d) or includes any interest contemplated in paragraphs (a), (b) or (c) acquired through an intermediary and any potential interest in terms of any of those paragraphs;

“**Consortium or Joint Venture**” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;

“**Controlling interest**” means, the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise;

“**Corruption**” – General offences of corruption are defined in the Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004) as:

Any person who directly or indirectly-

- (a) Accepts or agrees or offers to accept a gratification from any other person, whether for the benefit of himself or herself or for the benefit of another person; or
- (b) Gives or agrees or offers to give to any person any gratification, whether for the benefit of that other person or for the benefit of another person, in order to act personally or by influencing another person so to act, in a manner-
 - (i) That amounts to the-
 - (aa) illegal, dishonest, unauthorised, incomplete or biased or
 - (bb) misuse or selling of information or material acquired in the course or the exercise, carrying out or performance of any powers, duties or functions arising out of a constitutional, statutory, contractual or any other legal obligation:
 - (ii) That amounts to-
 - (aa) the abuse of a position of authority;
 - (bb) a breach of trust; or
 - (cc) the violation of a legal duty or a set of rules;
 - (iii) Designed to achieve an unjustified result or;

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- (iv) That amounts to any other unauthorised or improper inducement to do or not to do anything, is guilty of the offence of corruption

“CSD” means the Central Supplier Database maintained by National Treasury;

“Employee”, in relation to –

- (a) a department, means a person contemplated in section 8 of the Public Service Act, but excludes a person appointed in terms of section 12A of the Act; and
- (b) a public entity, means a person employed by the public entity;

“Entity” means any –

- (a) association of persons, whether or not incorporated or registered in terms of any law, including a company, corporation, trust, partnership, close corporation, joint venture or consortium; or
- (b) sole proprietorship;

“Entity conducting business with the Institution” means an entity that contracts or applies or tenders for the sale, lease or supply of goods or services to the Province;

“Family member” means a person’s -

- (a) spouse; or
- (b) child, parent, brother or sister, whether such a relationship results from birth, marriage or adoption or some other legal arrangement (as the case may be);

“Intermediary” means a person through whom an interest is acquired, and includes a representative or agent or any other person who has been granted authority to act on behalf of another person;

“Institution” means -

a provincial department or provincial public entity listed in Schedule 3C of the Act;

“Provincial Government Western Cape (PGWC)” means -

- (a) the Institution of the Western Cape, and
- (b) a provincial public entity;

“RWOEE” means -

Remunerative Work Outside the Employee’s Employment;

“Spouse” means a person’s -

- (a) partner in marriage or civil union according to legislation;

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- (b) partner in a customary union according to indigenous law; or
 - (c) partner with whom he or she cohabits and who is publicly acknowledged by the person as his or her life partner, or permanent companion.
4. Regulation 13 (c) of the Public Service Regulations (PSR) 2016, effective 1 February 2017, prohibits any employee from conducting business with an organ of state, or holding a directorship in a public or private company doing business with an organ of state unless the employee is a director (in an official capacity) of a company listed in schedules 2 and 3 of the Public Finance Management Act.
- (a) Therefore, by 31 January 2017 all employees who are conducting business with an organ of state should either have:
 - (i) resigned as an employee of the government institution or;
 - (ii) cease conducting business with an organ of state or;
 - (iii) resign as a director/shareholder/owner/member of an entity that conducts business with an organ of state.
5. Any legal person, or their family members, may make an offer or offers in terms of this invitation to bid. In view of potential conflict of interest, in the event that the resulting bid, or part thereof, be awarded to family members or persons employed by an organ of state, 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 Institution.
6. The bid of any bidder may be disregarded if that bidder or any of its directors have abused the institution's supply chain management system; committed fraud or any other improper conduct in relation to such system; or failed to perform on any previous contract.
7. Section 4 (1) (b) (iii) of the Competitions 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). Collusive bidding is a prohibition *per se*, meaning that it cannot be justified on any grounds.
8. 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 abuse 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.

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9. Communication between partners in a joint venture or consortium will not be construed as collusive bidding.
10. 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 Competitions 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.

SECTION A: DETAILS OF THE ENTITY		
A1.	CSD Registration Number	MAAA
A2.	Name of the Entity	
A3.	Entity registration number (where applicable)	
A4.	Entity Type	
A5.	Tax Reference Number	

Full details of directors, shareholder, member, partner, trustee, sole proprietor or any persons with a right or entitlement to share in profits, revenue or assets of an entity, must be disclosed in the Table A below.

TABLE A

FULL NAME	DESIGNATION Where a director is a shareholder, both should be confirmed	IDENTITY NO	PERSONAL TAX REF NO	% INTEREST IN ENTITY

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SECTION B: DECLARATION OF THE BIDDER’S INTEREST

The Supply Chain Management system of an institution must, irrespective of the procurement process followed, prohibit any award to an employee of state, who either individually or as a director of a public or private company or a member of a close corporation, seek to conduct business with the WCG, unless such employee is in an official capacity as director or a company listed in Schedule 2 or 3 of the PFMA as prescribed by the Public Service Regulation 13(c).

Furthermor, an employee employed by an organ of state conducting remunerative work outside public enterprise should first obtain necessary approval (RWOEE), failure to submit proof of such authority, where applicable, may result in the disciplinary action.

B1.	Are any persons listed in Table A identified on the CSD as employees of an organ of state? <i>(If yes, refer to Public Service Circular EIM 1/2016 to exercise the listed actions)</i>	NO	YES
B2.	Are any employees of the entity also employees of an organ of state? <i>(If yes, complete Table B and attached their approved “RWOP”)</i>	NO	YES
B3.	Are any family members of the persons listed in Table A employees of an organ of state? <i>(If yes, complete Table B)</i>	NO	YES

Details of persons (family members) connected to or employees of an organ of state should be disclosed in Table B below

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FULL NAME OF INSTITUTION EMPLOYEE	IDENTITY NO	DEPARTMENT / ENTITY OF EMPLOYMENT	DESIGNATION /RELATIONSHIP TO BIDDER	INSTITUTION EMPLOYEE NO/PERSAL NO (Indicate if not known)

SECTION C: PERFORMANCE MANAGEMENT AND BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

To enable the prospective bidder to provide evidence of past and current performance with the Institution.

C1.	Did the entity conduct business with the Institution in the last twelve months? <i>(If yes, complete Table C)</i>	NO	YES
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TABLE C

Complete the table below to the maximum of the last 5 contracts.

NAME OF CONTRACTOR	PROVINCIAL DEPT/ PROVINCIAL ENTITY	TYPE OF SERVICES OR COMMODITY	CONTRACT/ ORDER NO	PERIOD OF CONTRACT	VALUE OF CONTRACT

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C3.	Is the entity or its principals listed on the National Database as companies or persons prohibited from doing business with the public sector?	NO	YES	
C4.	Is the entity or its principals listed on the National Treasury Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act, (No. 12 of 2004)? <i>To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.</i>	NO	YES	
C5.	If you replied yes to C3 or C4, were you informed in writing about the listing on the database of restricted suppliers or Register for Tender Defaulters by National Treasury?	N/A	NO	YES
C6.	Was the entity or persons listed in Table A convicted for fraud or corruption during the past five years in a court of law, including a court outside the Republic of South Africa?	NO	YES	
C7	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?	NO	YES	

SECTION D: DULY AUTHORISED REPRESENTATIVE TO DEPOSE TO AFFIDAVIT

The form should be signed by a duly authorised representative of the entity before a commissioner of oaths.

I, _____ hereby swear/affirm;

- i that the information disclosed above is true and accurate;
- ii that I have read and understand the content of the document;
- iii. that I have arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.
- iii that the entity undertakes to independently arrive at any offer at any time to the Institution without any consultation, communication, agreement or arrangement with any competitor. In addition, that there will be no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates;

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- iv that the entity or its representative is aware of and undertakes not to disclose the terms of any bid, formal or informal, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract; and
- v. that there have been no consultations, communications, agreements or arrangements made with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and that my entity was not involved in the drafting of the specifications or terms of reference for this bid.

DULY AUTHORISED REPRESENTATIVE'S SIGNATURE

1. I certify that before administering the oath/affirmation, I asked the deponent the following questions and wrote down his/her answers in his/her presence:

- 1.1 Do you know and understand the contents of the declaration? ANSWER: _____
- 1.2 Do you have any objection to taking the prescribed oath? ANSWER: _____
- 1.3 Do you consider the prescribed oath to be binding on your conscience? ANSWER: _____
- 1.4 Do you want to make an affirmation? ANSWER: _____

2. I certify that the deponent has acknowledged that he/she knows and understands the contents of this declaration, which was sworn to/affirmed before me and the deponent's signature/thumbprint/mark was placed thereon in my presence.

Commissioner of Oaths:

Full Name and Surname: _____

Signature of commissioner of Oaths

Designation (rank) _____ ex officio: Republic of South Africa

Date: _____ Place: _____

Business Address: _____

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WCB D 5

This document must be signed and submitted together with your bid

THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

INTRODUCTION

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

1. PILLARS OF THE PROGRAMME

1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US \$10 million will have an NIP obligation. This threshold of US \$10 million can be reached as follows:

- (i) Any single contract with imported content exceeding US \$10 million;
or
- (ii) Multiple contracts for the same goods, works or services each with imported content exceeding US \$3 million awarded to one seller over a 2-year period which in total exceeds US \$10 million;
or
- (iii) A contract with a renewable clause, where should the option be exercised the total value of the imported content will exceed US \$10 million.
or
- (iv) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US \$3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US \$10 million.

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- 1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30% of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a *pro-rata* basis.
- 1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R & D) with partners or suppliers.
- 1.4 A period of seven years has been identified as the time frame in which to discharge the obligation.

2. REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY

- 2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of **R10 million** (ten million Rands), submit details of such a contract to the DTI for reporting purposes.
- 2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts of the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1. (b) to 1.1. (d) above.
- 2.3 For bids above R10 million, accounting officer's authorities are required to obtain clearance from the Department of Trade and Industry regarding the National Industrial participation Programme prior to the award of any bid in excess of R10 million (ten million rands).

3. BID SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF BIDDERS AND SUCCESSFUL BIDDERS (CONTRACTORS)

- 3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD5) together with the bid on the closing date and time.
- 3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contracts as indicated in sub-paragraphs 1.1 (b) to 1.1 (d) above and to enable the DTI in determining the NIP obligation, successful bidders (contractors) are required, immediately after being officially notified about any successful bid with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:
 - Bid / contract number
 - Description of the goods, works or services.
 - Date on which the contract was accepted.
 - Name, address and contact details of the government institution.
 - Value of the contract.
 - Imported content.
 - Imported content of the contract, if possible

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3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr Elias Malapane within five (5) working days after award of the contract. Mr Malapane may be contacted on telephone (012) 394 1401. Facsimile (012) 394 2401 or e-mail at Elias@thedti.gov.za for further details about the programme.

4. PROCESS TO SATISFY THE NIP OBLIGATION

4.1 Once the successful bidder (contractor) has made contact with and furnished the DTI with the information required, the following steps will be followed:

- (a) The contractor and the DTI will determine the NIP obligation;
- (b) The contractor and the DTI will sign the NIP obligation agreement;
- (c) The contractor will submit a performance guarantee to the DTI;
- (d) The contractor will submit a business concept for consideration and approval by the DTI;
- (e) Upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;
- (f) The contractor will implement the business plans; and
- (g) The contractor will submit bi-annual progress reports on approved plans to the DTI.

4.2 The NIP obligation agreement is between the DTI and the successful bidder (contractor) and, therefore, does not involve the purchasing institution.

Bid Number	Closing Date
Name of bidder	
Postal address	
.....	
Signature	Name (in print)
Date	

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WCBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 AND IN TERMS OF THE WESTERN CAPE GOVERNMENTS INTERIM STRATEGY AS IT RELATES TO PREFERENCE POINTS

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 (TENDERERS) MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER, PREFERENTIAL PROCUREMENT REGULATIONS, 2022 AND THE BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT AND THE CODES OF GOOD PRACTICE

1. DEFINITIONS

- 1.1 **“acceptable tender”** means any tender which, in all respects, complies with the specifications and conditions of tender as set out in the tender document.
- 1.2 **“affidavit”** is a type of verified statement or showing, or in other words, it contains a verification, meaning it is under oath or penalty of perjury, and this serves as evidence to its veracity and is required for court proceedings.
- 1.3 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 1.4 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 1.5 **“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;
- 1.6 **“bid”** means a written offer on the official bid documents or invitation of price quotations and **“tender”** is the act of bidding /tendering;
- 1.7 **“Code of Good Practice”** means the generic codes or the sector codes as the case may be;
- 1.8 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract
- 1.9 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 1.10 **“EME”** is an Exempted Micro Enterprise with an annual total revenue of R10 million or less.

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- 1.11 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 1.12 **“Large Enterprise”** is any enterprise with an annual total revenue above R50 million;
- 1.13 **“non-firm prices”** means all prices other than “firm” prices;
- 1.14 **“person”** includes a juristic person;
- 1.15 **“price” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;**
- 1.16 **“proof of B-BBEE status level contributor” means-**
- (a) The B-BBEE status level certificate issued by an authorized body or person;
 - (b) An affidavit as prescribed in terms of the B-BBEE Codes of Good Practice; or
 - (c) Any other requirement prescribed in terms of the Broad- Based Black Economic Empowerment Act.
- 1.17 **QSE** is a Qualifying Small Enterprise with an annual total revenue between R10 million and R50 million;
- 1.18 **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- 1.19 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 1.20 **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- 1.21 **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions;
- 1.22 **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);
- 1.23 **“the Regulations”** means the Preferential Procurement Regulations, 2022;

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1.24 “total revenue” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette on 11 October 2013*;

1.25 “trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and

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

2. GENERAL CONDITIONS

2.1 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);

2.2 Preference point system for this bid:

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

2.3 Preference points for this bid (even in the case of a tender for income-generating contracts) shall be awarded for:

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

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

	Points	Points
Price	80	90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20	10
Total points for Price and B-BBEE must not exceed	100	100

2.5 Failure on the part of a bidder to fill in, sign this form and submit in the circumstances prescribed in the Codes of Good Practice either a B-BBEE Verification Certificate issued by a Verification Agency accredited by the South African Accreditation System (SANAS) or an affidavit confirming annual total revenue and level of black ownership together with the bid or an affidavit issued by Companies Intellectual Property Commission, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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2.6 The organ of state 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 Organ of State

3. ADJUDICATION USING A POINT SYSTEM

3.1 Subject to Section 2 (1) (f) of the Preferential Procurement Policy Framework Act, 2000, the **bidder obtaining the highest number of total points** will be awarded the contract.

3.2 A tenderer must submit proof of its B-BBEE status level of contributor in order to claim points for B-BBEE.

3.3 A tenderer failing to submit proof of B-BBEE status level of contributor or is a non-compliant contributor to B-BBEE will not be disqualified but will only score:

(a) points out of 80 for price; and

(b) 0 points out of 20 for B-BBEE

3.4 Points scored must be rounded off to the nearest 2 decimal places.

3.5 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

3.6 As per section 2 (1) (f) of the Preferential Procurement Policy Framework Act, 2000, the contract may be awarded to a bidder other than the one scoring the highest number of total points based on objective criteria in addition to those contemplated in paragraph (d) and (e) of the Act that justifies the award to another tenderer provided that it has been stipulated upfront in the tendering conditions.

3.7 Should two or more bids be equal in all respects; the award shall be decided by the drawing of lots.

4. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

4.1 POINTS AWARDED FOR PRICE

4.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEM

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80\left\{1 - \frac{P_t - P_{min}}{P_{min}}\right\} & \text{or} & P_s = 90\left\{1 - \frac{P_t - P_{min}}{P_{min}}\right\}
 \end{array}$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

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5. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT 5.1 POINTS AWARDED FOR PRICE

5.1 A maximum of 80 or 90 points is allocated for price on the following basis:

maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80\left\{1 + \frac{P_t - P_{max}}{P_{max}}\right\} & \mathbf{or} & P_s = 90\left\{1 + \frac{P_t - P_{max}}{P_{max}}\right\}
 \end{array}$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

6. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

6.1 In terms of WCG interim strategy, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Contributor	Status Level of	Number of Points (90/10 system)	Number of Points (80/20 system)
1		10	20
2		9	18
3		6	14
4		5	12
5		4	8
6		3	6
7		2	4
8		1	2
Non-compliant contributor		0	0

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- 6.2 An *EME* must submit a valid, originally certified affidavit confirming annual turnover and level of black ownership or an affidavit issued by Companies Intellectual Property Commission
- 6.3 A *QSE that is less than 51% (50% or less) black owned* must be verified in terms of the QSE scorecard issued via Government Gazette and submit a valid, original or a legible certified copy of a B-BBEE Verification Certificate issued by SANAS.
- 6.4 A *QSE that is at least 51% black owned (51% or higher)* must submit a valid, originally certified affidavit confirming turnover and level of black ownership as well as declare its empowering status or an affidavit issued by Companies Intellectual Property Commission.
- 6.5 A *large enterprise* must submit a valid, original or originally certified copy of a B-BBEE Verification Certificate issued by a verification agency accredited by SANAS.
- 6.6 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.
- 6.7 A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE status level verification certificate for every separate tender.
- 6.8 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.

7. BID DECLARATION

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

B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPH 6

B-BBEE Status Level of Contribution..... = (*maximum of 20 points*)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 6.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or an affidavit confirming annual total revenue and level of black ownership in terms of the relevant sector code applicable to the tender.

8. SUB-CONTRACTING

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

8.1.1 If yes, indicate:

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

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8.1.2 Sub-contracting relates to a **particular** contract and if sub-contracting is applicable, the bidder to state in their response to a particular RFQ that a portion of that contract will be sub-contracted.

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/ entity:

9.2 VAT registration number:

9.3 Company Registration number:

9.4 TYPE OF COMPANY/ FIRM

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

[SELECT APPLICABLE ONE]

9.5 *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-BBEE status level of contribution indicated in paragraph 7 above, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:*

- (a) *The Western Cape Government reserves the right to audit the B-BBEE status claim submitted by the bidder.*
- (b) *As set out in Section 130 of the B-BBEE Act as amended, any misrepresentation constitutes a criminal offence. A person commits an offence if that person knowingly:*
 - (i) *misrepresents or attempts to misrepresent the B-BBEE status of an enterprise;*
 - (ii) *provides false information or misrepresents information to a B-BBEE Verification Professional in order to secure a particular B-BBEE status or any benefit associated with compliance to the B-BBEE Act;*
 - (iii) *provides false information or misrepresents information relevant to assessing the B-BBEE status of an enterprise to any organ of state or public entity; or*
 - (iv) *engages in a fronting practice.*

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- (c) *If a B-BBEE verification professional or any procurement officer or other official of an organ of state or public entity becomes aware of the commission of, or any attempt to commit any offence referred to in paragraph 9.1 (a) above will be reported to an appropriate law enforcement agency for investigation.*
- (d) *Any person convicted of an offence by a court is liable in the case of contravention of 9.4 (b) to a fine or to imprisonment for a period not exceeding 10 years or to both a fine and such imprisonment or, if the convicted person is not a natural person to a fine not exceeding 10% of its annual turnover.*
- (e) *The purchaser may, if it becomes aware that a bidder may have obtained its B-BBEE status level of contribution on a fraudulent basis, investigate the matter. Should the investigation warrant a restriction be imposed, this will be referred to the National Treasury for investigation, processing and imposing the restriction on the National Treasury’s List of Restricted Suppliers. The bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, may be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied.*
- (f) *The purchaser may, in addition to any other remedy it may have –*
 - (i) *disqualify the person from the bidding process;*
 - (ii) *recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;*
 - (iii) *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; and*
 - (iv) *forward the matter for criminal prosecution.*
- (g) *The information furnished is true and correct.*
- (h) *The preference points claimed are in accordance with the General Conditions as indicated in paragraph 2 of this form.*

SIGNATURE(S) OF THE BIDDER(S):

DATE:

ADDRESS:

WITNESSES:

1.

2.

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SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE

I, the undersigned,

Full name & Surname	
Identity number	

I hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name	
Trading Name	
Registration Number	
Enterprise Address	

3. I hereby declare under oath that:

- The enterprise is _____ % black owned;
- The enterprise is _____ % black woman owned;
- Based on the management accounts and other information available on the _____ financial year, the income did not exceed R50,000,000.00 (fifty million rands);
- The entity is an Empowering Supplier in terms of Clause 3.3 (a) or (b) or (c) or (d) or as amended 3.3 (e) (**select one**) _____ of the dti Codes of Good Practice.
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

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100% black owned	Level One (135% B-BBEE procurement recognition)		
More than 51% black owned	Level Two (125% B-BBEE procurement recognition)		
(a) At least 25% of cost of sales, (excluding labour costs and depreciation) must be procurement from local producers or suppliers in South Africa; for the services industry include labour costs but capped at 15%,		(b) Job Creation – 50% of jobs created are for black people, provided that the number of black employees in the immediate prior verified B-BBEE measurement is maintained	
(c) At least 25% transformation of raw material / beneficiation which include local manufacturing, production and /or assembly, and/ or packaging		(d) At least 12 days per annum of productivity deployed in assisting QSE and EME beneficiaries to increase their operation or financial capacity	
(e) At least 85% of labour costs should be paid to South African employees by service industry entities.			

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

 Commissioner of Oaths

 Signature & stamp

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CHECKLIST FOR EQUIPMENT BIDS

The presence of incomplete and/or unsigned and/or absent documents from bid offers have become an unfortunate tendency since the inception of new bid forms in January 2004.

It has become increasingly noticeable that bidders are unaware of the importance of the various bid documents. The finalisations of bids are significantly delayed by the Department's resultant efforts to obtain the information/signatures/absent documents.

The purpose of this checklist is to:

- highlight all critical documents that constitute a complete bid and provide some general instructions for their completion,
- provide bidders with a final opportunity to ensure that all these critical documents are PROPERLY COMPLETED and INCLUDED in their final offer, and
- enable this office to verify that bidders have attempted to ensure that all required documents in their offer have been completed/signed/included.

Please read this checklist in conjunction with the content of the relevant form in each case.

Note: Bidders should mark the relevant boxes under the heading " Bidders" with X, please.

The Boxes under "Health" will be used to verify replies at this office.

Bidders must complete this checklist and include it in their bid documents, please.

Bidder	
Yes	No

The Special Conditions of bid document provides general instructions regarding critical aspects of the bid process including the provision of samples, testing and inspection of products, statement of supplies, quantities required, delivery rates, provision of prices, use of price increase formulae, payment and negotiations.

Have you indicated whether your delivery period is firm, whether your bid price will remain firm in all respects for the duration of the contract and whether your prices will be subject to exchange rate variations by circling YES or NO in the relevant paragraphs?		
---	--	--

Have you indicated your delivery rate per week and month and discounts offered on individual orders of various values by completing the relevant paragraphs?		
--	--	--

WCBD 1 constitutes the formalisation of the bidder's bid and failure to complete and sign it in full may render the bid invalid.

Form WCBD 1, INVITATION TO BID: Have you completed all aspects of this form FULLY, including the YES/NO questions? Have you provided a SIGNATURE and indication of the		
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signatory's capacity?		
Did you remember to include your B-BEE status level verification certificate?		
<i>WCBD 3 forms constitute a bidder's offer for a product/service. Bidders must ONLY include completed WCBD 3 forms for products/services on which they have made ACTUAL offers (i.e. bidders should NOT include blank WCBD 3 forms in their offer, please).</i>		
Form WCBD 3.1 : Have you provided your company name, bid, number, BID PRICE including VAT and ensured that you have quoted for the correct unit of supply? Have you completed the questionnaire under the table with your prices in full?		
FIRM prices - Form WCBD 3.1/2 : Have you furnished all information regarding prices subject to <u>rate of exchange variations</u> in the table provided?		
NON-FIRM prices – Form WCBD 3.1/2 : Have you furnished all information regarding prices subject to <u>proven adjustments</u> in the table provided and included as annexures all other relevant details?		
<i>Amended WCBD 6.1 has two purposes. Firstly it is an introduction to terms and definitions used to explain the use of a points system to recommend bids. This form also contains formulae for calculations used during points adjudications.</i>		
<i>Secondly Amended WCBD 6.1 is used by bidders to claim points for being classified as B-BBEE contributor. Bidders are required to provide an original or a certified copy of a B-BBEE certificate issued by a verification body accredited by SANAS.</i>		
Have you read and SIGNED the declaration in paragraph 9.8, provided TWO WITNESS SIGNATURES and your company address?		
Have you completed the Sworn Affidavit – BBEE Qualifying Small Enterprise?		

Other general instructions:

The *General Conditions of Contract* is intended to draw special attention to general conditions applicable to government bids, contracts and orders and to ensure that bidders are familiar with the rights and obligations of all parties involved in doing business with Government. **Bidders must not include the General Conditions of Contract in their bid offers, please.**

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GENERAL CONDITIONS OF CONTRACT

The purpose of this document is to:

Draw special attention to certain general conditions applicable to government bids, contracts and orders; and

To ensure that clients be familiar with regard to the rights and obligations of all parties involved in doing business with government.

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

The General Conditions of Contract will form part of all bid documents and may not be amended.

Special Conditions of Contract (SCC) relevant to a specific bid, should be compiled separately for every bid (if applicable) and will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

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General Conditions of Contract

1. Definitions

1. The following terms shall be interpreted as indicated:
 - 1.1 “Closing time” means the date and hour specified in the bidding documents for the receipt of bids.
 - 1.2 “Contract” means the written agreement entered into between the purchaser and the supplier, as recorded in the contract form signed by the parties, including all attachments and appendices thereto and all documents incorporated by reference therein.
 - 1.3 “Contract price” means the price payable to the supplier under the contract for the full and proper performance of his contractual obligations.
 - 1.4 “Corrupt practice” means the offering, giving, receiving, or soliciting of any thing of value to influence the action of a public official in the procurement process or in contract execution.
 - 1.5 "Countervailing duties" are imposed in cases where an enterprise abroad is subsidized by its government and encouraged to market its products internationally.
 - 1.6 “Country of origin” means the place where the goods were mined, grown or produced or from which the services are supplied. Goods are produced when, through manufacturing, processing or substantial and major assembly of components, a commercially recognized new product results that is

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substantially different in basic characteristics or in purpose or utility from its components.

- 1.7 "Day" means calendar day.
- 1.8 "Delivery" means delivery in compliance of the conditions of the contract or order.
- 1.9 "Delivery ex stock" means immediate delivery directly from stock actually on hand.
- 1.10 "Delivery into consignees store or to his site" means delivered and unloaded in the specified store or depot or on the specified site in compliance with the conditions of the contract or order, the supplier bearing all risks and charges involved until the supplies are so delivered and a valid receipt is obtained.
- 1.11 "Dumping" occurs when a private enterprise abroad market its goods on own initiative in the RSA at lower prices than that of the country of origin and which have the potential to harm the local industries in the RSA.
- 1.12 "Force majeure" means an event beyond the control of the supplier and not involving the supplier's fault or negligence and not foreseeable. Such events may include, but is not restricted to, acts of the purchaser in its sovereign capacity, wars or revolutions, fires, floods, epidemics, quarantine restrictions and freight embargoes.
- 1.13 "Fraudulent practice" means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of any bidder, and includes collusive practice among bidders (prior to or after bid submission) designed to establish bid prices at artificial non-competitive levels

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and to deprive the bidder of the benefits of free and open competition.

1. Definitions

- 1.14 “GCC” means the General Conditions of Contract.
- 1.15 “Goods” means all of the equipment, machinery, and/or other materials that the supplier is required to supply to the purchaser under the contract.
- 1.16 “Imported content” means that portion of the bidding price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or his subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs such as landing costs, dock dues, import duty, sales duty or other similar tax or duty at the South African place of entry as well as transportation and handling charges to the factory in the Republic where the supplies covered by the bid will be manufactured.
- 1.17 “Local content” means that portion of the bidding price which is not included in the imported content provided that local manufacture does take place.
- 1.18 “Manufacture” means the production of products in a factory using labour, materials, components and machinery and includes other related value-adding activities.
- 1.19 “Order” means an official written order issued for the supply of goods or works or the rendering of a service.
- 1.20 “Project site,” where applicable, means the place indicated in bidding documents.

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- 1.21 “Purchaser” means the organization purchasing the goods.
- 1.22 “Republic” means the Republic of South Africa.
- 1.23 “SCC” means the Special Conditions of Contract.
- 1.24 “Services” means those functional services ancillary to the supply of the goods, such as transportation and any other incidental services, such as installation, commissioning, provision of technical assistance, training, catering, gardening, security, maintenance and other such obligations of the supplier covered under the contract.
- 1.25 “Written” or “in writing” means handwritten in ink or any form of electronic or mechanical writing.

2. Application

- 2.1 These general conditions are applicable to all bids, contracts and orders including bids for functional and professional services, sales, hiring, letting and the granting or acquiring of rights, but excluding immovable property, unless otherwise indicated in the bidding documents.
- 2.2 Where applicable, special conditions of contract are also laid down to cover specific supplies, services or works.
- 2.3 Where such special conditions of contract are in conflict with these general conditions, the special conditions shall apply.

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- 3. General**
- 3.1 Unless otherwise indicated in the bidding documents, the purchaser shall not be liable for any expense incurred in the preparation and submission of a bid. Where applicable a non-refundable fee for documents may be charged
- 3.2 With certain exceptions, invitations to bid are only published in the Government Tender Bulletin. The Government Tender Bulletin may be obtained directly from the Government Printer, Private Bag X85, Pretoria 0001, or accessed electronically from www.treasury.gov.za
- 4. Standards**
- 4.1 The goods supplied shall conform to the standards mentioned in the bidding documents and specifications.
- 5. Use of contract documents and information; inspection.**
- 5.1 The supplier shall not, without the purchaser's prior written consent, disclose the contract, or any provision thereof, or any specification, plan, drawing, pattern, sample, or information furnished by or on behalf of the purchaser in connection therewith, to any person other than a person employed by the supplier in the performance of the contract. Disclosure to any such employed person shall be made in confidence and shall extend only so far as may be necessary for purposes of such performance.
- 5.2 The supplier shall not, without the purchaser's prior written consent, make use of any document or information mentioned in GCC clause 5.1 except for purposes of performing the contract.
- 5.3 Any document, other than the contract itself mentioned in GCC clause 5.1 shall remain the property of the purchaser and shall be returned (all copies) to the purchaser on completion of the supplier's performance under the contract if so required by the purchaser.
- 5.4 The supplier shall permit the purchaser to inspect the supplier's records relating

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to the performance of the supplier and to have them audited by auditors appointed by the purchaser, if so required by the purchaser.

6. Patent rights

- 6.1 The supplier shall indemnify the purchaser against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the goods or any part thereof by the purchaser.

7. Performance security

- 7.1 Within thirty (30) days of receipt of the notification of contract award, the successful bidder shall furnish to the purchaser the performance security of the amount specified in SCC.

- 7.2 The proceeds of the performance security shall be payable to the purchaser as compensation for any loss resulting from the supplier's failure to complete his obligations under the contract.

- 7.3 The performance security shall be denominated in the currency of the contract, or in a freely convertible currency acceptable to the purchaser and shall be in one of the following forms:

- (a) a bank guarantee or an irrevocable letter of credit issued by a reputable bank located in the purchaser's country or abroad, acceptable to the purchaser, in the form provided in the bidding documents or another form acceptable to the purchaser; or a cashier's or certified cheque.

- 7.4 The performance security will be discharged by the purchaser and returned to the supplier not later than thirty (30) days following the date of completion of the supplier's performance obligations under the contract, including any warranty obligations, unless otherwise specified in SCC.

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8. Inspections, tests and analyses

- 8.1 All pre-bidding testing will be for the account of the bidder.
- 8.2 If it is a bid condition that supplies to be produced or services to be rendered should at any stage during production or execution or on completion be subject to inspection, the premises of the bidder or contractor shall be open, at all reasonable hours, for inspection by a representative of the Department or an organization acting on behalf of the Department.
- 8.3 If there are no inspection requirements indicated in the bidding documents and no mention is made in the contract, but during the contract period it is decided that inspections shall be carried out, the purchaser shall itself make the necessary arrangements, including payment arrangements with the testing authority concerned.
- 8.4 If the inspections, tests and analyses referred to in clauses 8.2 and 8.3 show the supplies to be in accordance with the contract requirements, the cost of the inspections, tests and analyses shall be defrayed by the purchaser.
- 8.5 Where the supplies or services referred to in clauses 8.2 and 8.3 do not comply with the contract requirements, irrespective of whether such supplies or services are accepted or not, the cost in connection with these inspections, tests or analyses shall be defrayed by the supplier
- 8.6 Supplies and services which are referred to in clauses 8.2 and 8.3 and which do not comply with the contract requirements may be rejected.
- 8.7 Any contract supplies may on or after delivery be inspected, tested or analyzed and may be rejected if found not to comply with the requirements of the contract. Such rejected supplies shall be held at the cost and risk of the supplier

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

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

9. Packing

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

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

10. Delivery and documents

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

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

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- 11. Insurance** 11.1 The goods supplied under the contract shall be fully insured in a freely convertible currency against loss or damage incidental to manufacture or acquisition, transportation, storage and delivery in the manner specified in the SCC.
- 12. Transportation** 12.1 Should a price other than an all-inclusive delivered price be required, this shall be specified in the SCC.
- 13. Incidental services** 13.1 The supplier may be required to provide any or all of the following services, including additional services, if any, specified in SCC:
- (a) performance or supervision of on-site assembly and/or commissioning of the supplied goods;
 - (b) furnishing of tools required for assembly and/or maintenance of the supplied goods
 - (c) furnishing of a detailed operations and maintenance manual for each appropriate unit of the supplied goods;
 - (d) performance or supervision or maintenance and/or repair of the supplied goods, for a period of time agreed by the parties, provided that this service shall not relieve the supplier of any warranty obligations under this contract; and
 - (e) training of the purchaser's personnel, at the supplier's plant and/or on-site, in assembly, start-up, operation, maintenance, and/or repair of the

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supplied goods.

13.2 Prices charged by the supplier for incidental services, if not included in the contract price for the goods, shall be agreed upon in advance by the parties and shall not exceed the prevailing rates charged to other parties by the supplier for similar services.

14. Spare parts

14.1 As specified in SCC, the supplier may be required to provide any or all of the following materials, notifications, and information pertaining to spare parts manufactured or distributed by the supplier:

(a) such spare parts as the purchaser may elect to purchase from the supplier, provided that this election shall not relieve the supplier of any warranty obligations under the contract; and

(b) in the event of termination of production of the spare parts:

(i) Advance notification to the purchaser of the pending termination, in sufficient time to permit the purchaser to procure needed requirements; and

(ii) following such termination, furnishing at no cost to the purchaser, the blueprints, drawings, and specifications of the spare parts, if requested

15. Warranty

15.1 The supplier warrants that the goods supplied under the contract are new, unused, of the most recent or current models, and that they incorporate all recent improvements in design and materials unless provided otherwise in the contract. The supplier further warrants that all goods supplied under this contract shall have no defect, arising from design, materials, or workmanship (except when the design and/or material is required by the purchaser's

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specifications) or from any act or omission of the supplier, that may develop under normal use of the supplied goods in the conditions prevailing in the country of final destination.

15.2 This warranty shall remain valid for twelve (12) months after the goods, or any portion thereof as the case may be, have been delivered to and accepted at the final destination indicated in the contract, or for eighteen (18) months after the date of shipment from the port or place of loading in the source country, whichever period concludes earlier, unless specified otherwise in SCC.

15.3 The purchaser shall promptly notify the supplier in writing of any claims arising under this warranty.

15.4 Upon receipt of such notice, the supplier shall, within the period specified in SCC and with all reasonable speed, repair or replace the defective goods or parts thereof, without costs to the purchaser.

15.5 If the supplier, having been notified, fails to remedy the defect(s) within the period specified in SCC, the purchaser may proceed to take such remedial action as may be necessary, at the supplier's risk and expense and without prejudice to any other rights which the purchaser may have against the supplier under the contract.

16. Payment

16.1 The method and conditions of payment to be made to the supplier under this contract shall be specified in SCC.

16.2 The supplier shall furnish the purchaser with an invoice accompanied by a copy of the delivery note and upon fulfillment of other obligations stipulated in the contract.

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16.3 Payments shall be made promptly by the purchaser, but in no case later than thirty (30) days after submission of an invoice or claim by the supplier.

16.4 Payment will be made in Rand unless otherwise stipulated in SCC.

17. Prices

17.1 Prices charged by the supplier for goods delivered and services performed under the contract shall not vary from the prices quoted by the supplier in his bid, with the exception of any price adjustments authorized in SCC or in the purchaser's request for bid validity extension, as the case may be.

18. Contract amendments

Contract

18.1 No variation in or modification of the terms of the contract shall be made except by written amendment signed by the parties concerned.

19. Assignment

19.1 The supplier shall not assign, in whole or in part, its obligations to perform under the contract, except with the purchaser's prior written consent.

20. Subcontracts

20.1 The supplier shall notify the purchaser in writing of all subcontracts awarded under this contract if not already specified in the bid. Such notification, in the original bid or later, shall not relieve the supplier from any liability or obligation under the contract.

21. Delays in the supplier's performance

21.1 Delivery of the goods and performance of services shall be made by the supplier in accordance with the time schedule prescribed by the purchaser in the contract.

21.2 If at any time during performance of the contract, the supplier or its subcontractor(s) should encounter conditions impeding timely delivery of the

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goods and performance of services, the supplier shall promptly notify the purchaser in writing of the fact of the delay, its likely duration and its cause(s). As soon as practicable after receipt of the supplier's notice, the purchaser shall evaluate the situation and may at his discretion extend the supplier's time for performance, with or without the imposition of penalties, in which case the extension shall be ratified by the parties by amendment of contract.

21.3 No provision in a contract shall be deemed to prohibit the obtaining of supplies or services from a national department, provincial department, or a local authority.

21.4 The right is reserved to procure outside of the contract small quantities or to have minor essential services executed if an emergency arises, the supplier's point of supply is not situated at or near the place where the supplies are required, or the supplier's services are not readily available.

21.5 Except as provided under GCC Clause 25, a delay by the supplier in the performance of its delivery obligations shall render the supplier liable to the imposition of penalties, pursuant to GCC Clause 22, unless an extension of time is agreed upon pursuant to GCC Clause 21.2 without the application of penalties.

21.6 Upon any delay beyond the delivery period in the case of a supplies contract, the purchaser shall, without canceling the contract, be entitled to purchase supplies of a similar quality and up to the same quantity in substitution of the goods not supplied in conformity with the contract and to return any goods delivered later at the supplier's expense and risk, or to cancel the contract and buy such goods as may be required to complete the contract and without prejudice to his other rights, be entitled to claim damages from the supplier.

22. Penalties

22.1 Subject to GCC Clause 25, if the supplier fails to deliver any or all of the goods

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or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. The purchaser may also consider termination of the contract pursuant to GCC Clause 23.

23. Termination for default

23.1 The purchaser, without prejudice to any other remedy for breach of contract, by written notice of default sent to the supplier, may terminate this contract in whole or in part:

- (a) if the supplier fails to deliver any or all of the goods within the period(s) specified in the contract, or within any extension thereof granted by the purchaser pursuant to GCC Clause 21.2;
- b) if the Supplier fails to perform any other obligation(s) under the contract; or
- (c) if the supplier, in the judgment of the purchaser, has engaged in corrupt or fraudulent practices in competing for or in executing the contract.

23.2 In the event the purchaser terminates the contract in whole or in part, the purchaser may procure, upon such terms and in such manner as it deems appropriate, goods, works or services similar to those undelivered, and the supplier shall be liable to the purchaser for any excess costs for such similar goods, works or services. However, the supplier shall continue performance of the contract to the extent not terminated.

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

25. Force Majeure 25.1 Notwithstanding the provisions of GCC Clauses 22 and 23, the supplier shall not be liable for forfeiture of its performance security, damages, or termination for default if and to the extent that his delay in performance or other failure to perform his obligations under the contract is the result of an event of force majeure.

25.2 If a force majeure situation arises, the supplier shall promptly notify the purchaser in writing of such condition and the cause thereof. Unless otherwise directed by the purchaser in writing, the supplier shall continue to perform its obligations under the contract as far as is reasonably practical, and shall seek all reasonable alternative means for performance not prevented by the force majeure event.

26. Termination for insolvency 26.1 The purchaser may at any time terminate the contract by giving written notice to the supplier if the supplier becomes bankrupt or otherwise insolvent. In this event, termination will be without compensation to the supplier, provided that such termination will not prejudice or affect any right of action or remedy which has accrued or will accrue thereafter to the purchaser.

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27. Settlement of disputes

27.1 If any dispute or difference of any kind whatsoever arises between the purchaser and the supplier in connection with or arising out of the contract, the parties shall make every effort to resolve amicably such dispute or difference by mutual consultation.

27.2 If, after thirty (30) days, the parties have failed to resolve their dispute or difference by such mutual consultation, then either the purchaser or the supplier may give notice to the other party of his intention to commence with mediation. No mediation in respect of this matter may be commenced unless such notice is given to the other party.

27.3 Should it not be possible to settle a dispute by means of mediation, it may be settled in a South African court of law.

27.4 Mediation proceedings shall be conducted in accordance with the rules of procedure specified in the SCC.

27.5 Notwithstanding any reference to mediation and/or court proceedings herein,

(a) the parties shall continue to perform their respective obligations under the contract unless they otherwise agree; and

(b) the purchaser shall pay the supplier any monies due the supplier.

28. Limitation of liability

28.1 Except in cases of criminal negligence or willful misconduct, and in the case of infringement pursuant to Clause 6;

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- (a) the supplier shall not be liable to the purchaser, whether in contract, tort, or otherwise, for any indirect or consequential loss or damage, loss of use, loss of production, or loss of profits or interest costs, provided that this exclusion shall not apply to any obligation of the supplier to pay penalties and/or damages to the purchaser; and
- (b) the aggregate liability of the supplier to the purchaser, whether under the contract, in tort or otherwise, shall not exceed the total contract price, provided that this limitation shall not apply to the cost of repairing or replacing defective equipment.

29. Governing language

29.1 The contract shall be written in English. All correspondence and other documents pertaining to the contract that is exchanged by the parties shall also be written in English.

30. Applicable law

30.1 The contract shall be interpreted in accordance with South African laws, unless otherwise specified in SCC.

31. Notices

31.1 Every written acceptance of a bid shall be posted to the supplier concerned by registered or certified mail and any other notice to him shall be posted by ordinary mail to the address furnished in his bid or to the address notified later by him in writing and such posting shall be deemed to be proper service of such notice

31.2 Every written acceptance of a bid shall be posted to the supplier concerned by registered or certified mail and any other notice to him shall be posted by ordinary mail to the address furnished in his bid or to the address notified later by him in writing and such posting shall be deemed to be proper service of such notice

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31.2 The time mentioned in the contract documents for performing any act after such aforesaid notice has been given, shall be reckoned from the date of posting of such notice.

32. Taxes and duties

32.1 A foreign supplier shall be entirely responsible for all taxes, stamp duties, license fees, and other such levies imposed outside the purchaser's country.

32.2 A local supplier shall be entirely responsible for all taxes, duties, license fees, etc., incurred until delivery of the contracted goods to the purchaser.

32.3 No contract shall be concluded with any bidder whose tax matters are not in order. Prior to the award of a bid the Department must be in possession of a tax clearance certificate, submitted by the bidder. This certificate must be an original issued by the South African Revenue Services.

33. National Industrial Participation (NIP) Programme

33.1 The NIP Programme administered by the Department of Trade and Industry shall be applicable to all contracts that are subject to the NIP obligation.

34. Prohibition of Restrictive practices

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

34.2 If a bidder(s) or contractor(s), based on reasonable grounds or evidence obtained by the purchaser, has / have engaged in the restrictive practice referred to above, the purchaser may refer the matter to the Competition

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Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998.

- 34.3 If a bidder(s) or contractor(s), has / have been found guilty by the Competition Commission of the restrictive practice referred to above, the purchaser may, in addition and without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered, and / or terminate the contract in whole or part, and / or restrict the bidder(s) or contractor(s) from conducting business with the public sector for a period not exceeding ten (10) years and / or claim damages from the bidder(s) or contractor(s) concerned.

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