

CONSORTIUM MEMBER No.5 – STRUCTURAL ENGINEERING SERVICES							
Reimbursable Expenses : Time Travelling Costs							
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from PSP Office location (As per SBD1) to Site (Makhanda & Port Alfred) round trip	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					62 (prescribed)	
	Professional Engineering Technologist						
	Professional Certificated Engineer						
	Professional Engineering Technician.						
	Candidate Engineer						
	Candidate Engineering Technologist						
	Candidate Certificated Engineer						
	Candidate Engineering Technician						
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to NMB Health District Offices, Conyngham Road, Gqeberha and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					4 (prescribed)	
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to DPW&I Provincial Head Offices, Bhisho and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					4 (prescribed)	
CONSORTIUM MEMBER No.5 – STRUCTURAL ENGINEERING SERVICES ACCUMULATIVE TOTAL - Reimbursable Expenses : Time Travelling Costs in Rands							R

CONSORTIUM MEMBER No.6 – ELECTRICAL AND ELECTRONIC ENGINEERING SERVICES							
Reimbursable Expenses : Time Travelling Costs							
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from PSP Office location (As per SBD1) to Site (Makhanda & Port Alfred) round trip	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					62 (prescribed)	
	Professional Engineering Technologist						
	Professional Certificated Engineer						
	Professional Engineering Technician.						
	Candidate Engineer						
	Candidate Engineering Technologist						
	Candidate Certificated Engineer						
	Candidate Engineering Technician						
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to NMB Health District Offices, Conyngham Road, Gqeberha and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					4 (prescribed)	
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to DPW&I Provincial Head Offices, Bhisho and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					4 (prescribed)	
CONSORTIUM MEMBER No.6 – ELECTRICAL AND ELECTRONIC ENGINEERING SERVICES ACCUMULATIVE TOTAL - Reimbursable Expenses : Time Travelling Costs in Rands							R

CONSORTIUM MEMBER No.7 – MECHANICAL ENGINEERING SERVICES							
Reimbursable Expenses : Time Travelling Costs							
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from PSP Office location (As per SBD1) to Site (Makhanda & Port Alfred) round trip	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					62 (prescribed)	
	Professional Engineering Technologist						
	Professional Certificated Engineer						
	Professional Engineering Technician.						
	Candidate Engineer						
	Candidate Engineering Technologist						
	Candidate Certificated Engineer						
	Candidate Engineering Technician						
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to NMB Health District Offices, Conyngham Road, Gqeberha and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					4 (prescribed)	
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to DPW&I Provincial Head Offices, Bhisho and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Engineer					4 (prescribed)	
CONSORTIUM MEMBER No.7 – MECHANICAL ENGINEERING SERVICES ACCUMULATIVE TOTAL -							R
Reimbursable Expenses : Time Travelling Costs in Rands							

CONSORTIUM MEMBER No.8 – PRINCIPAL AGENT SERVICES FOR ADMINISTRATION OF THE JBCC AGREEMENT							
Reimbursable Expenses : Time Travelling Costs							
Scope Areas	Category of Registered Professional (Architect or Quantity Sureveyor)	No. of PSP's	Distance from PSP Office location (As per SBD1) to Site (Makhanda & Port Alfred) round trip	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2		1				42 (prescribed)	
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to NMB Health District Offices, Conyngham Road, and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2		1				4 (prescribed)	
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to DPW&I Provincial Head Offices , Bhisho and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2		1				3 (prescribed)	
CONSORTIUM MEMBER No.8 – PRINCIPAL AGENT SERVICES ACCUMULATIVE TOTAL - Reimbursable Expenses : Time Travelling Costs in Rands							R

CONSORTIUM MEMBER No.9 – CONSTRUCTION HEALTH & SAFETY AGENT SERVICES							
Reimbursable Expenses : Time Travelling Costs							
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from PSP Office location (As per SBD1) to Site (Makhanda & Port Alfred)	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Construction Health & Safety Agent (PrCHSA)					42 (prescribed)	
	Candidate Professional Construction Health & Safety Agent						
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to NMB Health District Offices, Conyngham Road, and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Construction Health & Safety Agent (PrCHSA)					4 (prescribed)	
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to DPW&I Provincial Head Offices , Bhisho and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Construction Health & Safety Agent (PrCHSA)					4 (prescribed)	
CONSORTIUM MEMBER No.9 – CONSTRUCTION HEALTH & SAFETY AGENT SERVICES ACCUMULATIVE TOTAL - Reimbursable Expenses : Time Travelling Costs in Rands							R

CONSORTIUM MEMBER No.10 – PROFESSIONAL CONSTRUCTION PROJECT MANAGEMENT SERVICES – EXTERNAL STAKEHOLDER ENGAGEMENT AND SECONDARY SOCIAL DELIVERABLES							
Reimbursable Expenses : Time Travelling Costs							
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from PSP Office location (As per SBD1) to Site (Makhanda & Port Alfred)	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Construction Project Manager					42 (prescribed)	
	Candidate Professional Construction Project Manager						
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to NMB Health District Offices, Conyngham Road, and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Construction Project Manager					4 (prescribed)	
Scope Areas	Category of Registered Professional	No. of PSP's	Distance from Office location (As per SBD1) to DPW&I Provincial Head Offices , Bhisho and back	Travel Time No. of Hours (return trip)	Charge Rate per Hour offered	No. of trips	Sub Total Value
Infrastructure Scope Areas 1 & 2	Professional Construction Project Manager					4 (prescribed)	
<b>CONSORTIUM MEMBER No.10 – PROFESSIONAL CONSTRUCTION PROJECT MANAGEMENT SERVICES ACCUMULATIVE TOTAL - Reimbursable Expenses : Time Travelling Costs in Rands</b>							<b>R</b>

**Part 3.2 – Reimbursable Expenses: Time Travelling Costs: Combined Total in Rands for All Consortium Members listed above**

R

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**Part 4 – Provisional Sums:**

<b>Part 4 – Provisional Sums:</b>		<b>Value</b>
<b>Item 4.1</b>	<b>Geotechnical Investigations including test pits and laboratory tests;</b>	<b>R 120 000.00</b>
<b>Item 4.2</b>	<b>Topographical Technical Survey;</b>	<b>R 40 000.00</b>
<b>Item 4.3</b>	<b>Investigations and Lab tests for traces of Asbestos;</b>	<b>R 40 000.00</b>
<b>Item 4.4</b>	<b>Typing, duplicating Costs;</b>	<b>R 50 000.00</b>
<b>Combined Total: All Provisional Sums</b>		<b>R 250 000.00</b>

<b>Part 4 – Provisional Sums: Combined Total in Rands</b>	<b>R 250 000.00</b>
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**Part 5 – Pricing Schedule Executive Summary Page**

<b>Pricing Schedule Executive Summary</b>	
<b>Part 1 - Time Based Fees - Accumulative Combined Total in Rands for All Consortium Members listed above</b>	<b>R</b>
<b>Part 2.1 – Fixed Primary Fee and Percentage Based Fees: Infrastructure Scope Areas 1, 2 &amp; 3 - Combined Total in Rands for All Consortium Members listed</b>	<b>R</b>
<b>Part 3.1 – Reimbursable Expenses: Vehicle Travelling Costs: Combined Total in Rands for All Consortium Members listed</b>	<b>R</b>
<b>Part 3.2 – Reimbursable Expenses: Time Travelling Costs: Combined Total in Rands for All Consortium Members listed</b>	<b>R</b>
<b>Part 4 – Provisional Sums: Combined Total in Rands</b>	<b>R 250 000.00</b>
<b>Combined Total of All Parts above (Excl. VAT)</b>	<b>R</b>
<b>Add (VAT @ 15%)</b>	<b>R</b>
<b>Combined Total of All Parts above (Incl. VAT) for the rendering of Multi-Disciplinary Built Environment Professional Services in Consortium, carried to Form of Offer and Acceptance</b>	<b>R</b>

## SCHEDULE C - SBD 4 - Declaration of Interest

### SBD 4

#### DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
  - the bidder is employed by the state; and/or
  - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.
  - 2.1 Full Name of bidder or his or her representative: .....
  - 2.2 Identity Number: .....
  - 2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>, member): .....
  - 2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust: .....
  - 2.5 Tax Reference Number: .....
  - 2.6 VAT Registration Number: .....
  - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

<sup>1</sup>"State" means -

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

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



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

2.7.1 If so, furnish the following particulars:

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

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

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

.....

.....  
 .....

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

2.10.1 If so, furnish particulars.  
 .....  
 .....  
 .....

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

2.11.1 If so, furnish particulars:  
 .....  
 .....  
 .....

**3 Full details of directors / trustees / members / shareholders.**

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

**4 DECLARATION**

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

**SCHEDULE D - SBD 6.1 - Preference Points Claim**

**SBD 6.1**

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

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

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**1. GENERAL CONDITIONS**

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

- 1.2
- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or
  - b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

- 1.3 Points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contributor.

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

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

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

## 2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise 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;
- (f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **"prices"** includes all applicable taxes less all unconditional discounts;
- (h) **"proof of B-BBEE status level of contributor"** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **"QSE"** means a qualifying small business enterprise 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;
- (j) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

## 3. POINTS AWARDED FOR PRICE

### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- $P_s$  = Points scored for price of bid under consideration
- $P_t$  = Price of bid under consideration
- $P_{\min}$  = Price of lowest acceptable bid

## 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	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

**5. BID DECLARATION**

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

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

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

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

**7. SUB-CONTRACTING**

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME <input checked="" type="checkbox"/>	QSE <input checked="" type="checkbox"/>
Black people		
Black people who are youth		
Black people who are women		

Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

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

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

8.2 VAT registration  
number:.....

8.3 Company registration  
number:.....

**8.4 TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

**8.6 COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the  
company/firm, certify that the points claimed, based on the B-BBE status level of  
contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies  
the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;  
ii) The preference points claimed are in accordance with the General Conditions as  
indicated in paragraph 1 of this form;

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

WITNESSES
1. ....
2. ....

SIGNATURE(S) OF BIDDERS(S)	
DATE:	.....
ADDRESS	.....
	.....
	.....



**SCHEDULE E - SBD 8 - Declaration of Bidder's past Supply Chain Management practices (All 10 Consortium Members)**

SBD 8

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

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

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

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME).....  
**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION  
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,  
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION  
PROVE TO BE FALSE.**

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

JCS/BNW

## SCHEDULE F - SBD 9 - Certificate of Independent Bid Determination

SBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_  
(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_  
(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

Js914w 2

**SCHEDULE G1- RESOLUTION TO ENTER INTO CONSORTIA**

**\*Note: All 10 (ten) Consortium Members are required to complete this form.**

**RESOLUTION** of a meeting of the Board of \*Directors / Members / Partners of:

**CONSORTIUM MEMBER NUMBER:** ..... (Number 1 – 10 as per this bid)

**CONSORTIUM MEMBER NAME:** \_\_\_\_\_

\_\_\_\_\_

**CSD NUMBER:** \_\_\_\_\_

*(Legally correct full name and CSD registration number, applicable, of the Enterprise)*

Held at \_\_\_\_\_ *(place)*

on \_\_\_\_\_ *(date)*

**RESOLVED that:**

1. The Enterprise submit a Tender, in consortium with the following Enterprises:

**List of 10 (ten) Consortium Members (Names of enterprises as per SBD1 and CSD Numbers)**

1 \_\_\_\_\_

\_\_\_\_\_

2 \_\_\_\_\_

\_\_\_\_\_

3 \_\_\_\_\_

\_\_\_\_\_

4

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5

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6

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7

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8

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9

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10

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to the Department of Health in respect of the following Bid:

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---

*(Bid Description)*

Bid Number: \_\_\_\_\_ *(SCMU Number as per Bid Document)*



1 \*Mr/Mrs/Ms:

\_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows:

\_\_\_\_\_

be, and is hereby, authorised to sign a consortium agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium, in respect of the project described under item 1 above.

- 2 The Enterprise accept joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.
- 3 The Enterprise choose as its *Domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

Physical address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (code)

Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (code)

Telephone number: \_\_\_\_\_ (code)

E-Mail: \_\_\_\_\_

*List of Directors / Members / Partners of this Enterprise*

	<b>Name</b>	<b>Capacity</b>	<b>Signature</b>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

**Note:**

1. \* Delete which is not applicable.
2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Tendering Enterprise.
3. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**ENTERPRISE STAMP / COMMISSONER OF OATH STAMP & SIGNATURE**

--

**SCHEDULE G2 - SPECIAL RESOLUTION OF CONSORTIA (CONSORTIUM AGREEMENT)**

**RESOLUTION** of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly tender for the project mentioned below: *(legally correct full names and registration numbers, if applicable, of the Enterprises forming a Consortium)*

**List of 10 (ten) Consortium Members (Names of enterprises as per SBD1 and CSD Numbers)**

1 \_\_\_\_\_  
\_\_\_\_\_

2 \_\_\_\_\_  
\_\_\_\_\_

3 \_\_\_\_\_  
\_\_\_\_\_

4 \_\_\_\_\_  
\_\_\_\_\_

5 \_\_\_\_\_  
\_\_\_\_\_

6 \_\_\_\_\_  
\_\_\_\_\_

7 \_\_\_\_\_  
\_\_\_\_\_

8 \_\_\_\_\_  
\_\_\_\_\_

9

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10

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Held at \_\_\_\_\_ (place)

on \_\_\_\_\_ (date)

**RESOLVED that:**

- A. The above-mentioned Enterprises submit a Bid in Consortium to the Department of Health in respect of the following Bid:

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*(Bid Description)*

Bid Number: \_\_\_\_\_ *(SCMU Number as per Bid Document)*

- B. Mr/Mrs/Ms:

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in \*his/her Capacity as: \_\_\_\_\_ *(Position in the Enterprise)*

and who will sign as follows:

\_\_\_\_\_ *(Signature of Nominated Lead Consortium Member)*

be, and is hereby, authorised to sign the tender, and any and all other documents and/or correspondence in connection with and relating to the tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the tender to the Enterprises in Consortium/Joint Venture mentioned above.

- C. The Enterprises constituting the Consortium, notwithstanding its composition, shall conduct all business under the name and style of:

---

***(Name of Lead Consortium Member as per SBD1)***

- D. The Enterprises to the Consortium accept joint and several liability for the due fulfilment of the obligations of the Consortium deriving from, and in any way connected with, the Contract entered into with the Department in respect of the project described under item A above.
- E. Any of the Enterprises to the Consortium intending to terminate the consortium agreement, for whatever reason, shall give the Department written notice as per the SCC (Special Conditions of Contract) of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the Department for the due fulfilment of the obligations of the Consortium as mentioned under item D above.
- F. No Enterprise to the Consortium shall, without the prior written consent of the other Enterprises to the Consortium and of the Department, cede any of its rights or assign any of its obligations under the consortium agreement in relation to the Contract with the Department referred to herein.
- G. The Enterprises choose as the *Domicilium citandi et executandi* of the Consortium for all purposes arising from the consortium agreement and the Contract with the Department in respect of the project under item A above:

Physical address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (code)

Postal Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (code)

Telephone number: \_\_\_\_\_ (code)

E-Mail: \_\_\_\_\_

**List of Consortium Members authorised to sign**

	<b>Name</b>	<b>Capacity</b>	<b>Signature</b>
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Note:

- 1 \* Delete which is not applicable.
- 2 **NB:** This resolution must be signed by all the Duly Authorised Representatives of the Legal Entities to the Consortium submitting this bid.
- 3 Should the number of Duly Authorised Representatives of the Legal Entities joining forces in this tender exceed the space available above, additional names, capacity and signatures must be supplied on a separate page.
- 4 Resolutions duly completed and signed, from the separate Enterprises who participate in this Consortium must be attached to the Special Resolution.

**COMMISSONER OF OATH STAMP, DATE & SIGNATURE**

## **SCHEDULE H - Proof of CSD Registration of All Consortium Members**

Attached hereto is my / our certified copy of Proof of CSD Registration of All Consortium Members, e.g., letters of good standing. My / our failure to submit the proof with the bid offer will lead to the conclusion that the ENTERPRISE/ company is not registered with the CSD, and therefore, the bid will be disqualified.

\* Kindly note that Proof of CSD Registration will be verified, and fraudulent certificates will lead to disqualification.



**SCHEDULE I - B-BBEE Status Level Verification Certificate (Combined for the Consortium)**

Attached hereto is my / our B-BBEE Status Level Verification Certificate (Combined for the Consortium). My / our failure to submit the certificate with the bid offer will lead to the conclusion that we failed to obtain a B-BBEE Status Level Verification Certificate (Combined for the Consortium), and therefore, the bid will be disqualified.

\* Kindly note that B-BBEE Status Level Verification Certificate (Combined for the Consortium) will be verified, and a fraudulent certificate will lead to disqualification.

**SCHEDULE J - Copy of letter of Good Standing with Compensation for Occupational and Injuries Disease Act (COIDA/FEM) REGISTRATION CERTIFICATE**

Attached hereto are my / our certified copies of Letters of good standing (All Consortium Members) with the Compensation for Occupational Injuries and Diseases. My / our failure to submit the certificate with the bid offer will lead to the conclusion that the ENTERPRISE / company is not registered with COIDA/FEM, and therefore, the bid will be disqualified.

\* Kindly note that your letter of good standing will be verified, and fraudulent certificate will lead to disqualification.

## **SCHEDULE K - Copy of Professional Indemnity Insurance Documents**

Attached hereto are my / our original certified copies of professional indemnity insurance Documents for all Consortium Members. My failure to submit the copy with my / our bid document will lead to the conclusion that I am / we are do not have professional indemnity cover, and as such, our bid will be disqualified.

\* Kindly note that the professional indemnity insurance will be verified, and fraudulent documents will lead to disqualification.

\* Value of PI Insurance per discipline as per Special Condition of Contract (SCC) Clause 11.  
Insurance

**SCHEDULE L - Proof of Experience of the Consortium Leader / Principal Consultant - Copies of Practical Completion Certificates (Total Value of R5m)**

Attached hereto is my Copies of Practical Completion Certificates (Total Value of R5m). My failure to submit the copies with my / our bid document will lead to the conclusion that I / we do not have proof of Practical Completion Certificates (Total Value of R5m), and as such, our bid will be disqualified.

\* Kindly note that the copies of Practical Completion Certificates will be verified, and fraudulent documents will lead to disqualification. To be certified by a Commissioner of Oath.

**SCHEDULE M - Proof of Professional Registration of all Professional and Candidate Professional Resources offered to render services and incur disbursements as per the SBD 1 and SBD 3.3 Pricing Schedule.**

Attached hereto is our (All Consortium Members) Copies of Proof of Professional Registration of all Professional and Candidate Professional Resources offered to render services and incur disbursements as per the SBD 1 and SBD 3.3 Pricing Schedule. My failure to submit copies with my / our bid document will lead to the conclusion that I / we do not have Proof of Professional Registration, and as such, our bid will be disqualified.

\* Kindly note that the copies of Proof of Professional Registration will be verified, and fraudulent documents will lead to disqualification.

**SCHEDULE N - Confirmation of Receipt of Addenda to Bid Documents**

I / We confirm that the following communications amending the bid documents that I / we received from Department of Health or his/her representative before the closing date for submission of bids have been considered in this submission.

**SCHEDULE O - Form of Offer and Acceptance**

**Offer**

The Employer, The Eastern Cape Department of Health, identified in the acceptance signature block, has solicited offers to enter a contract for:

**MULTI-DISCIPLINE BUILT ENVIRONMENT PROFESSIONAL SERVICES IN CONSORTIUM REQUIRED FOR THE INFRASTRUCTURE IMPROVEMENTS, ALTERATIONS AND ADDITIONS AT MAKHANDA AND PORT ALFRED & FORENSIC PATHOLOGY LABORATORIES IN, SARAH BAARTHMAN HEALTH DISTRICT**

The bidder, identified in the offer signature block, has examined the documents listed in the Bid document and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of bid.

By the representative of the bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the bidder offers to perform all of the obligations and liabilities of the Service Provider under the Contract including compliance with all its terms and conditions according to their true intent and meaning for remuneration to be determined in accordance with the conditions of Contract identified in the Contract Data.

**The offered price for the rendering of Multi-Discipline Built Environment Professional Services in Consortium, inclusive of value added tax, is:**

R ..... (in figures)

(Rands in words) .....

.....

.....

**\*Note: Where there is a discrepancy between the amount in figures and the amount in words, then the amount in words shall govern.**

**This offer may be accepted by the Employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the bidder before the end of the period of validity stated in the Bid, whereupon the bidder becomes the party named as the Service Provider in the conditions of Contract identified in the Contract Data.**

**THIS OFFER IS MADE BY THE FOLLOWING LEGAL ENTERPRISE: (cross out block which is not applicable)**

Company or close corporation: **(Nominated Lead Consortium Member)**

.....

..... and:

whose (Company or CC) registration number is:

.....

and: whose income tax reference number is:

.....

OR Natural person or partnership: **(Nominated Lead Consortium Member)**

.....

.....

whose id ENTERPRISE number(s) is/are:

..... whose

income tax reference number is/are:

.....

**AND WHO IS (if applicable):**

.....

Trading under the name and style of:

.....

**AND WHO IS:**

<p>Represented herein, and who is duly authorised to do so, by:</p> <p>Mr/Mrs/Ms: .....</p> <p>In his/her capacity as: (Nominated Lead Consortium Member/ Enterprise)</p> <p>.....</p> <p>Name of Lead Consortium Enterprise</p>	<p>Note:</p> <p>A resolution / power of attorney, signed by all the directors / members / partners of the legal ENTERPRISES (Consortium Members) must accompany this offer, authorising the representative to make this offer. (As per Consortium Agreement attached)</p>
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**SIGNED FOR THE BIDDER:**

Name of representative	Signature	Date

**WITNESSED BY:**

Name of witness	Signature	Date



The Bidder elects as its *Domicilium citandi et executandi* in the Republic of South Africa, where all legal notices may be served, as (physical address):

.....  
.....

**Other contact details of the Bidder are:**

Telephone no: .....

Cellular phone no: .....

E-Mail: .....

Postal address:  
.....

Bank: .....

Branch: .....

**Acceptance**

By signing this part of this form of offer and acceptance, the Employer identified below accepts the bidder's offer. In consideration thereof, the Employer shall pay the Service Provider the amount due in accordance with the conditions of Contract identified in the Contract Data. Acceptance of the bidder's offer shall form an agreement between the Employer and the bidder upon the terms and conditions contained in this agreement and in the Contract that is the subject of this agreement.

The terms of the Contract are contained in:

- a. General Conditions of Contract (GCC) - Annexure B.

- b. Special Conditions of Contract – Annexure C
- c. Form of offer and Acceptance – Schedule O
- d. Contract Data – Annexure E
- e. All other relevant Returnable Schedules A - O

**Deviations**

Deviations from and amendments to the documents listed in the Bid and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from set documents are valid unless contained in this schedule.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the Employer’s agent (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of Contract identified in the Contract Data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect, if sent by registered post, 4 days from the date on which it was posted, if delivered by hand, on the day of delivery, provided that it has been delivered during ordinary business hours, or if sent by fax, the first business day following the day on which it was faxed. Unless the bidder (now Service Provider) within seven working days of the date of such submission notifies the Employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the Parties.

**For the Employer:**

Name of signatory	Signature	Date

<b>Name of Organisation:</b>	<b>Eastern Cape Department of Health</b>
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**Witnessed by:**

Name of witness	Signature	Date