



Special Conditions of Contract

NT016-2025

**APPOINTMENT OF A SERVICE PROVIDER TO RENDER PROFESSIONAL SERVICES TO
NATIONAL TREASURY (NT) INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) FOR
A PERIOD OF THIRTY-SIX (36) MONTHS**

CLOSING DATE: 15 JANUARY 2026 AT 11:00 AM

VALIDITY PERIOD: 90 DAYS

S U P P L Y C H A I N M A N A G E M E N T

A LEGISLATIVE AND REGULATORY FRAMEWORK

This bid and all contracts will be subject to the General Conditions of Contract issued in accordance with of the Treasury Regulations 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999), Preferential Procurement Policy Framework Act (PPPFA), NT SCM policy and any other applicable legislation. The Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Where, however, the Special Conditions of Contract are against the General Conditions of Contract, the Special Conditions of Contract takes precedence.

B. EVALUATION PROCESS AND CRITERIA

1. EVALUATION PROCESS

- 1.1. All bids will be evaluated in terms of functionality and preference point system which comprises of the following:

1.1.1 Phase 1A: Initial screening process

- a) In terms of National Treasury Instruction No. 4A of 2016/2017 regarding the National Central Supplier Database (CSD), all bidders must register on the CSD to provide the following information to be verified through the CSD:

- Business registration, including details of directorship and membership.
- Bank Account holder information.
- In the service of the State status.
- Tax compliance status.
- Identity number.
- Tender default and restriction status; and
- Any additional and supplementary verification information communicated by National Treasury.

b) **Administrative compliance**

Duly completed and signed.

- Invitation to bid – SBD 1
- Pricing schedule SBD 3.3
- Declaration of interest–SBD 4
- Preference Point Claim Form – SBD 6.1
- Provide ID copies for all managing Directors.
- CIPC

1.1.2 Phase 1B: Functionality evaluation as per attached Terms of Reference

- a) Bids will be evaluated strictly according to the bid evaluation criteria stipulated in the terms of reference.

- b) Bidders must, as part of their bid documents, submit supportive documentation for all technical requirements as indicated hereunder. The panel responsible for scoring the respective bids will evaluate and score all bids based on their submissions and the information provided.
- c) Bidders will not rate themselves but need to ensure that all information is supplied as required. The Bid Evaluation Committee (BEC) will evaluate and score all responsive bids and will verify all documents submitted by the bidders.
- d) The panel members will individually evaluate the responses received against the following criteria as set out below:
- e) Individual value scores will be multiplied with the specified weighting for the criterion to obtain the marks scored for all elements. These marks will be added and expressed as a fraction of the best possible score for all criteria.
- f) The technical proposal will be scored out of 100 points, with a minimum threshold of 60% required. Bidders that do not meet the minimum functionality threshold of 60% will not be considered for further evaluation. Bidders will be evaluated on the functionality evaluation criteria in a table below:

Table 1: Technical Evaluation Criteria

Evaluation Criteria	Weight	Scoring Criteria
1. Proven Track Record The bidder must have previously successfully supplied, installed, configured, maintained, and supported similar projects in the recent 10 years. The reference letters should contain the following: Description of the project, Client name, Client contact (i.e., email or office number), Project start date, project end date, Furthermore, attach a completion certificate signed by the client or a letter from the client confirming the successful completion of the project. Additional Documents for consideration: Completion certificate, Purchase orders, SLAs or reference letters should be on referral client letterhead and signed.	5	5- Excellent 5 or more reference letters submitted reflecting 4 items listed. 4- Very Good 4 reference letters submitted reflecting 3 items listed. 3 -Good 3 reference letters submitted reflecting 2 items listed. 2- Average 2 reference letters submitted reflecting 1 item listed. 1-Poor 0-1 reference letters submitted reflecting 1 item listed.

2. Resource Experience		
2.1 Project Manager Qualification A minimum of a National Diploma/NQF6 in ICT and related fields (IT, Computer Science, and Electrical Engineering discipline). Plus, equivalent Certified Project Management Certifications	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus Project Management certification 4= Bachelor's Degree/ Advanced Diploma (NQF 7) plus Project Management certification 3 = National Diploma/NQF6 plus Project Management certification. 2=Matric plus Project Management certification. 1= Matric without project management certification.
2.2 Project Manager Experience A minimum of 5 years of experience, with at least five years of managing complex projects in a technical environment.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years 2 = 3 to 4 Years 1 = 1 to 2 Years
2.3 Business/System Analyst Qualifications A minimum of a National Diploma/NQF6 in Information Technology/Computer Science or any related field, plus, Business/Systems Analysis certifications.	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus Business / Systems Analysis specific certification 4= Bachelor's Degree/ Advance Diploma (NQF 7) plus Business / Systems Analysis specific certification

		3 = National Diploma/NQF6 plus Business / Systems Analysis specific certification 2= Matric plus Business / Systems Analysis specific certification 1= Matric without Business / Systems Analysis specific certification
2.4 Business/Systems Analyst Experience Minimum of 5 years' experience in Business or System Analysis and business process management Experience in SDLC, Agile and other system development methodologies.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years 2 = 3 to 4 Years 1 = 1 to 2 Years
2.5 Application Developer Qualification A minimum of a National Diploma/ NQF6 in Information Technology/Computer Science or any related field plus a .NET Certificate.	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus a .NET Certificate. 4= Bachelor's Degree/ Advance Diploma (NQF 7) plus a .NET Certificate 3 = National Diploma/NQF6 plus a .NET Certificate 2= Matric plus a .NET Certificate 1= Matric without a .NET Certificate
2.6 Application Developer Experience Minimum of 5 years of experience in .NET development.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years 2 = 3 to 4 Years

		1 = 1 to 2 Years
2.7 Database Administrator Qualification A minimum of a National Diploma/ NQF6 in Information Technology/Computer Science or any related field plus a DBA Certificate.	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus a DBA Certificate. 4= Bachelor's Degree/ Advance Diploma (NQF 7) plus a DBA Certificate 3 = National Diploma/NQF6 plus a DBA Certificate 2= Matric plus a DBA Certificate 1= Matric without a DBA Certificate
2.8 Database Administrator Experience Minimum of 5 years of experience in SQL Server environment.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years 2 = 3 to 4 Years 1 = 1 to 2 Years
2.9 Tester Qualification A minimum of a National Diploma/ NQF6 in Information Technology/Computer Science or any related field plus a Testing/QA Certificate.	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus a Testing/QA Certificate. 4 = Bachelor's Degree/ Advance Diploma (NQF 7) plus a Testing/QA Certificate 3 = National Diploma/NQF6 plus a Testing/QA Certificate 2 = Matric plus a Testing/QA Certificate

		1 = Matric without a Testing/QA Certificate
2.10 Tester Experience Minimum of 5 years of experience in systems testing.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years 2 = 3 to 4 Years 1 = 1 to 2 Years
2.11 Enterprise Architect Qualification A minimum of a National Diploma/ NQF6 in Information Technology/Computer Science or any related field plus a TOGAF Certificate.	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus a TOGAF Certificate. 4 = Bachelor's Degree/ Advance Diploma (NQF 7) plus a TOGAF Certificate 3 = National Diploma/NQF6 plus a TOGAF Certificate 2 = Matric plus a TOGAF Certificate 1 = Matric without a TOGAF Certificate
2.12 Enterprise Architect Experience Minimum of 5 years of experience in Enterprise Architecture.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years 2 = 3 to 4 Years 1 = 1 to 2 Years
2.13 Business Intelligence Developer Qualification	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus a BI Certificate.

A minimum of a National Diploma/ NQF6 in Information Technology/Computer Science or any related field plus a BI Certificate.		4 = Bachelor's Degree/ Advance Diploma (NQF 7) plus a BI Certificate 3 = National Diploma/NQF6 plus a BI Certificate 2 = Matric plus a BI Certificate 1 = Matric without a BI Certificate
2.14 Business Intelligence Developer Experience Minimum of 5 years of experience in BI development.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years 2 = 3 to 4 Years 1 = 1 to 2 Years
2.15 Business Continuity Consultant Qualification A minimum of a National Diploma/ NQF6 in Information Technology/Computer Science or any related field plus a BC related Certificate.	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus a BC related Certificate. 4 = Bachelor's Degree/ Advance Diploma (NQF 7) plus a BC related Certificate 3 = National Diploma/NQF6 plus a BC related Certificate 2 = Matric plus a BC related Certificate 1 = Matric without a BC related Certificate
2.16 Business Continuity Consultant Experience Minimum of 5 years of experience in Business Continuity Management.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years

		2 = 3 to 4 Years 1 = 1 to 2 Years
2.17 Disaster Recovery Consultant Qualification A minimum of a National Diploma/ NQF6 in Information Technology/Computer Science or any related field plus a DR related Certificate.	5	5 = Honours degree or Post Graduate Diploma (NQF 8) or higher plus a DR related Certificate. 4 = Bachelor's Degree/ Advance Diploma (NQF 7) plus a DR related Certificate 3 = National Diploma/NQF6 plus a DR related Certificate 2 = Matric plus a DR related Certificate 1 = Matric without a DR related Certificate
2.18 Disaster Recovery Consultant Experience Minimum of 5 years of experience in Disaster Recovery methods.	5	5 = 7 years or more 4 = 6 Years 3 = 5 Years 2 = 3 to 4 Years 1 = 1 to 2 Years
3. Proven Technical Competencies (aligned to the services to be rendered) • Submission of a detailed Project Approach and Methodology document: ○ Detailed Project plan with: ▪ Milestones ▪ Implementation Plan ▪ Deliverables; and ▪ Costing Schedule Etc.	5	5 = Excellent (all the following has been submitted: proof of proposed approach, methodology; proposed solution aligned to the services to be rendered and additional information over and above what is requested). 4 = Very Good (all the following has been submitted: proof of proposed approach, methodology; and

○ Clear understanding of the context of the requirement ○ Clear strategy to the execution of the requirement • The methodology proposed needs to be innovative, including but not limited to the following— ○ Extensive and highly interactive stakeholder interactions ○ Showcase the value of the approach, ○ Align the proposal with the goals of the stakeholders ○ Share examples of where similar methodologies have been implemented and succeeded • Proposed solution		proposed solution aligned to the services to be rendered) 3 = Good (two of the following has been submitted: proof of proposed approach, methodology; or proposed solution aligned to the services to be rendered) 2 = Average (one of the following has been submitted: proof of proposed approach, methodology; or proposed solution aligned to the services to be rendered) 1 = Poor (No proof of proposed approach and methodology; proposed solution)
Total	100	
Minimum Threshold	60	
Bidders who did not meet a minimum threshold of 60% on Technical Evaluation Criteria will be disqualified for further evaluation on price and specific goals.		

TERMS AND CONDITIONS

- The successful service provider(s) and its employees or consultants will have to undergo a mandatory security clearance process. NT reserves the right to cancel, terminate or, not award the contract to a company that either doesn't avail itself for security clearance or fails such. The successful supplier will also enter into a non-disclosure agreement with the National Treasury.
- The CVs presented as part of the bid must be available for providing the service at National Treasury sites. If the resource is not available, NT reserves the right to accept or reject the replacement CVs presented. The service provider will be responsible for providing the desired replacement resources should the replacement CVs be rejected by NT.
- NT has the right to terminate the contract as and when the services are no longer required or as soon as the allocated funds are depleted.
- The service provider must undertake to conclude an agreement(s) which must consist of, but is not limited to the following:

- A clear description of the required services and deliverables
- Defined payment terms for the service.
- Agreement that the successful service provider shall be a single point of contact for the service. In a case where the service provider outsourced services, the service provider will manage the National Treasury outsourced company directly.
- Agreement that the successful service provider must provide qualified personnel who have undergone necessary training and certification to provide the required service. Should the skill/s not be available in-house, this must be specified.
- Successful bidder(s) must be able to commence work as soon as the agreement(s) have been signed.
- The bidder is required to submit a valid work visa and permit that complies with the provisions of the Immigration Act, 2002 (Act No.13 of 2002) read together with the critical skills list published in terms of Regulation 18(1) and 18(5) dated 02 August 2022 must be submitted for the director of the company submitting a bid and for each foreigner proposed as a resource.
- The bidder will also be expected to prove that the firm has exhausted all avenues to acquire that skill within the country.
- Personnel may only work on projects if they are granted a positive South African security clearance. If the clearance result is negative, the service provider will not be permitted to use that resource. The bidder will be required to replace the individual with another resource who has equivalent or above experience and qualifications, and the replacement resource will be subject to the same evaluation criteria.
- National Treasury reserves the right to screen and vet shortlisted service providers before the appointment.
- ICT reserves the right to contact references as per the prescribed reference template (Annexure 2) during the evaluation and adjudication process to obtain information
- The National Treasury reserves the right to terminate the contract if there is clear evidence of deviations from the agreed specifications.

TERMINATION

The State shall be entitled to terminate this agreement if one or more of the following occur:

- The service provider decides to transfer the contract or cede the contract.
- The service provider does not honour contractual obligations, including the submission of information.

- The service provider is provisionally or finally liquidated, making it impossible for the service provider to perform its functions in terms of this Contract.
- The service provider enters settlement arrangements with their creditors.
- The service provider commits an act of insolvency.
- In the event that the service provider is a member of an unincorporated joint venture or consortium and the membership of such joint venture or Consortium changes.
- The State reserves its right to terminate the Contract in the event that there is a change in ownership of the service provider that has the effect that over 50% ownership of the service provider belongs to the new owner without prior written approval of the State.
 - Either Party may terminate this Contract for breach in the event that the other party fails to comply with any of its obligations in terms of this Contract and has failed to remedy such breach within fourteen (14) calendar days' written notice to remedy such non-compliance.
 - Notwithstanding the provisions above, either Party may terminate this Contract by giving the other Party 30 (thirty) days' written notice to that effect.

DUE DILIGENCE

The State reserves the right to:

- Conduct due diligence during the evaluation process to determine the ability of the bidder to honour contractual obligations that might emanate from this tendering process. The due diligence is not only limited to the bidder but to all parties the bidder might have confirmed to do business with for the fulfilment of the contract that might be awarded.
- Conduct due diligence prior to final award or at any time during the contract period and this may include pre-announced/ non-announced site visits. During the due diligence process the information submitted by the bidder will be verified and any misrepresentation thereof may disqualify the bid in whole or parts thereof.
- Conduct any evaluation verifications prior to final award or at any time during the contract term period.

2. EVALUATION CRITERIA

- a) In terms of regulation 4 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the 80/20-preference point for Specific goals in terms of which points are awarded to bidders on the basis of:
 - The bid price (maximum 80 points)
 - Specific goals (maximum 20 points)

- b) The following formula will be used to calculate the points for price in respect of bidders with a Rand value up to R50 000 000:

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

Where

P_s = Points scored for price of tender under consideration;

P_t = Price of tender under consideration; and

$P_{\min}$ = Price of lowest acceptable tender.

A maximum of 20 points may be awarded to a tenderer for the specific goals specified for the tender.

The points scored for the specific goal must be added to the points scored.

for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

- c. The State reserves the right to arrange contracts with more than one contractor.

2.1 POINTS

The Preferential Procurement Regulations 2022 were gazetted on 4 November 2022 (No. 47452) with effect from 16 January 2023. The 80/20 preference points systems will be applied in accordance with the formula and applicable points provided for in the respective status level contributor tables in the Regulations.

Note to organs of state: 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

#	Specific goals	Score	Required proof/ documents to be submitted for evaluation purposes
1	The company is owned by people who are Youth. 100% company owned by youth = 5 points 75% - 99% company owned by youth = 3 points 60% - 74% company owned by youth = 2 points 51%- 59% company owned by youth = 1 points 0 - 50% company owned by youth = 0 points	5 points	Proof of claim as declared on SBD 6.1 (one or more of the following will be used verifying the tenderer's status: - Company Registration Certification / document (CIPC) - Certified identification documentation of company director/s - Consolidated B-BBEE certificated if the tendering company is a Consortium, Joint Venture, or Trust (Issued by verification agency accredited by the South African Accreditation System). - Agreement for a Consortium, Joint Venture, or Trust.

2	The company is owned by black people. • 100% company owned by people who are Black = 5 points • 75% - 99% company owned by people who are Black = 3 points • 60% - 74% company owned by people who are Black = 2 points • 51%- 59% company owned by people who are Black = 1 points • 0 - 50% company owned by people who are Black = 0 points	5 points	
3.	The company owned by HDI (Women). • 100% company owned by people who are women = 5 points • 75% - 99% company owned by people who are women = 3 points • 60% - 74% company owned by people who are women = 2 points • 51%- 59% company owned by people who are women = 1 points • 0 - 50% company owned by people who are women = 0 points	5 points	
4.	The company owned by people who are disabled. • 100% company owned by people who are disabled = 5 points • 75% - 99% company owned by people who are disabled = 3 points • 60% - 74% company owned by people who are disabled = 2 point		

	• 51%- 59% company owned by people who are disabled = 1 point • 0 - 50% company owned by people who are disabled = 0 point		
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***NB: Points will be allocated based on % ownership to the Company (main tendering entity). Please attach proof/ required documents.**

- The points scored by a bidder in respect of points indicated above will be added to the points scored for price.
- Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- Bidders are requested to complete the various specific goals forms in order to claim points.
- Only a bidder who has completed and signed the declaration part of the preference claim form will be considered for specific goals.
- The National Treasury may, before a bid is adjudicated or at any time, require a bidder to substantiate claims made with regard to their specific goals.
- Points scored will be rounded off to the nearest 2 decimals.
- In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for the bid. Should two or more bids be equal in all respects, the award shall be decided by drawing of lots.
- A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

3. MANDATORY REQUIREMENTS

3.1 A paper-based administrative evaluation will be carried out on all the bids received and if the under mentioned documentation is not signed or attached, such a bid will be eliminated from any further evaluation.

- Bidders must submit a detailed price proposal (SBD 3.3) indicating the hourly rates of each resource

FAILURE TO ADHERE TO THE CONDITIONS OF THE BID WILL LEAD TO DISQUALIFICATION.

NOTE: Additional Required Documents (Not for disqualification)

- The format of the CVs must be in accordance with the prescribed format (**ANNEXURE A1**),
- A brief narrative profile of the potential bidder must be submitted in the prescribed format in (**Annexure A2**) as part of the bid documentation and attached supporting documentation.

- c) CVs submitted for the resources **must indicate the position that they will be evaluated for**, e.g. Project Manager or Engineer/Technical resources. If the position is not indicated, the CV will not be considered.
- d) Proof of valid registration with Compensation for Occupational Injuries and Disaster (COIDA).
- e) Valid work permit and existing security clearance for foreign nationals are compulsory.
- f) Proof of Central Supplier Database (CSD) report.
- g) Bidders are required to submit proof of educational qualification(s) for all resources required.
- h) All foreign qualifications must be accompanied by a South African Qualifications Authority (SAQA) certificate of evaluation.
- i) In case of Joint Venture, Consortium, Trust, or Partnership, a signed teaming agreement is required with the partner.
- j) In the case of a Joint Venture, Consortium, Trust, or Partnership a Valid Tax Clearance Certificate and/or SARS issued pin code for both companies must be submitted (which will be verified)
- k) In the case of a Joint Venture, Consortium, Trust, or Partnership, a signed teaming agreement must be submitted.
- l) In the case of a Joint Venture, Consortium, Trust, or Partnership a Consolidated Central Supplier (CSD) Database Registration or both companies CSD are required.
- m) The use of consultants should be accompanied by a valid and signed agreement or contract between the firm and that resource.
- n) It should be noted that no consideration will be made to any bidder, that has provided profiles for their resources, which are also provided by another competitor in this same bid, this is considered collusive tendering.
- o) It should be noted that no consideration will be made to any bidder, that has provided profiles for their resources, which are also provided by another competitor in this same bid, this is considered collusive tendering.
- p) The bidder is required to submit a valid work visa and permit that complies with the provisions of the Immigration Act, 2002 (Act No.13 of 2002) read together with the critical skills list published in terms of Regulation 18(1) and 18(5) dated 02 August 2022 must be submitted for the director of the company submitting a bid and for each foreigner proposed as a resource. ***Failure to comply with the requirement within 7 working days after being informed will lead to invalidation of your bid***

NOTE:

The National Treasury may contact bidders in case additional information is required.

4. TAX COMPLIANCE STATUS

Bids received from bidders with a non-compliant tax status may be disqualified with failure to update the Tax Status within 7 days.

5. VALUE ADDED TAX

All bid prices must be inclusive of 15% Value-Added Tax where applicable.

6. CLIENT BASE

- 6.1** National Treasury reserves the right to contact references during the evaluation and adjudication process to obtain information.

7. LEGAL IMPLICATIONS

Successful service providers will enter into a service level agreement with National Treasury

8. COMMUNICATION

National Treasury may communicate with bidders for, among others, where bid clarity is sought, to obtain information or to extend the validity period. Any communication either by letter or electronic mail or any other form of correspondence to any government official, department or representative of a testing institution or a person acting in an advisory capacity for the National Treasury in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

9. SUBMISSION OF BIDS

9.1 ONLINE BID SUBMISSION

- 9.1.1 Bidders must submit their bids online through the e-Tender Publication portal.
- 9.1.2 Manual or hardcopy bids are **NOT** acceptable.
- 9.1.3 The online e-Tender publication portal can be accessed on the following link:
<https://www.etenders.gov.za/>
- 9.1.4 The link for online bid submission tutorial is attached as <https://youtu.be/B7pNseNJYHM>
- 9.1.5 Bidders must ensure that bids are uploaded onto the system by the stipulated date and time.
- 9.1.6 If a bid is late and or loaded incorrectly by the closing date, it will not be accepted and receive further consideration.
- 9.1.7 Bidders are required to ensure that electronic bid submissions are done at least a day before the closing date to prevent issues which they may encounter due to their internet speed, bandwidth, or the size of the number of uploads they are submitting. National Treasury will not be held liable for any challenges experienced by bidders as a result of their technical challenges. Please do not wait for the last hour to submit. Queries sent on the closing date will not be considered, queries should be sent at least a day before the closing date to prevent issues of not receiving assistance and National Treasury will not be held liable resulting in non-submission.
- 9.1.8 Bidders to adhere to all the rules for the online bid submission.

10. LATE BIDS

Bids received after the closing date and time will **NOT** be accepted for consideration.

11. COUNTER CONDITIONS

Bidders' attention is drawn to the fact that amendments to any of the Special Conditions by bidders will result in such bids being disqualified.

12. PROHIBITION OF RESTRICTIVE PRACTICES

- a. In terms of section 4(1) 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:
 - directly or indirectly fixing a purchase or selling price or any other trading condition;
 - dividing markets by allocating customers, suppliers, territories or specific types of goods or services; or
 - collusive bidding.
- b. If a bidder(s) or contractor(s), in the judgment of the purchaser, has/have engaged in any of the restrictive practices referred to above, the purchaser may, without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered or terminate the contract in whole or in part and refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998.

13. FRONTING

- a. The National Treasury supports the spirit of broad-based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent, and legally compliant manner. Against this background the National Treasury condemns any form of fronting.

The National Treasury, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct, or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such an enquiry/investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder/contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the National Treasury may have against the bidder/contractor concerned.

14. TIMEFRAMES AND FORMAL CONTRACT

Successful bidder(s) will enter into a formal contract with the National Treasury.

15. FUNCTIONALITY/TECHNICAL PROPOSAL

Bid No: **NT016-2025**

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16 PRICE/ FINANCIAL PROPOSAL

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17 CONTACT DETAILS

General/ Bid enquiries should be in writing to: NTAdministrativeTenders@Treasury.gov.za