



# KwaZulu-Natal Legislature

FOR OFFICIAL USE

**DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY SERVICES OF COMMUNITY RADIO SLOTS CAMPAIGNS TO ENHANCE PUBLIC PARTICIPATION, LAW MAKING AND OVERSIGHT FOR THE KWAZULU NATAL LEGISLATURE FOR A PERIOD OF FOUR YEARS**

Bid No. : **KZNL 03/2020**

COMPANY NAME : \_\_\_\_\_

Registration No. \_\_\_\_\_

### Type of Bidder (Tick One Box)

One-person Business/Sole Trader	
Close corporation	
PTY (Ltd)	
Private Company	
Partnership	
Consortium/Joint Venture	
Co-operative	

---

---

### RETURN OF PROPOSAL

Proposal must be deposited in the Bid box situated at Ground Floor, KwZulu Natal  
Legislature, Albetina Sisulu Admin Building, 244 Langalibalele Street PIETERMARITZBURG  
3201

**KWAZULU-NATAL LEGISLATURE  
TABLE OF CONTENTS.**

SECTION	CONTENTS	PAGE	
<b>Section A –K– Standard Bid Documentation</b>	<b>Section: A</b>	Invitation to Bid	2
	<b>Section: B</b>	Special Instructions and Notices to Bidders regarding the completion of Bidding Forms	4
	<b>Section: C</b>	Tax Clearance Certificate Requirement	5
	<b>Section: D</b>	Declaration of Interest	6
	<b>Section: E</b>	Preference Points Claim Form in Terms of the Preferential Procurement Regulations 2017	9
	<b>Section: F</b>	Conditions of bid	15
	<b>Section: G</b>	Authority to Sign a Bid	17
	<b>Section: H</b>	Declaration of Bidders Past Supply Chain Management Practices.	21
	<b>Section: I</b>	Certificate of Independent Bid Determination	22
	<b>Section: J</b>	Special Conditions of Contract	24
	<b>Annexure: A</b>	Specification/ Tor & Price page/schedule	28
	<b>Annexure B</b>	General Conditions of Contract	58

SECTION A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE KWAZULU-NATAL LEGISLATURE

BID NUMBER: KZNL 03/2020 CLOSING DATE: 08 October 2020 CLOSING TIME: 11:00

DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY SERVICES OF COMMUNITY RADIO SLOTS CAMPAIGNS TO ENHANCE PUBLIC PARTICIPATION, LAW MAKING AND OVERSIGHT FOR THE KWAZULU NATAL LEGISLATURE FOR A PERIOD OF FOUR YEARS

CONTRACT PERIOD: 48 VALIDITY PERIOD: 120 DAYS

Non-Compulsory Tender Briefing session will be held on the 17 September 2020 at 10:00 via Microsoft teams . Bidders are requested to forward their email addresses and name of the company to Mr G. Ngcamu on Ngcamun@kznleg.gov.za and copy Ms Londeka Zuma on Zumal@kznleg.gov.za by the 16 September 2020 end of business day.

The successful bidder will be required to fill in and sign a written Contract Form (SBD 13.1 or 13.2) depending on the nature of the supply/service

Table with 2 columns: BID DOCUMENTS MAY BE POSTED TO: (The Head SCM Unit, KZN Legislature, Private Bag 9112, Pietermaritzburg, 3200) and NOTE: THE POST IS CLEARED FROM THE PIETERMARITZBURG POST OFFICE BEFORE 10:00 ON DUE DATE

OR

Table with 2 columns: BID DOCUMENTS DELIVERED BY HAND MUST BE DEPOSITED IN THE BID BOX SITUATED AT: (Ground Floor, KZN Legislature, 244 Langalibalele Street, PIETERMARITZBURG 3201) and THE BID BOX IS AVAILABLE ON THE FOLLOWING DAYS AND TIME: (MONDAY TO THURSDAY 08:00 TO 16:00, FRIDAY (EXCLUDING PUBLIC HOLIDAYS) 08:00 TO 14:00)

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF THE BIDDER \_\_\_\_\_

POSTAL ADDRESS \_\_\_\_\_

STREET ADDRESS \_\_\_\_\_

TELEPHONE NUMBER CODE \_\_\_\_\_ NUMBER \_\_\_\_\_

CELLPHONE NUMBER \_\_\_\_\_

FACSIMILE NUMBER CODE \_\_\_\_\_ NUMBER \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

VAT REGISTRATION NUMBER \_\_\_\_\_

CENTRAL SUPPLIER DATABASE (CSD) \_\_\_\_\_

HAS A VALID TAX CLEARANCE CERTIFICATE AND PIN BEEN SUBMITTED? (Section B) YES  NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (Section F) YES  NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

**[TICK APPLICABLE BOX]**

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); OR.....

A REGISTERED AUDITOR .....

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)**

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED? YES  NO   
**[IF YES ENCLOSE PROOF]**

SIGNATURE \_\_\_\_\_ OF \_\_\_\_\_ BIDDER  
.....

DATE \_\_\_\_\_  
.....

CAPACITY UNDER WHICH THIS BID IS SIGNED  
.....

**TOTAL BID PRICE:**  
R.....

**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

Contact Person: Mr N Ngcamu  
Tel: 033 355 7548  
E-mail address: [ngcamun@kznleg.gov.za](mailto:ngcamun@kznleg.gov.za)

## SECTION B

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

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and visa versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted.
3. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
4. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
5. Bids submitted must be complete in all respects. (All sections must be completed).
6. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
7. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
8. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
9. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
10. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
11. No bid submitted by telefax, telegraphic or other electronic means will be considered.
12. Bidding documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
13. Any alteration made by the bidder must be initialled.
14. Use of pencil and correcting fluid is prohibited.
15. Bids will be opened in public as soon as practicable after the closing time of bid.
16. Where practical, prices are made public at the time of opening bids.
17. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.
18. All consortia/joint ventures must submit individual company valid Clearance Tax Clearance Certificates AND Pin. (Where required, individual company profiles must be included). Please also refer to Annexure D - para. 2.3 regarding B-BBEE Status Level Certificates.
19. If a **compulsory briefing session/site inspection** is held, the bid document must be stamped and signed at the session. Failure to comply will render the bid disqualified at the time of closure of the bid.
20. The Legislature is not bound to accept any of the proposals submitted and reserves the right to cancel the bid at any time and to call for the best and final offers from shortlisted bidders before final selection.
21. The Legislature reserves the right to call for presentations/interviews with shortlisted bidders before final selection.
22. Only bids that were submitted with a valid Tax Clearance certificate will be considered.
23. The Legislature reserves the right to appoint more than one service provider.
24. Prices will be deemed as firm for the first year and subject to statutory price increases. (**Note:** Any price escalation will be subjected to approval by the Legislature and will only be affected after the first completed year)
25. All bidders must attach all required annexures.
26. Bidding documents must be completed in accordance to the conditions and bidding rules contained therein.
27. The lowest or any proposal will not necessarily be accepted and the KZN Legislature reserves the right not to consider any proposal, not suitably endorsed or comprehensively completed, as well as the right to accept a proposal in whole or in part.
28. Registration on National Treasury's Central supplier Database (CSD) is compulsory. For more information on how to register go to [www.csd.gov.za](http://www.csd.gov.za) . Failure to submit a CSD supplier registration report will result in the disqualification of proposals.

**SECTION C (SBD 2)**

**TAX CLEARANCE CERTIFICATE REQUIREMENTS**

**It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.**

1. In order to meet this requirement bidders are required to complete in full the TCC 001 form. "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
6. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za).

**I HAVE READ, UNDERSTOOD AND COMPLY WITH THE SPECIAL INSTRUCTIONS ABOVE:**

\_\_\_\_\_  
**SURNAME AND INITIALS OF COMPANY REPRESENTATIVE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**SIGNATURE**

COMPANY OFFICIAL STAMP



**SECTION D (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:  
.....

Of (Company Name).....

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

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

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

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 Number / Number	Employee / 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

\_\_\_\_\_  
 Company Name

\_\_\_\_\_  
 Position

\_\_\_\_\_  
 Date

**SECTION E (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 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 Preference point system shall be applicable; or
- 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>   | 80            |
| <b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>                | 20            |
| <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.



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"/>
-----	--------------------------	----	--------------------------

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)

v) Specify, by ticking the 

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

 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	QSE
Black people	√	√
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
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 .....

.....

**CONTRACT FORM - PURCHASE OF GOODS/WORKS**

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

**PART 1 (TO BE FILLED IN BY THE BIDDER)**

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to the KwaZulu-Natal Legislature in accordance with the requirements and specifications stipulated in bid number **KZNL 03/2020** at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Technical Specification(s);
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

<b>WITNESSES</b>	
1.....	.....
2. ....	.....
DATE:.....	

**CONTRACT FORM PURCHASE OF GOODS/WORKS**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I ..... in my capacity as.....  
 accept your bid under reference number ..... dated .....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

<b>ITEM NO.</b>	
<b>PRICE (ALL APPLICABLE TAXES INCLUDED)</b>	
<b>BRAND</b>	
<b>DELIVERY PERIOD</b>	
<b>B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	
<b>MINIMUM THRESHOLD FOR LOCAL PRODUCTION &amp; CONTENT (if applicable)</b>	

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

**WITNESSES**

1. ....

2. ....

DATE .....

**CONTRACT FORM - RENDERING OF SERVICES**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

I..... in my capacity  
as.....  
accept your bid under reference number ..... dated.....for the rendering of  
services indicated hereunder and/or further specified in the annexure(s).

- 4. An official order indicating service delivery instructions is forthcoming.
- 5. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	
PRICE (ALL APPLICABLE TAXES INCLUDED)	
DELIVERY PERIOD/ COMPLETION DATE	
B-BBEE STATUS LEVEL OF CONTRIBUTION	
MINIMUM THRESHOLD FOR LOCAL PRODUCTION & CONTENT (if applicable)	

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

<b>WITNESSES</b>	
1	Name: _____ Signature _____ Date: _____
2	Name: _____ Signature _____ Date: _____







**SECTION F**  
**CONDITIONS OF BID**

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the KwaZulu-Natal Legislature (hereinafter called the "Legislature") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated into this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/we agree that:
  - (a) the offer herein shall remain binding upon me and open for acceptance by the Legislature during the validity period indicated and calculated from the closing time of the bid;
  - (b) this bid and its acceptance shall be subject to SCM Regulations issued in terms of the Financial Management of Parliament Act, the KwaZulu-Natal Legislature's Supply Chain Management Policy, the Treasury Practice Notes, and the General Conditions of Contract, with which I/we am fully acquainted;
  - (c) if I/we withdraw my bid within the period for which I/we have agreed that the bid shall remain open for acceptance, or fail to fulfil the contract when called upon to do so, the Legislature may, without prejudice to its other rights, agree to the withdrawal of my bid or cancel the contract that may have been entered into between me and the Province. I/we will then pay to the Legislature any additional expenses incurred by the Legislature having either to accept any less favourable bid or, if fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bids and by the subsequent acceptance of any less favourable bid. The Legislature shall have the right to recover such additional expenditure by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Legislature may sustain by reason of my default;
  - (d) if my bid is accepted, the acceptance may be communicated to me by registered post, and that the South African Post Office Limited shall be treated as delivery agent to me;
  - (e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose *domicilium citandi et executandi* in the Republic at (full physical address) :  
.....  
.....
3. I/we furthermore confirm that I/we have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference quoted cover all of the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
4. I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal(s) liable for the due fulfilment of this contract.
5. I/we agree that any action arising from this contract may in all respects be instituted against me and I/we hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
6. I/we confirm that I/we have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

**6. CERTIFICATION OF CORRECTNESS OF INFORMATION SUPPLIED IN THIS DOCUMENT**

I/we, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE BIDDER, CERTIFY THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The bidder will furnish documentary proof regarding any bidding issue to the satisfaction of the Province, if requested to do so.
- (2) If the information supplied is found to be incorrect and/or false then the Province, in addition to any remedies it may have, may:-
  - a) Recover from the contractor all costs, losses or damages incurred or sustained by the Legislature as a result of the award of the contract, and/or
  - b) Cancel the contract and claim any damages which the Legislature may suffer by having to make less favourable arrangements after such cancellation.

**SIGNED ON THIS ..... DAY OF ..... 20 ..... AT .....**

.....  
**SIGNATURE OF BIDDER OR DULY  
AUTHORISED REPRESENTATIVE**

.....  
**FULL NAME (IN BLOCK LETTERS)**

**ON BEHALF OF (BIDDER'S NAME) .....**

**CAPACITY OF SIGNATORY .....**

**NAME OF CONTACT PERSON (IN BLOCK LETTERS).....**

.....

**POSTAL ADDRESS**  
.....

.....**POSTAL CODE.....**

**TELEPHONE NUMBER:** .....

**FAX NUMBER:** .....

**CELL PHONE NUMBER:** .....

**E-MAIL ADDRESS:** .....

**SECTION G  
AUTHORITY TO SIGN A BID**

**A. COMPANIES**

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

**AUTHORITY BY BOARD OF DIRECTORS**

By resolution passed by the Board of Directors on ..... 20.....,  
Mr/Mrs .....whose  
signature appears below) has been duly authorised to sign all documents in connection with this  
bid on behalf of (Name of Company).....

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

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

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

**WITNESSES:** 1 .....  
2 .....

**B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)**

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

.....

**SIGNATURE**.....

**DATE**.....

**C. PARTNERSHIP**

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner	Residential address	Signature
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

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

.....	.....	.....
<b>SIGNATURE</b>	<b>SIGNATURE</b>	<b>SIGNATURE</b>
.....	.....	.....
<b>DATE</b>	<b>DATE</b>	<b>DATE</b>

**D. CLOSE CORPORATION**

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

By resolution of members at a meeting on ..... 20..... at .....

..... Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of

(Name of Close Corporation) .....

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

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

SIGNATURE OF SIGNATORY: .....

WITNESSES: 1 ..... WITENSS:- 2 .....

**E. CO-OPERATIVE**

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

By resolution of members at a meeting on ..... 20..... at .....

Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of cooperative).....

SIGNED ON BEHALF OF CO-PERATIVE:.....  
(PRINT NAME)

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

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

WITNESSES: 1 ..... WITENSS:- 2 .....

**F. CONSORTIUM**

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

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

By resolution/agreement passed/reached by the consortium on ..... 20 .....

Mr/Mrs.....

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

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

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

SIGNATURE OF SIGNATORY: .....

WITNESSES: 1 ..... WITNESS: - 2.....

**G. JOINT VENTURE**

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

AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE

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

Mr/Mrs.....,Mr/Mrs.....,

Mr/Mrs.....and Mr/Mrs.....

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

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

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

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

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

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

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

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

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

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

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

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

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

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



**SECTION H (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-
- 4 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.
- 5 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Ye s 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?  <b>(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).</b> 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 pg	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)? <b>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.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:..... .....		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:..... .....		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:..... .....		

**CERTIFICATION**

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Position

\_\_\_\_\_  
Company Name

SECTION I (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.

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.
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**

<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.

**SECTION K**  
**SPECIAL CONDITIONS OF CONTRACT**

**1. ACCEPTANCE OF BID**

- 1.1 The KwaZulu-Natal Legislature's (KZN Legislature's) Bid Adjudication Committee is under no obligation to accept the lowest or any bid.
- 1.2 The financial standing of bidders and their ability to manufacture or to supply goods or render services may be examined before their bids are considered for acceptance.

**2. APPEALS/OBJECTIONS**

- 2.1 Entities aggrieved by a decision of a KZN Legislature Bid Adjudication Committee or a delegate of an accounting officer, may appeal to the Accounting Officer in the prescribed manner by the Supply Chain Management Policy or submit their grievance to the High Court.

**3. AMENDMENT OF CONTRACT**

- 3.1 Any amendment to or renunciation of the provisions of the contract shall at all times be done in writing and shall be signed by both parties subject to the Legal Services screening the amendment before it is signed.

**4. BID PRICING**

Bid prices reflected, will be taken as firm for the duration of the contract and will only be subject to statutory increases.

**5. CHANGE OF ADDRESS**

- 5.1 Bidders must advise the KwaZulu-Natal Legislature should their address (*domicilium citandi et executandi*) details change from the time of bidding to the expiry of the contract.

**6. COMMUNICATION**

- 6.1 All correspondence with regard to this bid must be addressed or hand delivered to the:

HEAD OF SUPPLY CHAIN MANAGEMENT  
KZN LEGISLATURE  
PRIVATE BAG X 9112  
PIETERMARITZBURG  
3200

**7. COMPLETION OF SPECIFICATION**

- 7.1 Where specifications are designed in such a way that responses would be required from bidders, these forms must be completed and submitted as part of the bid document.

**8. COMPLETENESS OF BID**

- 8.1. Bids will only be considered if correctly completed and accompanied by all relevant certificates and other necessary applicable information.

**9. CONDITIONS OF BID**

- 9.1 The successful Contractor must be in a position to assume duty on the date stipulated in the letter of acceptance
- 9.2 No bid received by telegram, telex, or facsimile will be considered.
- 9.3 It shall be noted that the KZN Legislature is under no obligation to accept the lowest or any bid.
- 9.4 The offer shall be made strictly according to the specification. No alternative offers will be considered.

- 9.5 Bidders must provide the following particulars about themselves as part of the bid:
  - 9.6.1 Where they have their Headquarters
  - 9.6.2 Where they have their Regional Office.
  - 9.6.3 Name, address and telephone number of bankers together with their bank account number.
  - 9.6.4 The names, identity numbers and street addresses of all partners in cases where persons, a partnership, or a firm consists of a partnership.
- 9.6 In cases where a person or persons, a partnership, close corporation, firm or company enters business for the very first time, the following particulars shall be provided:
  - 9.7.1 By whom, or with whose assistance, was the business plan drafted?
  - 9.7.2 By whom, or with whose assistance, were the bid prices calculated?
  - 9.7.3 Whose advice is relied on?
  - 9.7.4 Who will provide financial support?
- 9.7 A list of references must accompany this bid. Particulars shall be submitted regarding similar agreements completed successfully or of projects which the bidder is engaged in.

**10. CONTRACT PERIOD**

- 10.1 The contract period : **48 MONTHS**
- 10.2 The KZN LEGISLATURE reserves the right to terminate the contract with any contractor should the contractor fail to fulfil his/her contractual obligations in terms of the contract.

**11. DETAILS OF CURRENT CONTRACTS HELD BY THE BIDDER**

- 11.1 The bidder must furnish the following details of all current contracts:
  - (i) Date of commencement of contract/s;
  - (ii) Expiry date/s;
  - (iii) Value per contract; and
  - (iv) Contract details. That is, with whom held, phone number and address/s of the company.

**12. EQUAL BIDS**

- 12.1 In the event that two or more bids have equal total points, the successful bid will be the one scoring the highest number of preference points for specified goals. Should two or more bids be equal in all respects, the Adjudication shall be decided by the drawing of lots.

**13. EXECUTION CAPACITY**

- 13.1 The bidder will be required to provide an efficient and effective service. Therefore, the bidder is required to submit proof that he/she has the required capacity to execute the contract tendered for successfully. The bidder must supply references or state his/her experience as a company to undertake the contract. References of past experience of owners/employees of new entities must accompany the bid document

**14. EXTENSION OF CONTRACT**

- 14.1 An extension of contract may be considered. It is the normal policy that contracts are not extended. However, circumstances may arise whereby a contract cannot be renewed in time. If this is found to be the case, the right is reserved to approach existing contractor(s) to extend the contract for such period agreed to.

**15. INFORMATION REQUIRED FROM BIDDER**

- 15.1 Bidders must provide the following particulars about themselves as part of the bid:
- 15.2 Where they have their Headquarters. } Details to be supplied on

15.3 Where they have their Regional Offices.

Company's letterhead.

## 16. IRREGULARITIES

Companies are encouraged to advise the KZN Legislature timeously of any possible irregularities which might come to their notice in connection with this or other contracts.

## 17. JOINT VENTURES

17.1 In terms of the Supply Chain Management Policy Framework, a consortium or joint venture may, based on the percentage of the contract value managed or executed by their HDI members, be entitled to equity ownership in respect of an HDI.

17.2 Should this bid be submitted by a joint venture; a certified copy of the joint venture agreement **must** accompany the bid document before the closing date and time of bid. The joint venture agreement **must** clearly specify the percentage of the contract to be undertaken by each company participating therein.

17.3 Failure to submit the joint venture Agreement will result in preference points not being allocated to all companies participating in the joint venture.

## 18. LATE BIDS

18.1 Bids are late if they are received at the address indicated in the bid documents after the closing date and time.

18.2 A late bid shall not be considered and, where practicable, shall be returned unopened to the bidder. No late bids are accepted.

## 19. NOTIFICATION OF ADJUDICATION OF BIDDER & ADVERTISING OF RESULTS

Notification of the Adjudication of bid shall be in writing by a duly authorized official of the KZN LEGISLATURE.

## 20. TAX CLEARANCE CERTIFICATE

20.1 The Tax Clearance PIN must be submitted with the bid before the closing date and time of the bid.

20.2 Each party to a Joint Venture/Consortium must submit a valid Tax Clearance Pin together with the bid at the closing date and time of bid.

## 21. UNSATISFACTORY PERFORMANCE

21.1 Unsatisfactory performance occurs when performance is not in accordance with the contract conditions.

(A) Before any action is taken, the KZN Legislature shall warn the contractor by registered/certified mail that action will be taken in accordance with the contract conditions unless the contractor complies with the contract conditions and delivers satisfactory supplies or services within a specified reasonable time (7 days minimum). If the contractor does not perform satisfactorily despite the warning the KZN Legislature will:

- (i) take action in terms of its delegated powers
- (ii) make a recommendation for cancellation of the contract concerned.

## 22. VALIDITY PERIOD AND EXTENSION THEREOF

The validity (binding) period for the bid must be **120** days from close of bid. However, circumstances may arise whereby this KZN Legislature may request the bidders to extend the validity (binding) period. Should this occur, the KZN Legislature will request bidders to extend the validity (binding) period under

the same terms and conditions as originally tendered for by bidders. This request will be done before the expiry of the original validity (binding) period.

### **23. VAT**

23.1 Bid prices must be inclusive of VAT.

23.2 A tax invoice shall be in the currency of the Republic of South Africa and shall contain the following particulars:

- (a) The name, address and registration number of the supplier;
- (b) the name and address of the recipient;
- (c) an individual serialized number and the date upon which the tax invoice is issued;
- (d) a description of the goods or services supplied;
- (e) the quantity or volume of the goods or services supplied;
- (f) either –
  - (i) the value of the supply, the amount of tax charged and the consideration for the supply; or
  - (ii) where the amount of tax charged is calculated by applying the tax fraction to the consideration, the consideration for the supply and either the amount of the tax charged, or a statement that it includes a charge in respect of the tax and the rate at which the tax was charged.

### **24. REQUIREMENTS**

#### **24.1 REGISTRATION WITH THE STATUTORY BODIES**

The bidder must be registered for Workmens Compensation & UIF.

### **25. SECURITY VETTING:**

Security vetting will be carried out on all personnel involved in the contract.

### **26. Previous Experience**

The Bidder must furnish the following details of all previous contracts.

- (a) Date of commencement of contract/s;
- (b) Expiry date/s;
- (c) Value per contract; and
- (d) Contract details: That is, with whom held, phone number and address/s of the company.

**BID SPECIFICATION  
OR  
TERMS OF REFERENCE  
AND  
PRICING PAGE/SCHEDULE**

**BID NUMBER: KZNL 3/2020**



**SECTION 1****APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY SERVICES OF COMMUNITY RADIO SLOTS CAMPAIGNS TO ENHANCE PUBLIC PARTICIPATION, LAW MAKING AND OVERSIGHT FOR THE KWAZULU NATAL LEGISLATURE FOR A PERIOD OF FOUR YEARS****TERMS OF REFERENCE****1. BACKGROUND AND PROBLEM STATEMENT**

1.1 Section 118 of the Constitution of the Republic of South Africa states that a Provincial Legislature must facilitate public involvement in the legislative and other processes of the legislature and its committees. Public Participation Unit a responsibility to ensure that the above-mentioned Constitutional mandate is achieved throughout the Province of KwaZulu-Natal.

1.2 PPP unit has a responsibility to create an awareness and educate the member of public on Public participation, Law making and Oversight. In order to achieve this Community Radios are identified as an important tool of ensuring that the citizens of KwaZulu Natal are informed of the said functions accordingly.

**2. AIMS AND OBJECTIVES OF THE PROJECT****2.1 Aim of the project**

The primary aim of the project is to advance public education through community radios initiative with an aim of reaching out to the members of public in order to educate them on the core functions of the legislature that is law making, public participation and oversight.

**2.2 The objective/s of the project is:**

- 2.1 To use community radio slots as a vehicle of enhancing public education among the members of public
- 2.2. To deepening participatory democracy through public education through community radio slots.
- 2.3 To increase the awareness among the members of public on the core functions of the Legislature namely Law Making, Oversight and Public Participation.

**3. PROJECT SCOPE**

The scope of work covers the development of 52 community radio slots that will be 30 minutes long. The 52 radio slots will incorporate the element of drama, which will focus on the core functions of the legislature namely law making, public participation and law making. The 52 radio slots will also have the element of talk shows whereby the chairpersons will be given the opportunity to make presentations on oversight issues relating to their portfolio committees. Both drama and talk show episodes to be broadcasted in 16 community radio stations namely:

- Maputaland fm
- Newcastle Radio
- Radio Sunny South
- Vibe fm
- Siyathuthuka Community Radio
- Nongoma fm
- Ugu Youth Radio
- Rise fm
- Inanda fm
- North Coast fm
- Icora fm

- Capital Radio
- Imbokodo fm
- Nqubeko fm
- Zululand fm
- Nguna fm

Due to the number of community radio slots it is envisaged that the community radios will be used on rotational basis. It is recommended that eight community radios should be utilised for six months and another eight in the next six months in order to cover large parts of KwaZulu Natal Province.

#### **4. EXPERTISE REQUIRED**

**4.1 The objective is to develop and broadcast approximately 52 community radio slots with drama episodes and talk shows to be aired in 16 community radio stations:**

- 4.1.1 Technical expertise of broadcasting
- 4.1.2 Expertise in production, recording, editing for radio broadcast
- 4.1.3 Script writing
- 4.1.7 Project management ability
- 4.1.8 High level of personal and professional integrity.
- 4.1.9 Job task planning and organising
- 4.1.10 Ability to find information

#### **5. PROPOSAL REQUIREMENTS**

**5.1 The proposal should include the following:**

- 5.1.1 A detailed project plan outlining the proposed deliverables/ outcomes, the task and activities.
- 5.1.2 A demonstration of the understanding of the project
- 5.1.3 Capacity to conduct the project, both logistically and in terms of manpower, needs to be reflected in the proposal
- 5.1.4 The budget for the project, including taxes, broken down into professional fees, travel and other costs and a proposed payment schedule

#### **6. TIME FRAMES**

6.1 The overall project should be completed within the period of four years that will be agreed upon with the service provider. The project should run for the period of four years .

#### **7. PROGRESS REPORTING**

- 7.1 The service provider will meet with the Manager Public Participation and Petitions quarterly to discuss progress and the possible reviews of the project.
- 7.2 The services offered by the service provider will be subject to scrutiny by relevant authorities of the Legislature. The service provider may be required to make amendments and /or corrections as determined by the above-mentioned scrutiny.
- 7.3 The Legislature will enter into the contractual agreement with the service provider.

#### **8. ON FINALISATION OF THE PROJECT**

- 8.1 Upon completion of each session of the talk show the service provider is required to submit a proof of recording of each episode for performance reporting purposes.
- 8.2 The service provider is expected to supply the Legislature with the statistics with regard to stations listenerships when required.

8.3 The KwaZulu Natal Legislature will assume ownership of the broadcasting material and the report and all data and information obtained during the project and reserves the right to use such as it deems fit. All such materials are and remain the property of the KwaZulu Natal Legislature at all times, and no document may be reproduced, copied or distributed without the prior written consent of the KwaZulu Natal Legislature.

**9. EVALUATION CRITEREA**

The tender evaluation will be consisting of three evaluation stages i.e

- a) **Functionality evaluation**
- b) **Site / premises inspection**
- c) **Pricing and BBEE**

**9.1 EVALUATION CRITERIA TABLE**

<b>No</b>	<b>Evaluation Criteria</b>	<b>Weights ( Maximum points)</b>
1.	Approach and Methodology	15
2.	At least three Reference letters showing Experience, expertise and professionalism from institutions with the similar size as KZN legislature	35
3.	Capacity to manage operations/ project management (CVs of experienced Operations Manager, Technical Producer, Seasoned Journalist, etc)	35
4.	Demonstration of fast turnaround times	15
<b>Total Score</b>		<b>100</b>
<b>Minimum Passing Score</b>		<b>70</b>

<b>No.</b>	<b>Evaluation Criteria</b>	<b>Description</b>
1.	Approach and Methodology	How does the bidders envisage undertaking this project. The bidder should set out a concise plan of approach and method to be adopted for the KZN Legislature identifying possible challenges and methods on overcoming the same
2.	Experience, Expertise and Professionalism	In terms of operational capabilities, does the bidder possess a minimum of 3 years proven track experience Verifiable references must be attached
3.	Demonstration of fast turnaround times	Ability to show how the bidder would handle expeditious delivery in times of emergency or crisis
4.	Capacity to manage operations	Does the bidder have suitably sufficient identifiable infrastructure and technical resources to handle this project?
		Will there be sufficient identifiable staff adequately

	allocated to handle this project?
	Does the bidder possess the financial viability to undertake this project? The bidder must attach valid audited financial reports which are < 3 months old/ signed letter from the bank indicating that the bidder has the financial capacity to undertake the project

**9.2 BIDDER’S SITE / PREMISES INSPECTION**

Evaluation criteria	Weights (Maximum points)
Bidder’s Fully equipped OB van with satellite	50
Bidder’s Fully equipped studio	50

Bidders are required to obtain 100 percent for this evaluation criteria. Failure to meet the score will result in a bidder being disqualified.

**10. PROGRAMME FORMAT**

Thirty-minute drama episodes will be played once a week every Thursday at 18H30 and it will be broadcasted in all eight community radios. The 52 radio slots will be played annually until the message is well received by the members of public. The programme will be the combination of drama episodes for civic education and talk shows for promoting oversight and law making.

The broadcasting dates and schedules will be determined once the contract has been signed with the appointed bidder.

**10.1 PROPOSED SCHEDULE AND PRICING SCHEDULE**

**YEAR 1**

SLOT	THEME	BROADCAST TIMES	FULL PRICING INCLUDING VAT
01	Talk Show: Education Portfolio Committee	17H30	
02	Talk Show: PPP Committee	17H30	
03	Drama Episode 1:	17H30	
04	Talk Show: Office of the Speaker ( Official Opening of the Legislature)	17H30	
05	Drama Episode 2 :	17H30	
06	Talk Show: (Finance Portfolio Committee	17H30	
07	Drama Episode 3 :	17H30	
08	Talk Show: Scopa	17H30	
09	Drama Episode 4	17H30	
10	Talk Show: Premier Portfolio Committee	1H30	

11	<b>Drama Episode 5</b>	17H30	
12	<b>Talk Show:</b> PPP Committee (Interfaith Symposium)	17H30	
13	<b>Talk Show:</b> Hon Community Safety and Liaison (Child protection week)	17H30	
14	<b>Talk Show:</b> PPP Committee (Workers Parliament)	17H30	
15	<b>Drama Episode 6</b>	17H30	
16	<b>Drama Episode 7</b>	17H30	
17	<b>Talk Show:</b> Quality of Life (Youth Parliament)	17H30	
18	<b>Drama Episode 8:</b>	17H30	
19	<b>Talk show</b> COGTA portfolio Committee	17H30	
20	<b>Drama Episode 9 :</b>	17H30	
21	<b>Talk Show:</b> Office of the Chief Whip	17H30	
22	<b>Drama Episode 10:</b>	17H30	
23	<b>Drama Episode 11:</b>	17H30	
24	<b>Drama Episode 12:</b>	17H30	
25	<b>Talk Show:</b> Quality of Life (Women's Parliament)	17H30	
26	<b>Talk Show:</b> Public Works Portfolio Committee	17H30	
27	<b>Drama Episode 13</b>	17H30	
28	<b>Talk Show:</b> Transport Portfolio Committee	17H30	
29	<b>Drama Episode 14</b>	17H30	
30	<b>Talk Show:</b> Agriculture and Rural Development Portfolio Committee	17H30	
31	<b>Drama repeat</b>	17H30	
32	<b>Talk Show:</b> Arts and Culture Portfolio Committee	17H30	
33	<b>Drama repeat</b>	17H30	
34	<b>Talk Show:</b> Quality of Life (Senior Citizens Parliament)	17H30	
35	<b>Talks Show:</b> Finance Portfolio Committee	17H30	

36	<b>Talk Show:</b> Hon Social Development Portfolio Committee	17H30	
37	<b>Talk Show:</b> Office of the Chair of Chairs	17H30	
38	<b>Drama repeat</b>	17H30	
39	<b>Talk Show:</b> Human Settlements Portfolio Committee	17H30	
40	<b>Talk show:</b> Sports and Recreation Portfolio Committee	17H30	
41	<b>Talk Show:</b> Conservation and Environment Portfolio Committee	17H30	
42	<b>Talk Show:</b> Health Portfolio Committee	17H30	
43	<b>Talk Show:</b> Quality of Life (People with Disabilities Parliament)	17H30	
44	<b>Talk Show:</b> Economic Development Portfolio	17H30	
45	<b>Drama repeat</b>	17H30	
46	<b>Drama repeat</b>	17H30	
47	<b>Drama repeat</b>	17H30	
48	<b>Drama repeat</b>	17 H30	
49	<b>Talk Show:</b> Hon Education Portfolio Committee	17 H30	
50	<b>Drama: repeat</b>	17H30	
51	<b>Drama: repeat</b>	17 H30	
52	<b>Talk Show:</b> Education Portfolio Committee	17 H30	
	<b>TOTAL PRICE</b>		

YEAR 2

SLOT	THEME	BROADCAST TIMES	FULL PRICING INCLUDING VAT
01	<b>Talk Show:</b> Education Portfolio Committee	17H30	
02	<b>Talk Show:</b> PPP Committee	17H30	
03	<b>Drama Episode 1:</b>	17H30	
04	<b>Talk Show:</b> Office of the Speaker ( Official Opening of the Legislature)	17H30	
05	<b>Drama Episode 2 :</b>	17H30	
06	<b>Talk Show:</b> (Finance Portfolio Committee)	17H30	

07	<b>Drama Episode 3 :</b>	17H30	
08	<b>Talk Show:</b> Scopa	17H30	
09	<b>Drama Episode 4</b>	17H30	
10	<b>Talk Show:</b> Premier Portfolio Committee	1H30	
11	<b>Drama Episode 5</b>	17H30	
12	<b>Talk Show:</b> PPP Committee ( Interfaith Symposium)	17H30	
13	<b>Talk Show:</b> Hon Community Safety and Liaison ( Child protection week)	17H30	
14	<b>Talk Show:</b> PPP Committee ( Workers Parliament)	17H30	
15	<b>Drama Episode 6</b>	17H30	
16	<b>Drama Episode 7</b>	17H30	
17	<b>Talk Show:</b> Quality of Life ( Youth Parliament)	17H30	
18	<b>Drama Episode 8:</b>	17H30	
19	<b>Talk show</b> COGTA portfolio Committee	17H30	
20	<b>Drama Episode 9 :</b>	17H30	
21	<b>Talk Show:</b> Office of the Chief Whip	17H30	
22	<b>Drama Episode 10:</b>	17H30	
23	<b>Drama Episode 11:</b>	17H30	
24	<b>Drama Episode 12:</b>	17H30	
25	<b>Talk Show:</b> Quality of Life (Women's Parliament)	17H30	
26	<b>Talk Show:</b> Public Works Portfolio Committee	17H30	
27	<b>Drama Episode 13</b>	17H30	
28	<b>Talk Show:</b> Transport Portfolio Committee	17H30	
29	<b>Drama Episode 14</b>	17H30	
30	<b>Talk Show:</b> Agriculture and Rural Development Portfolio Committee	17H30	
31	<b>Drama repeat</b>	17H30	
32	<b>Talk Show:</b> Arts and Culture Portfolio Committee	17H30	

33	<b>Drama repeat</b>	17H30	
34	<b>Talk Show:</b> Quality of Life (Senior Citizens Parliament)	17H30	
35	<b>Talks Show:</b> Finance Portfolio Committee	17H30	
36	<b>Talk Show:</b> Hon Social Development Portfolio Committee	17H30	
37	<b>Talk Show:</b> Office of the Chair of Chairs	17H30	
38	<b>Drama repeat</b>	17H30	
39	<b>Talk Show:</b>  Human Settlements Portfolio Committee	17H30	
40	<b>Talk show:</b> Sports and Recreation Portfolio Committee	17H30	
41	<b>Talk Show:</b> Conservation and Environment Portfolio Committee	17H30	
42	<b>Talk Show:</b> Health Portfolio Committee	17H30	
43	<b>Talk Show:</b> Quality of Life (People with Disabilities Parliament)	17H30	
44	<b>Talk Show:</b> Economic Development Portfolio	17H30	
45	<b>Drama repeat</b>	17H30	
46	<b>Drama repeat</b>	17H30	
47	<b>Drama repeat</b>	17H30	
48	<b>Drama repeat</b>	17 H30	
49	<b>Talk Show:</b> Hon Education Portfolio Committee	17 H30	
50	<b>Drama: repeat</b>	17H30	
51	<b>Drama: repeat</b>	17 H30	
52	<b>Talk Show:</b> Education Portfolio Committee	17 H30	
	<b>TOTAL PRICE</b>		

YEAR 3

SLOT	THEME	BROADCAST TIMES	FULL PRICING INCLUDING VAT
01	<b>Talk Show:</b> Education Portfolio Committee	17H30	
02	<b>Talk Show:</b> PPP Committee	17H30	
03	<b>Drama Episode 1:</b>	17H30	



04	<b>Talk Show:</b> Office of the Speaker ( Official Opening of the Legislature)	17H30	
05	<b>Drama Episode 2 :</b>	17H30	
06	<b>Talk Show:</b> (Finance Portfolio Committee)	17H30	
07	<b>Drama Episode 3 :</b>	17H30	
08	<b>Talk Show:</b> Scopa	17H30	
09	<b>Drama Episode 4</b>	17H30	
10	<b>Talk Show:</b> Premier Portfolio Committee	1H30	
11	<b>Drama Episode 5</b>	17H30	
12	<b>Talk Show:</b> PPP Committee ( Interfaith Symposium)	17H30	
13	<b>Talk Show:</b> Hon Community Safety and Liaison ( Child protection week)	17H30	
14	<b>Talk Show:</b> PPP Committee ( Workers Parliament)	17H30	
15	<b>Drama Episode 6</b>	17H30	
16	<b>Drama Episode 7</b>	17H30	
17	<b>Talk Show:</b> Quality of Life ( Youth Parliament)	17H30	
18	<b>Drama Episode 8:</b>	17H30	
19	<b>Talk show</b> COGTA portfolio Committee	17H30	
20	<b>Drama Episode 9 :</b>	17H30	
21	<b>Talk Show:</b> Office of the Chief Whip	17H30	
22	<b>Drama Episode 10:</b>	17H30	
23	<b>Drama Episode 11:</b>	17H30	
24	<b>Drama Episode 12:</b>	17H30	
25	<b>Talk Show:</b> Quality of Life (Women's Parliament)	17H30	
26	<b>Talk Show:</b> Public Works Portfolio Committee	17H30	
27	<b>Drama Episode 13</b>	17H30	
28	<b>Talk Show:</b> Transport Portfolio Committee	17H30	
29	<b>Drama Episode 14</b>	17H30	
30	<b>Talk Show:</b> Agriculture and Rural Development Portfolio Committee	17H30	
31	<b>Drama repeat</b>	17H30	
32	<b>Talk Show:</b> Arts and Culture Portfolio Committee	17H30	
33	<b>Drama repeat</b>	17H30	
34	<b>Talk Show:</b> Quality of Life (Senior Citizens Parliament)	17H30	
35	<b>Talks Show:</b> Finance Portfolio Committee	17H30	
36	<b>Talk Show:</b> Hon Social Development Portfolio Committee	17H30	
37	<b>Talk Show:</b> Office of the Chair of Chairs	17H30	
38	<b>Drama repeat</b>	17H30	
39	<b>Talk Show:</b> Human Settlements Portfolio Committee	17H30	

40	<b>Talk show:</b> Sports and Recreation Portfolio Committee	17H30	
41	<b>Talk Show:</b> Conservation and Environment Portfolio Committee	17H30	
42	<b>Talk Show:</b> Health Portfolio Committee	17H30	
43	<b>Talk Show:</b> Quality of Life (People with Disabilities Parliament)	17H30	
44	<b>Talk Show:</b> Economic Development Portfolio	17H30	
45	<b>Drama repeat</b>	17H30	
46	<b>Drama repeat</b>	17H30	
47	<b>Drama repeat</b>	17H30	
48	<b>Drama repeat</b>	17 H30	
49	<b>Talk Show:</b> Hon Education Portfolio Committee	17 H30	
50	<b>Drama: repeat</b>	17H30	
51	<b>Drama: repeat</b>	17 H30	
52	<b>Talk Show:</b> Education Portfolio Committee	17 H30	
	<b>TOTAL PRICE</b>		

YEAR 4

SLOT	THEME	BROADCAST TIMES	FULL PRICING INCLUDING VAT
01	<b>Talk Show:</b> Education Portfolio Committee	17H30	
02	<b>Talk Show:</b> PPP Committee	17H30	
03	<b>Drama Episode 1:</b>	17H30	
04	<b>Talk Show:</b> Office of the Speaker ( Official Opening of the Legislature)	17H30	
05	<b>Drama Episode 2 :</b>	17H30	
06	<b>Talk Show:</b> (Finance Portfolio Committee)	17H30	
07	<b>Drama Episode 3 :</b>	17H30	
08	<b>Talk Show:</b> Scopa	17H30	
09	<b>Drama Episode 4</b>	17H30	
10	<b>Talk Show:</b> Premier Portfolio Committee	1H30	
11	<b>Drama Episode 5</b>	17H30	
12	<b>Talk Show:</b> PPP Committee ( Interfaith Symposium)	17H30	
13	<b>Talk Show:</b> Hon Community Safety and Liaison ( Child protection week)	17H30	
14	<b>Talk Show:</b> PPP Committee ( Workers Parliament)	17H30	
15	<b>Drama Episode 6</b>	17H30	
16	<b>Drama Episode 7</b>	17H30	
17	<b>Talk Show:</b> Quality of Life ( Youth Parliament)	17H30	
18	<b>Drama Episode 8:</b>	17H30	
19	<b>Talk show</b> COGTA portfolio Committee	17H30	
20	<b>Drama Episode 9 :</b>	17H30	
21	<b>Talk Show:</b> Office of the Chief Whip	17H30	
22	<b>Drama Episode 10:</b>	17H30	
23	<b>Drama Episode 11:</b>	17H30	
24	<b>Drama Episode 12:</b>	17H30	

25	<b>Talk Show:</b> Quality of Life (Women's Parliament)	17H30	
26	<b>Talk Show:</b> Public Works Portfolio Committee	17H30	
27	<b>Drama Episode 13</b>	17H30	
28	<b>Talk Show:</b> Transport Portfolio Committee	17H30	
29	<b>Drama Episode 14</b>	17H30	
30	<b>Talk Show:</b> Agriculture and Rural Development Portfolio Committee	17H30	
31	<b>Drama repeat</b>	17H30	
32	<b>Talk Show:</b> Arts and Culture Portfolio Committee	17H30	
33	<b>Drama repeat</b>	17H30	
34	<b>Talk Show:</b> Quality of Life (Senior Citizens Parliament)	17H30	
35	<b>Talks Show:</b> Finance Portfolio Committee	17H30	
36	<b>Talk Show:</b> Hon Social Development Portfolio Committee	17H30	
37	<b>Talk Show:</b> Office of the Chair of Chairs	17H30	
38	<b>Drama repeat</b>	17H30	
39	<b>Talk Show:</b>  Human Settlements Portfolio Committee	17H30	
40	<b>Talk show:</b> Sports and Recreation Portfolio Committee	17H30	
41	<b>Talk Show:</b> Conservation and Environment Portfolio Committee	17H30	
42	<b>Talk Show:</b> Health Portfolio Committee	17H30	
43	<b>Talk Show:</b> Quality of Life (People with Disabilities Parliament)	17H30	
44	<b>Talk Show:</b> Economic Development Portfolio	17H30	
45	<b>Drama repeat</b>	17H30	
46	<b>Drama repeat</b>	17H30	
47	<b>Drama repeat</b>	17H30	
48	<b>Drama repeat</b>	17 H30	
49	<b>Talk Show:</b> Hon Education Portfolio Committee	17 H30	
50	<b>Drama: repeat</b>	17H30	
51	<b>Drama: repeat</b>	17 H30	
52	<b>Talk Show:</b> Education Portfolio Committee	17 H30	
	<b>TOTAL PRICE</b>		

**TOTAL BID PRICE**

<b>Total Price</b>			
Year One			
Year Two			
Year Three			
Year Four			
Total Bid Price Inclusive of VAT			

Escalation Percentage for year one	
------------------------------------	--

Escalation Percentage for year two	
Escalation Percentage for year three	
Escalation Percentage for year four	

**ANNEXURE B**

**GENERAL CONDITIONS OF CONTRACT1**

**THE NATIONAL TREASURY**  
**Republic of South Africa**




---

**GOVERNMENT PROCUREMENT:  
GENERAL CONDITIONS OF CONTRACT  
July 2010**

**NOTES**

The purpose of this document is to:

- (i) Draw special attention to certain general conditions applicable to government bids, contracts and orders; and
- (ii) 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.

1. The General Conditions of Contract will form part of all bid documents and may not be amended.
2. 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.

---

1 A copy of the complete document set containing the General Conditions of Contract is available on [www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/](http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/)

**GENERAL CONDITIONS OF CONTRACT  
TABLE OF CLAUSES**

1. Definitions
2. Application
3. General
4. Standards
5. Use of contract documents and information; inspection
6. Patent rights
7. Performance security
8. Inspections, tests and analysis
9. Packing
10. Delivery and documents
11. Insurance
12. Transportation
13. Incidental services
14. Spare parts
15. Warranty
16. Payment
17. Prices
18. Contract amendments
19. Assignment
20. Subcontracts
21. Delays in the supplier's performance
22. Penalties
23. Termination for default
24. Dumping and countervailing duties
25. Force Majeure
26. Termination for insolvency
27. Settlement of disputes
28. Limitation of liability
29. Governing language
30. Applicable law
31. Notices
32. Taxes and duties
33. National Industrial Participation Programme (NIPP)
34. Prohibition of restrictive practices