

## REQUEST FOR QUOTATIONS

<b>SERVICES</b>	<b>X</b>
<b>GOODS</b>	

DESCRIPTION:	<b>APPOINTMENT OF A SERVICE PROVIDER TO UNDERTAKE ENVIRONMENTAL ASSESSMENTS FOR SARAO IN COMPLIANCE WITH DEPARTMENT OF WATER AND SANITATION REQUIREMENTS</b>		
RFQ NUMBER:	<b>NRF RFQ PEP6 AO 001 2019</b>		
CLOSING DATE AND TIME:	<b>19 December 2019 at 11.00AM</b>		
BIDS SUBMITTED TO:	<a href="mailto:anwuli@ska.ac.za">anwuli@ska.ac.za</a> , or The Tender Box at, Reception, SARAO Offices, 2 Fir Street, Black River Park, North Gate Entrance, Observatory, Cape Town		
<b>DELIVERY INFORMATION - N/A</b>			
<b>Bidding procedures enquiries may be directed to:</b>		<b>Technical information enquiries may be directed to:</b>	
<b>Section</b>	Supply Chain Management	<b>Section</b>	Construction Planning
<b>Contact person</b>	Anwuli Okecha	<b>Contact person</b>	Alice Pienaar-Marais
<b>E- Mail address</b>	<a href="mailto:anwuli@ska.ac.za">anwuli@ska.ac.za</a>	<b>E- Mail address</b>	<a href="mailto:pienaarmarais@ska.ac.za">pienaarmarais@ska.ac.za</a>
<b>Telephone</b>	021 506 7415	<b>Telephone</b>	011 268 3437

<b>SUPPLIER INFORMATION</b>					
<b>Name of Bidder Name:</b>					
<b>Street Address:</b>					
<b>Telephone Number</b>					
Code		Number			
<b>Cell Phone Number</b>					
Code		Number			
<b>Facsimile Number</b>					
Code		Number			
<b>E-Mail Address</b>					
<b>VAT Registration Number</b>					
<b>Tax Compliance Status</b>	Tax Compliance System PIN		<b>OR</b>	Central Supplier Database No.	MAAA
<b>B-BBEE Status Level Verification Certificate</b>	Tick Applicable Box. <input type="checkbox"/> Yes <input type="checkbox"/> No		<b>B-BBEE Status Level Sworn Affidavit</b>	Tick Applicable Box. <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE status level verification certificate/sworn affidavit (for EMEs &amp; QSEs) must be submitted in order to qualify for preference points for B-BBEE – also refer to the SBD 6.1]</b>					
<b>Are you the accredited representative in South Africa for the goods/services/works offered?</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No [If yes enclose proof]		<b>Are you a foreign-based supplier for the goods/services/works offered?</b>	
				<input type="checkbox"/> Yes <input type="checkbox"/> No [If yes, answer the questionnaire below]	
Is the entity a resident of the Republic of South Africa (RSA)?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the entity have a branch in the RSA?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the entity have a permanent establishment in the RSA?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the entity have any source of income in the RSA?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the entity liable in the RSA for any form of taxation?					<input type="checkbox"/> Yes <input type="checkbox"/> No
If the answer is "No" to all of the above, then it is not a requirement to register for a tax compliance status system pin code from the South African Revenue Service (SARS).					

## 1. INTRODUCTION TO SARAO

The South African Radio Astronomy Observatory (SARAO, formerly in part SKA SA) is the business unit of the National Research Foundation (NRF) that houses and operates South Africa's national radio telescope shared facilities, including the MeerKAT, KAT-7 and Hartebeesthoek 26-m radio telescopes.

As a member of the international effort to build the Square Kilometre Array (SKA), which will be the world's largest radio telescope, South Africa (through the NRF's business units) is responsible for the construction and operation of the MeerKAT precursor telescope, for hosting the SKA Mid Frequency telescope, and for implementation of the African VLBI Network.

The SARAO project office has offices based in Johannesburg and Cape Town, as well as the radio-quiet SKA host site in the Karoo, 90km from Carnarvon in the Northern Cape, which hosts the Square Kilometre Array mid-frequency telescopes, MeerKAT, and KAT-7 radio telescope installations, as well as a number of guest instruments, including the HERA telescope.

## 2. SPECIFICATION

### 2.1 SARAO Communication with the Department of Water and Sanitation

The MeerKAT project, consisting of a 64-dish array, is located on the farms Meys Dam (RE68) and the Losberg farm portions (73). Prior to construction, the MeerKAT project was issued with two Integrated Water Use Licenses (IWULs) for the two farm portions on which the project falls. License No. 14/D54E/A/1911 was issued by the Department of Water and Sanitation (DWS) on the 29<sup>th</sup> August 2012 for the following water uses in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998) (NWA) -

- Section 21(a) – Taking water from a water resource; and
- Section 21(g) – Disposing of water in a manner which may detrimentally impact on a water resource.

License No. 14/D54E/ACGI/1012 was issued for the following water uses in terms of Section 21 of the NWA -

- Section 21(a) – Taking water from a water resource;
- Section 21(c) – Impeding or diverting the flow of water in a water course;
- Section 21(g) – Disposing of waste in a manner which may detrimentally impact on a water resource; and
- Section 21(i) – Altering the beds, banks, course or characteristics of a water course.

The licenses issued give the NRF permission to undertake the water uses necessary for MeerKAT construction and operation, and also stipulate the conditions of the licences that need to be adhered to, to ensure compliance with the license requirements and therefore allow for the authorised water uses to occur.

## 2.2 Background to the concerns over the lining of the evaporation dams

### Background on the lining of the MeerKAT evaporation dams

SARAO appointed a contractor to undertake the design and construction management of the infrastructure for MeerKAT. The detailed design, completed in October 2011, of the water and waste management process for the construction camps is summarised below.

Water was sourced from boreholes and stored in storage tanks for the construction camps usage. A booster pump and pressure valve (bladder tank) was incorporated after the storage tanks to provide sufficient pressure to the site. The booster pumps are situated in the chlorination building. Water meters are installed at both camps to measure the daily total usage of all boreholes on site. According to the Engineers design report, this was to be monitored by the DWS. Bacterial tests were undertaken, which indicated high coliform counts. As a result, an in-line chlorinator was included in the design for the camps. A reverse osmosis system was included in the design for both camps to treat the water due to high fluoride content. This system is the most commonly utilised membrane filtration process in South Africa for the treatment of waste and 'raw' water.

### Waste Management

A central main sewer line is positioned at both camps with connection points constructed at regular intervals to enable sanitation services to be supplied to housing units. Due to the flat gradients present, a sewer pump sump is required before the package treatment plant (i.e. Lilliput system) consisting of two pumps operating on a duty-standby configuration.

The pumps pump the effluent into the first reactor of the package treatment plant. Both construction camps have an on-site package treatment plant, within which the effluent passes through a biochemical process. Following the biological process the waste water is then suitable for discharge into a natural system. The appointed contractor confirmed that this would not have any adverse effects on the environment. The treated effluent from the package treatment plant is then discharged into an evaporation dam, formed by a berm on the downstream side of the package treatment plant. Within the evaporation dams, treated water evaporates over time. As the water and waste treatment plant discharges treated water, the engineers did not include the provision of a lining for the evaporation dams. (Figure 1 illustrates the water and waste management system).

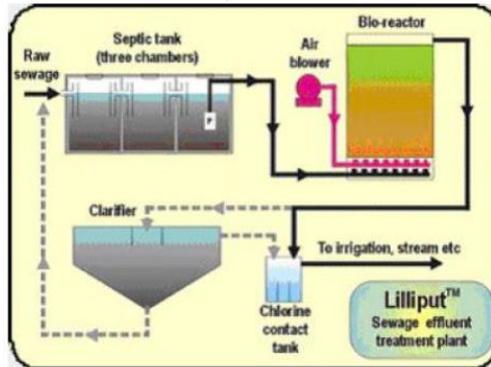


Figure 2.2.1.1:

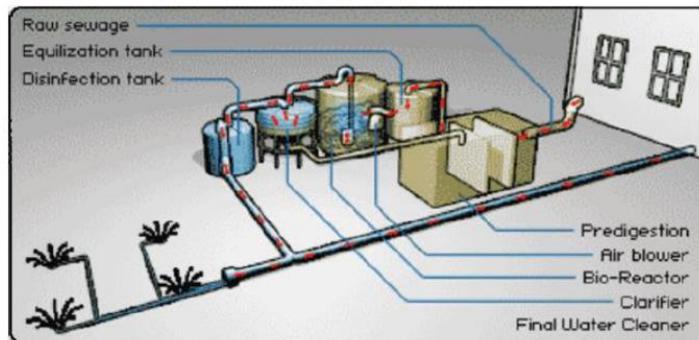


Figure 1: Water and waste management system for the Losberg and Meys Dam construction camps.

### Why were the evaporation dams not lined?

During the construction of the construction camps, the requirement for the lining of the evaporation dams was discussed at monthly Site Meetings. As per the contractors design, their engineers judged that the treatment process was designed to ensure that the quality of the water leaving the treatment plants would not cause any negative environmental impacts. The consultant also consulted environmental specialists on this matter. The environmental specialists advised that an application could be made to the DWS to have the lining omitted. It was then agreed that the consultant engineers would wait until there was discharge to test, following which they would motivate to remove the lining from the water license requirements.

Discharge tests were undertaken by BEMLAB (these will be supplied to the appointed contractor on appointment) on the 29 October 2014. The contractors engineers analysed the results and confirmed that the treatment plant is working according to its design and discharging clean water.

At this point, SARAO's assumption was that the contractor Project Manager would be responsible for applying to the DWS to be exempt from the requirement to provide lining. Given that the team was ramping up with other areas of construction, this request to the DWS was not undertaken.

In a response letter submitted to the DWS, SARAO agreed to undertake the following:

- a) A further groundwater assessment will be undertaken to ensure that there are no environmental impacts associated with the omission of the lining.
- b) SARAO will conduct the necessary environmental assessments and rehabilitation and closure plans for the decommissioning of the Losberg evaporation dam and associated infrastructure.

### 2.3 Deliverables required

Based on the above challenges identified, and the actions SARAO committed to address with the DWS. SARAO requires a suitably qualified groundwater specialist to undertake an assessment to determine possible environmental pollution (particularly groundwater and soil) resulting due to the lack of the HDPE lining of the evaporation dams.

The specialist appointed will be required to:

- Undertake environmental assessments to determine any possible pollution arising from the lack of the HDPE lining. These assessments must include groundwater and soil assessments and any other environmental assessments deemed necessary to determine the impact of pollution on the environment;
- Assess the impact of the possible brine build-up in the evaporation dams;
- Provide an assessment report on the findings made and provide required remedial actions necessary to be undertaken by SARAO;
- Compile a Rehabilitation Plan after determining the level of risk and impact posed on the groundwater to rectify and rehabilitate the exposed area;
- Attach all reports and lab results that arise from the project;
- Use an accredited, certified lab facility for testing water and soil quality (submit certification proof);
- Undertake fieldwork on site; and
- Provide all deliverables as soon as possible, but no later than the end of February 2020.

As part of the bid submission SARAO require all potential bidders to submit an action plan detailing the assessments to be undertaken, including the detailed methodological approach to be employed, clarifying what assessments will be done and how they will be undertaken. In addition, a time schedule must be included indicating time frames needed to undertake the necessary fieldwork, results analysis and report writing inclusive of remedial actions necessary.

Factors to note:

- The project is located in the arid Karoo region of South Africa. This area is currently experiencing severe drought conditions and as such the groundwater assessment will be difficult and require additional planning and consideration.
- The evaporation dams are currently not in use and will not be in use again, the last time the Losberg evaporation dam was used was in 2014 and the Meys Dam evaporation dam in 2017.
- SARAO is required to submit the results of this study to the DWS as soon as possible, as such these deliverables need to be complete and submitted no later than end of February 2020.
- The evaporation dams are to be decommissioned in the foreseeable future.
- The earliest the appointed specialist will be able to go to site will be the 15<sup>th</sup> of January 2020 (when the site reopens for the year).
- An inception meeting will need to be arranged for January 2020.

### 3. EVALUATION

Submissions will be evaluated in three phases, as follows:

Phase 1 - Administrative Compliance

Phase 2 - Functionality – Compliance with functionality requirements specified in the specifications

Phase 3 - Price and BBBEE scoring

#### Phase 1 – Administrative Compliance

Failure to complete the attached SBD bidding forms marked as 'Mandatory', and to submit the returnable documents marked as 'Mandatory' will result in the bidder's submission being declared non-complaint, and therefore not evaluated further in Phases two and three.

Bidding Forms & Returnable Documents	Measurement methodology	Mandatory (M) / Optional (O)
SBD 1 - Invitation to Bid	Has the bidder completed and signed the SBD 1 form?	<b>M</b>
SBD 3 - Pricing Schedule	Has the bidder completed the pricing schedule and/or attached a detailed pricing schedule/quotation?	<b>M</b>
SBD 4 - Declaration of Interest	Has the bidder completed and signed the SBD 4 form?	<b>M</b> (if quote exceeds R30 000)
SBD 6.1 - Preference points claimed	Has the bidder completed and signed the SBD 6.1 form?	<b>M</b> (if quote exceeds R30 000)
SBD 8 - Declaration of past SCM practices	Has the bidder completed and signed the SBD 8 form?	<b>M</b> (if quote exceeds R30 000)
SBD 9 - Certificate of independent bid determination	Has the bidder confirmed that by submitting its bid, it has determined its bid independently?	<b>M</b> (if quote exceeds R30 000)
Original/certified BBBEE certificate, or sworn affidavit, if bidder is an EME or QSE	Has the bidder claimed preference points, and submitted its BBBEE certificate or sworn affidavit in support?	<b>O</b>
CSD supplier number	Is the bidder registered with CSD?	<b>M</b>

### Phase 2 - Functionality – Compliance with functionality requirements specified in the specifications

Bidders are required to comply with the functionality/quality criteria below. Service providers that do not achieve a 'GO' for all criteria listed below will not be considered further –

No.	Selection criteria	How will this be evaluated	GO / NO GO
1.	<p>The appointed specialist must have the following qualifications, professional experience and affiliations -</p> <ul style="list-style-type: none"> <li>• a relevant post-graduate degree (MSc preferable).</li> <li>• at least 7 years of relevant work experience.</li> <li>• experience with groundwater and contaminated land assessments.</li> <li>• a registration as a Professional Natural Scientist with the South African Council for Natural Scientific Professions (SACNASP) in a related field to the requirements of this RFQ.</li> </ul>	<p>Bidders must submit evidence of the qualifications and professional registration (SACNASP) required by this RFQ, as well as the CV(s) of the specialist/specialist team.</p>	
2.	<p>The appointed specialist must have the following additional skills, and comply with the following requirements:</p> <ul style="list-style-type: none"> <li>• The appointed specialist/s must have demonstrated competence to conduct fieldwork, and be physically fit and capable of undertaking a physical site investigation.</li> <li>• It is preferable for the specialist/s appointed to have experience working in the arid part of South Africa (i.e. the Karoo).</li> <li>• The appointed specialist/s must be and remain independent and objective throughout the appointment.</li> <li>• The specialist must provide a list of projects worked on in the last 5 (five) years that are similar, in nature, to the requirements of this RFQ.</li> </ul>	<p>Submit CV of the specialist/specialist team, and any other documentation which evidences compliance with these requirements</p>	

### Phase 3 – Price and BBBEE Status Level

Submissions will be evaluated on the 80/20 price and preference system, in the event of the lowest quotation exceeding R30 000.

**PRICING SCHEDULE - SERVICES (SBD 3.1)**

**PRICING SCHEDULE – FIRM PRICES**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

**OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.**

Respondents are requested to please complete the pricing schedule below in response to this scope of work. Bidders may itemise the detailed activities required for the upgrade in a separate pricing schedule.

No.	Deliverables	Professional	Estimated man hours	Hourly rate	Total (Excl. VAT)
1.	Professional services required in this specification			R	R
<b>Sub-total</b>					R
<b>Disbursements</b>					R
<b>VAT (15%)</b>					R
<b>TOTAL</b>					R

**A detailed quotation that corresponds to the above pricing schedule must be submitted.**

**4. CONDITIONS**

**The following conditions will apply:**

- Price(s) quoted must be valid for at least sixty (60) days from date of your offer.
- Price(s) quoted must be firm and must be inclusive of VAT.
- Submit your original or certified BBBEE Certificate if you are claiming for BBBEE points, failing which, the BBBEE claimed will be forfeited or zero points will be allocated.
- Bidders must submit their CSD supplier number or, updated CSD summary report. To register <https://secure.csd.gov.za/>

**Payment**

- Payment terms are as less than 30 days from date of receipt of invoice. Qualifying invoices for payment must meet the following minimum requirements:

- Reference to purchase order number
- Detailed Line items as specified in purchase order

Quotations over a value of R 30 000.00 (VAT included) must be accompanied by the relevant SBD documentation for Quotations duly completed, and the enclosed Declaration of interest (SBD 4), preference points claim form in terms of the preferential Procurement regulations 2017 (SBD 6.1), Declaration of Bidder's Past Supply Chain Management Practices (SBD8), Certificate of Independent Bid Determination (SBD9)

- The successful provider will be the one scoring the highest points in the event of the lowest bid being higher than R30 000.00.
- Late or faxed quotations will not be considered. SARAO reserves the right to withdraw any invitation to quote and/or to re-advertise or to accept a part of it. SARAO does not bind itself to accepting the lowest quotation.

**Failure to comply with the highlighted conditions will invalidate your offer.**

This request for formal quotation 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.

## **SBD 4 - DECLARATION OF INTEREST WITH GOVERNMENT**

Any legal person, including persons employed by the State (meaning 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); any municipality or municipal entity; provincial legislature; National Assembly or the National Council of Provinces; or National Parliament), 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:

- a. The Bidder is employed by the State; and/or
- b. The legal person on whose behalf the Bidding Document is signed, has a relationship with persons/s person who is/are involved in the evaluation and or adjudication of the Bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and/or adjudication of the Bid.

In order to give effect to the above, the following questionnaire must be completed and submitted with this Bid:

Full Name of Bidder or his/her representative:	
Identity Number:	
Position occupied in the Company (director, trustee, shareholder, member):	
Registration number of company, enterprise, close corporation, partnership agreement:	
Tax Reference Number:	
VAT Registration Number:	
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 a separate schedule including the following questions:	
Schedule attached with the above details for all directors/members/shareholders	
Are you or any person connected with the Bidder presently employed by the State? If so, furnish the following particulars in an attached schedule	<input type="checkbox"/> Yes <input type="checkbox"/> No

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:	
If you are presently employed by the State, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, did you attach proof of such authority to the Bid document?	
If No, furnish reasons for non-submission of such proof as an attached schedule	
(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the Bid.)	

Did you or your spouse or any of the company's directors/ trustees /shareholders /members or their spouses conduct business with the State including any business units of the National Research Foundation in the previous twelve months?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, furnish particulars as an attached schedule	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, furnish particulars as an attached schedule	
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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, furnish particulars as an attached schedule	

## SBD 6.1 - PREFERENCE POINTS CLAIMED

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:

1.1.1 The 80/20 system for requirements with a Rand value of up to R 50 000 000 (all applicable taxes included); and

1.1.2 The 90/10 system for requirements with a Rand value above R 50 000 000 (all applicable taxes included)

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTION	20
TOTAL POINTS FOR PRICE AND B-BBEE MUST NOT EXCEED	100

1.2 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.

1.3 The purchaser reserves the right to require either of a bidder, before a bid is adjudicated or at any time subsequently, to substantiate any claim concerning preferences, in any manner required by the purchaser.

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

80/20 :	$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	OR	90/10 :	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$
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Where  $P_s$  = Points scored for price of bid under consideration  
 $P_t$  = Price of bid under consideration

Pmin = Price of lowest acceptable bid

1.5 Points awarded for B-BBEE status level of contributor

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

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

2 Bid declaration

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

B-BBEE STATUS LEVEL	Level:
B-BBEE POINTS CLAIMED	Points

2.2 Points claimed in respect of paragraph 3 must be in accordance with the table reflected in paragraph 2 and must be substantiated by relevant proof of B-BBEE status level of contributor.

3 Sub-contracting

3.1 Will any portion of the contract be sub-contracted? (Tick applicable box)

YES		NO	
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3.2 If yes, indicate:

1. What percentage of the contract will be subcontracted.....%
2. The name of the sub-contractor.....
3. The B-BBEE status level of the sub-contractor.....

3.3 Whether the sub-contractor is an EME or QSE? (Tick applicable box)

YES		NO	
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3.4 Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME√	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		

4 Declaration with regard to company/firm

4.1 Name of company/firm: .....

4.2 VAT registration number: .....

4.3 Company registration number.....

4.4 Type of company/ firm (Tick applicable box)

TYPE	Tick applicable box
Partnership/Joint Venture /Consortium	
One person business/sole proprietor	
Close corporation	
Company	
(Pty) Limited	

4.5 Describe principal business activities

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

4.6 Company classification (Tick applicable box)

TYPE	Tick applicable box
Manufacturer	
Supplier	
Professional service provider	
Other service providers, e.g. transporter, etc.	

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

**5 Bidder declaration**

I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contributor indicated in paragraphs 1 and 3 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1 and 3, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
4. 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.

## SBD 8 - DECLARATION OF BIDDER'S PAST SCM PRACTICES

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? If Yes, furnish particulars as an attached schedule:

Yes  
 No

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)? If Yes, furnish particulars as an attached schedule:

Yes  
 No

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? If Yes, furnish particulars as an attached schedule:

Yes  
 No

Was any contract between the Bidder and any NRF terminated during the past five years because of failure to perform on or comply with the contract? If Yes, furnish particulars as an attached schedule:

Yes  
 No

The Database of Restricted Suppliers and Register for Tender Defaulters resides on the National Treasury's website ([www.treasury.gov.za](http://www.treasury.gov.za)) and can be accessed by clicking on its link at the bottom of the home page.

## SBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the signatory to this document, in submitting this Bid in response to the invitation for the Bid made by the National Research Foundation, do hereby make the following statements that I certify to be true and complete in every respect:

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

I understand that the Bid will be disqualified if this Certificate is found not to be true and complete in every respect;

I am authorised by the Bidder to sign this Certificate, and to submit the Bid, on behalf of the Bidder;

Each person whose signature appears on the Bid has been authorised by the Bidder to determine the terms of, and to sign, the Bid on behalf of the Bidder;

For the purposes of this Certificate and the accompanying Bid, I understand that the word "competitor" shall include any individual or organisation, 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

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 (meaning an association of persons for combining their expertise, property, capital, efforts, skill, and knowledge in an activity for the execution of the bid) will not be construed as collusive bidding.

In particular, without limiting the generality of paragraphs 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.

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.

The terms of this 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 the bid or to the signing of the contract.

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

\*Please refer to SARAO's website for the National Treasury's general conditions of contract

<http://www.SARAO.ac.za/tenders/procurement-documents>

## BID SIGNATURE (SBD 1)

I, the bidder, warrant by signature as having read and accepted each page in this document including any annexures attached to this document. I undertake to supply all or any of the goods, works, and services described in this procurement invitation to NRF Corporate in accordance with the requirements and specifications stipulated in this bid document at the price/s quoted. I confirm that I have satisfied myself as to the correctness and validity of my offer/bid in response to this invitation, covering all my obligations and I accept that any mistakes regarding price(s), rate(s), and calculations are at my own risk. My offer remains binding upon me and open for acceptance by NRF Corporate during the validity period indicated and calculated from the closing time of bid invitation. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me in terms of this document as the principal liable for the due fulfilment of the subsequent contract conditions if awarded to me.

I declare that during the bidding period did not have access to any NRF proprietary information or any other matter that may have unfairly placed our bid in a preferential position in relation to any of the other bidder(s).

I confirm that I am duly authorised to sign this offer/ bid response.

NB: Failure to provide / or comply with any of the above particulars may render the bid invalid.

Signature of bidder: