## Request for Proposals

**You are hereby invited to submit a bid to meet the requirements of the Development Bank of Southern Africa Limited**

<table>
<thead>
<tr>
<th>Bid Number:</th>
<th>RFP129/2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Compulsory Briefing Session Details:</td>
<td>N/A</td>
</tr>
<tr>
<td>Closing Date:</td>
<td>25 July 2022</td>
</tr>
<tr>
<td>Closing Time:</td>
<td>23H55</td>
</tr>
<tr>
<td>Period for which Bids are required to remain open for acceptance:</td>
<td>120 days</td>
</tr>
<tr>
<td>Description of Bid:</td>
<td>Procurement of a financial transactional advisory panel for a period five (05) years at the Infrastructure Finance Unit within the Infrastructure Fund.</td>
</tr>
</tbody>
</table>

### Bid Documents Delivery Address:

**1. Electronic Submissions**

**Instructions:**

- Bidders are required to issue Tender Submission Link requests and all enquiries to VusiSCM@dbsa.org ONLY;
- **No** – Tender Submission Link requests will be accepted after 16h00 on the 21st of July 2022. Any requests after the stipulated date and time will be disregarded.
- Bidders will thereafter receive a OneDrive Link to upload their submission documents electronically.

**NB:** Electronic submission is encouraged for all bidder’s interest in this tender bid

Closing date 25 July 2022 before 23:55. All bids must be in on the 25th of July 2022.

<table>
<thead>
<tr>
<th>Name of Bidder:</th>
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<tbody>
<tr>
<td>Contact Person:</td>
<td></td>
</tr>
<tr>
<td>EMAIL ADDRESS:</td>
<td></td>
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<tr>
<td>-----------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>TELEPHONE NUMBER:</td>
<td></td>
</tr>
<tr>
<td>FAX NUMBER:</td>
<td></td>
</tr>
<tr>
<td>BIDDER’S STAMP OR SIGNATURE</td>
<td></td>
</tr>
</tbody>
</table>

The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption. Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree: 0800 20 49 33
Email: dbaa@whistleblowing.co.za
Free Post: Free Post KZN 666 | Musgrave 4062
SMS: 33450
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<th>Title</th>
<th>Page</th>
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</thead>
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<td>PART B</td>
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<td>PART C</td>
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<td>Annexure D</td>
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<td>Annexure I</td>
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<td>Annexure J</td>
<td></td>
<td>80</td>
</tr>
<tr>
<td>Annexure K</td>
<td></td>
<td>81</td>
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</tbody>
</table>
PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED ("DBSA")

<table>
<thead>
<tr>
<th>BID NUMBER:</th>
<th>RFP129/2022</th>
</tr>
</thead>
</table>

DESCRIPTION:
Procurement of a financial transactional advisory panel for a period five (05) years at the Infrastructure Finance Unit within the Infrastructure Fund.

NON-COMPULSORY BRIEFING: N/A

LINK REQUESTS: No – Tender Submission Link requests will be accepted after 16h00 on the 21st July 2022. Any requests after the stipulated date and time will be disregarded.

<table>
<thead>
<tr>
<th>CLOSING DATE:</th>
<th>25 July 2022</th>
</tr>
</thead>
<tbody>
<tr>
<td>CLOSING TIME:</td>
<td>00H00</td>
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</table>

The successful Bidder will be required to conclude a service level agreement with the DBSA.

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

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT, WHICH ARE SET OUT IN PART C OF THIS DOCUMENT.

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

BIDDERS THAT ARE UNINCORPORATED CONSORTIA CONSISTING OF MORE THAN ONE LEGAL ENTITY MUST SELECT A LEAD ENTITY AND FURNISH THE DETAILS OF THE LEAD ENTITY, UNLESS OTHERWISE SPECIFIED.
| NAME OF BIDDER AND EACH ENTITY IN CONSORTIUM: |   |
| POSTAL ADDRESS: |   |
| STREET ADDRESS: |   |
| CONTACT PERSON (FULL NAME): |   |
| EMAIL ADDRESS: |   |
| TELEPHONE NUMBER: |   |
| FAX NUMBER: |   |
| BIDDER REGISTRATION NUMBER OR REGISTRATION NUMBER OF EACH ENTITY IN CONSORTIUM |   |
| BIDDER VAT REGISTRATION NUMBER OR VAT REGISTRATION NUMBER OF EACH ENTITY IN CONSORTIUM |   |
| BBBEE STATUS LEVEL VERIFICATION CERTIFICATE /BBBEE STATUS LEVEL SWORN AFFIDAVIT SUBMITTED? | YES | NO |
| [TICK APPLICABLE BOX] |   |
| IF YES, WHO ISSUED THE CERTIFICATE? |   |
| REGISTERED WITH THE NATIONAL TREASURY CSD [TICK APPLICABLE BOX] | YES | NO |
| CSD REGISTRATION NUMBER |   |
| TAX COMPLIANCE STATUS PIN (TCS) NUMBER ISSUED BY SARS |   |
| 1..1.1 | ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED? | ☐ Yes ☐ No |
|        | [IF YES ENCLOSE PROOF] |
| 1..1.2 | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS/SERVICES/WORKS OFFERED? | ☐ Yes ☐ No |
|        | [IF YES ANSWER PART B:3 BELOW] |
| 1..1.3 | SIGNATURE OF BIDDER | ............................................................... |
| 1..1.4 | DATE | |
| 1..1.5 | FULL NAME OF AUTHORISED REPRESENTATIVE | |
| 1..1.6 | CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.) | |
PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

1.1. BIDS MUST BE SUBMITTED ELECTRONICALLY (ONE DRIVE LINK) BY THE STIPULATED TIME TO THE LINK PROVIDED. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR ONLINE

1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.

1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.

1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2. BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFILE AND TAX STATUS.

2.3. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.

2.5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

2.6. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
PART C

CHECKLIST OF COMPULSORY RETURNABLE SCHEDULES AND DOCUMENTS

Please adhere to the following instructions

- Tick in the relevant block below
- Ensure that the following documents are completed and signed where applicable:
- Use the prescribed sequence in attaching the annexes that complete the Bid Document

**NB:** Should all of these documents not be included, the Bidder may be disqualified on the basis of non-compliance

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td>One original Bid document in separate folders; Folder 1 - for Pre-Qualifying Criteria and Functional Evaluation Folder 2 - Price / Financial Proposal – <strong>Electronic submission</strong></td>
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<tr>
<td><strong>Part A:</strong> Invitation to Bid</td>
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<td><strong>Part B:</strong> Terms and Conditions of Bidding</td>
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<tr>
<td><strong>Part C:</strong> Checklist of Compulsory Returnable Schedules and Documents</td>
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<tr>
<td><strong>Part D:</strong> Conditions of Tendering and Undertakings by Bidders</td>
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<td><strong>Part E:</strong> Specifications/Terms of Reference and Project Brief</td>
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<tr>
<td><strong>Annexure A:</strong> Price Proposal Requirement</td>
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<td><strong>Annexure B:</strong> SBD4 Declaration of Interest</td>
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<tr>
<td><strong>Annexure C:</strong> SBD6.1 and B-BBEE status level certificate</td>
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<tr>
<td><strong>Annexure D:</strong> SBD8: Declaration of Bidder’s Past Supply Chain Practices – N/A</td>
<td></td>
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</tbody>
</table>
Annexure E: SBD9: Certificate of Independent Bid Determination – N/A

Annexure F: Certified copies of your CIPC company registration documents listing all members with percentages, in case of a lose corporation

Annexure G: Certified copies of latest share certificates, in case of a company.

Annexure H: (if applicable): A breakdown of how fees and work will be spread between members of the bidding consortium.

Annexure I: Supporting documents to responses to Pre-Qualifying Criteria and Functional Evaluation Criteria.

Annexure J: General Condition of Contract

Annexure K: CSD Tax Compliance Status and Registration Requirements Report
PART D

CONDITIONS OF TENDERING AND UNDERTAKINGS BY BIDDER

1. DEFINITIONS

In this Request for Proposals, unless a contrary intention is apparent:

1.1 **B-BBEE** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act, 2003;

1.2 **B-BBEE Act** means the Broad-Based Black Economic Empowerment Act, 2003;

1.3 **B-BBEE status level of contributor** means the B-BBEE status received by a measured entity based on its overall performance used to claim points in terms of regulation 6 and 7 of the Preferential Procurement Regulations, 2017.

1.4 **Business Day** means a day which is not a Saturday, Sunday or public holiday.

1.5 **Bid** means a written offer in the prescribed or stipulated form lodged by a Bidder in response to an invitation in this Request for Proposal, containing an offer to provide goods, works or services in accordance with the Specification as provided in this RFP.

1.6 **Bidder** means a person or legal entity, or an unincorporated group of persons or legal entities that submit a Bid.

1.7 **Companies Act** means the Companies Act, 2008.

1.8 **Compulsory Documents** means the list of compulsory schedules and documents set out in Part B.

1.9 **Closing Time** means the time, specified as such under the clause 4 (Bid Timetable) in Part C, by which Tenders must be received.

1.10 **DBSA** means the Development Bank of Southern Africa Limited.

1.11 **DFI** means Development Finance Institution.

1.12 **Evaluation Criteria** means the criteria set out under the clause 27 (Evaluation Process) of this Part C, which includes the Qualifying Criteria, Functional Criteria and Price and Preferential Points Assessment.

1.13 **Functional Criteria** means the criteria set out in clause 27 of this Part C.

1.14 **Intellectual Property Rights** includes copyright and neighbouring rights, and all proprietary rights in relation to inventions (including patents) registered and unregistered trademarks (including service marks), registered designs, confidential information (including trade secrets and know how) and circuit layouts, and all other proprietary rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.
1.15 PFMA means the Public Finance Management Act, 1999.
1.17 PPPFA Regulations means the Preferential Procurement Regulations, 2017 published in terms of the PPPFA.
1.18 Pre-Qualifying Criteria means the criteria set out in clause 27.3 of this Part C.
1.19 Price and Preferential Points Assessment means the process described in clause 27.5 of this Part C, as prescribed by the PPPFA.
1.20 Proposed Contract means the agreement including any other terms and conditions contained in or referred to in this RFP that may be executed between the DBSA and the successful Bidder.
1.21 Request for Proposal or RFP means this document (comprising each of the parts identified under Part A, Part B, Part C and Part D) including all annexures and any other documents so designated by the DBSA.
1.22 SARS means the South African Revenue Service.
1.23 Services means the services required by the DBSA, as specified in this RFP Part D.
1.24 SLA means service level agreement.
1.25 SOE means State Owned Enterprise, as defined by the Companies’ Act.
1.26 Specification means the conditions of tender set and any specification or description of the DBSA’s requirements contained in this RFP.
1.27 State means the Republic of South Africa.
1.28 Statement of Compliance means the statement forming part of a Tender indicating the Bidders compliance with the Specification.
1.29 Tendering Process means the process commenced by the issuing of this Request for Proposals and concluding upon formal announcement by the DBSA of the selection of a successful Bidder(s) or upon the earlier termination of the process.
1.30 Website means a website administered by DBSA under its name with web address www.dbsa.org

2. INTERPRETATIONS
In this RFP, unless expressly provided otherwise a reference to:

2.1 “includes” or “including” means includes or including without limitation; and
2.2 “R” or “Rand” is a reference to the lawful currency of the Republic of South Africa.

3. TENDER TECHNICAL AND GENERAL QUERIES
Queries pertaining to this tender must be directed to:-
DBSA Supply Chain Management Unit
Email: VusiSCM@dbsa.org
No questions will be answered telephonically.

4. BID TIMETABLE
This timetable is provided as an indication of the timing of the tender process. It is indicative only and subject to change by the DBSA. Bidders are to provide proposals that will allow achievement of the intended commencement date.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertisement of tender</td>
<td>01 / 07 / 2022</td>
</tr>
<tr>
<td>RFP document available</td>
<td>01 / 07 / 2022</td>
</tr>
<tr>
<td>Closing date for tender enquiries</td>
<td>21 / 07 / 2022</td>
</tr>
<tr>
<td>Link requests</td>
<td>21 / 07 / 2022 by 16h00</td>
</tr>
<tr>
<td>Closing date and time</td>
<td>25 / 07 / 2022 at 23h55</td>
</tr>
<tr>
<td>Intended completion of evaluation of tenders</td>
<td>TBA</td>
</tr>
<tr>
<td>Intended formal notification of successful Bidder(s)</td>
<td>TBA</td>
</tr>
<tr>
<td>Signing of Service Level Agreement</td>
<td>TBA</td>
</tr>
<tr>
<td>Effective date</td>
<td>TBA</td>
</tr>
</tbody>
</table>

5. SUBMISSION OF TENDERS

Instructions:

➢ Bidders are required to issue Tender Submission Link requests and all other enquiries to VusiSCM@dbsa.org ONLY;
➢ No – Tender Submission Link requests will be accepted after 16h00 on the 21st of July 2022. Any requests after the stipulated date and time will be disregarded.
➢ Bidders will thereafter receive a OneDrive Link to upload their tender submission documents electronically.

NB: No Physical submission will be accepted for this bid. Bidders must ensure that they follow the instructions for the electronic submission.
6. RULES GOVERNING THIS RFP AND THE TENDERING PROCESS

6.1 Participation in the tender process is subject to compliance with the rules contained in this RFP Part C.

6.2 All persons (whether or not a participant in this tender process) having obtained or received this RFP may only use it, and the information contained herein, in compliance with the rules contained in this RFP.

6.3 All Bidders are deemed to accept the rules contained in this RFP Part C.

6.4 The rules contained in this RFP Part C apply to:

6.4.1 The RFP and any other information given, received or made available in connection with this RFP, and any revisions or annexure;

6.4.2 the Tendering Process; and

6.4.3 any communications (including any briefings, presentations, meetings and negotiations) relating to the RFP or the Tendering Process.

7. STATUS OF REQUEST FOR PROPOSAL

7.1 This RFP is an invitation for person(s) to submit a proposal(s) for the provision of the services as set out in the Specification contained in this RFP. Accordingly, this RFP must not be construed, interpreted, or relied upon, whether expressly or implicitly, as an offer capable of acceptance by any person(s), or as creating any form of contractual, promissory or other rights. No binding contract or other understanding for the supply of services will exist between the DBSA and any Bidder unless and until the DBSA has executed a formal written contract with the successful Bidder.

8. ACCURACY OF REQUEST FOR PROPOSAL

8.1 Whilst all due care has been taken in connection with the preparation of this RFP, the DBSA makes no representations or warranties that the content in this RFP or any information communicated to or provided to Bidders during the Tendering Process is, or will be, accurate, current or complete. The DBSA, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete.

8.2 If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the DBSA (other than minor clerical matters), the Bidder must promptly notify the DBSA in writing of such discrepancy,
ambiguity, error or inconsistency in order to afford the DBSA an opportunity to consider what corrective action is necessary (if any).

8.3 Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the DBSA will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice.

9. ADDITIONS AND AMENDMENTS TO THE RFP

9.1 The DBSA reserves the right to change any information in, or to issue any addendum to this RFP before the Closing Time. The DBSA and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.

9.2 If the DBSA exercises its right to change information in terms of clause 9.1, it may seek amended Tenders from all Bidders.

10. REPRESENTATIONS

No representations made by or on behalf of the DBSA in relation to this RFP will be binding on the DBSA unless that representation is expressly incorporated into the contract ultimately entered into between the DBSA and the successful Bidder.

11. CONFIDENTIALITY

11.1 All persons (including all Bidders) obtaining or receiving this RFP and any other information in connection with this RFP or the Tendering Process must keep the contents of the RFP and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this RFP.

12. REQUESTS FOR CLARIFICATION OR FURTHER INFORMATION

12.1 All communications relating to this RFP and the Tendering Process must be directed to the Tender Officer.

12.2 All questions or requests for further information or clarification of this RFP or any other document issued in connection with the Tendering Process must be submitted to the Tender Officer in writing, and most preferably by e-mail to vusiSCM@dbsa.org

12.3 Any communication by a Bidder to the DBSA will be effective upon receipt by the Tender Officer (provided such communication is in the required format).

12.4 The DBSA has restricted the period during which it will accept questions or requests for further information or clarification and reserves the right not to respond to any enquiry or request, irrespective of when such enquiry or request is received.
12.5 Except where the DBSA is of the opinion that issues raised apply only to an individual Bidder, questions submitted and answers provided will be made available to all Bidders by e-mail, as well as on the DBSA’s website without identifying the person or organisation which submitted the question.

12.6 In all other instances, the DBSA may directly provide any written notification or response to a Bidder by email to the address of the Bidder (as notified by the Bidder to the Tender Manager).

12.7 A Bidder may, by notifying the Tender Officer in writing, withdraw a question submitted in accordance with clause 12, in circumstances where the Bidder does not wish the DBSA to publish its response to the question to all Bidders.

13. UNAUTHORISED COMMUNICATIONS

13.1 Communications (including promotional or advertising activities) with staff of the DBSA or their advisors assisting with the Tendering Process are not permitted during the Tendering Process, or otherwise with the prior consent of the Tender Officer. Nothing in this clause 13 is intended to prevent communications with staff of, or advisors to, the DBSA to the extent that such communications do not relate to this RFP or the Tendering Process.

13.2 Bidders must not otherwise engage in any activities that may be perceived as, or that may have the effect of, influencing the outcomes of the Tendering Process in any way.

14. IMPROPER ASSISTANCE, FRAUD AND CORRUPTION

14.1 Bidders may not seek or obtain the assistance of employees of the DBSA in the preparation of their tender responses.

14.2 The DBSA may in its absolute discretion, immediately disqualify a Bidder that it believes has sought or obtained such improper assistance.

14.3 Bidders are to be familiar with the implications of contravening the Prevention and Combating of Corrupt Activities Act, 2004 and any other relevant legislation.

15. ANTI-COMPETITIVE CONDUCT

15.1 Bidders and their respective officers, employees, agents and advisors must not engage in any collusion, anti-competitive conduct or any other similar conduct in respect of this Tendering Process with any other Bidder or any other person(s) in relation to:

15.1.1 the preparation or lodgement of their Bid

15.1.2 the evaluation and clarification of their Bid; and

15.1.3 the conduct of negotiations with the DBSA.
15.2 For the purposes of this clause 15, collusion, anti-competitive conduct or any other similar conduct may include disclosure, exchange and clarification of information whether or not such information is confidential to the DBSA or any other Bidder or any other person or organisation.

15.3 In addition to any other remedies available to it under law or contract, the DBSA may, in its absolute discretion, immediately disqualify a Bidder that it believes has engaged in any collusive, anti-competitive conduct or any other similar conduct during or before the Tendering Process.

16. COMPLAINTS ABOUT THE TENDERING PROCESS

16.1 Any complaint about the RFP or the Tendering Process must be submitted to the Supply Chain Management Unit in writing, by email, immediately upon the cause of the complaint arising or becoming known to the Bidder, (VusiSCM@dbsa.org)

16.2 The written complaint must set out:
   16.2.1 the basis for the complaint, specifying the issues involved;
   16.2.2 how the subject of the complaint affects the organisation or person making the complaint;
   16.2.3 any relevant background information; and
   16.2.4 the outcome desired by the person or organisation making the complaint.

16.3 If the matter relates to the conduct of an employee of the DBSA, the complaint should be addressed in writing marked for the attention of the Chief Executive Officer of the DBSA, and delivered to the physical address of the DBSA, as notified.

17. CONFLICT OF INTEREST

17.1 A Bidder must not, and must ensure that its officers, employees, agents and advisors do not place themselves in a position that may give rise to actual, potential or perceived conflict of interest between the interests of the DBSA and the Bidder’s interests during the Tender Process.

17.2 The Bidder is required to provide details of any interests, relationships or clients which may or do give rise to a conflict of interest in relation to the supply of the services under any contract that may result from this RFP. If the Bidder submits its Bid and a subsequent conflict of interest arises, or is likely to arise, which was not disclosed in the Bid, the Bidder must notify the DBSA immediately in writing of that conflict.

17.3 The DBSA may immediately disqualify a Bidder from the Tendering Process if the Bidder fails to notify the DBSA of the conflict as required.
18. LATE BIDS

18.1 Bids must be delivered by the Closing Time. The Closing Time may be extended by the DBSA in its absolute discretion by providing written notice to Bidders.

18.2 Bids delivered after the Closing Time or lodged at a location or in a manner that is contrary to that specified in this RFP will be disqualified from the Tendering Process and will be ineligible for consideration. However, a late Bid may be accepted where the Bidder can clearly demonstrate (to the satisfaction of the DBSA, in its sole discretion) that late lodgement of the Bid was caused by the DBSA; that access was denied or hindered in relation to the physical tender box; or that a major/critical incident hindered the delivery of the Bid and, in all cases, that the integrity of the Tendering Process will not be compromised by accepting a Bid after the Closing Time.

18.3 The determination of the DBSA as to the actual time that a Bid is lodged is final. Subject to clause 18.2, all Bids lodged after the Closing Time will be recorded by the DBSA and will only be opened for the purposes of identifying a business name and address of the Bidder. The DBSA will inform a Bidder whose Bid was lodged after the Closing Time of its ineligibility for consideration. The general operating practice is for the late Bid to be returned within 5 (five) working days of receipt or within 5 (five) working days after determination not to accept a late Bid.

19. BIDDER’S RESPONSIBILITIES

19.1 Bidders are responsible for:

19.1.1 examining this RFP and any documents referenced or attached to this RFP and any other information made or to be made available by the DBSA to Bidders in connection with this RFP;

19.1.2 fully informing themselves in relation to all matters arising from this RFP, including all matters regarding the DBSA’s requirements for the provision of the Services;

19.1.3 ensuring that their Bids are accurate and complete;

19.1.4 making their own enquiries and assessing all risks regarding this RFP, and fully considering and incorporating the impact of any known and unknown risks into their Bid;

19.1.5 ensuring that they comply with all applicable laws in regards to the Tendering Process particularly as specified by National Treasury Regulations, Guidelines, Instruction
Notes and Practice Notes and other relevant legislation as published from time to time in the Government Gazette; and

19.1.6 submitting all Compulsory Documents.

19.2 Bidders with annual total revenue of R10 million or less qualify as Exempted Micro Enterprises (EMEs) in terms of the B-BBEE Act must submit a certificate issued by a registered, independent auditor (who or which is not the Bidder or a part of the Bidder) or an accredited verification agency.

19.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy, or a sworn affidavit thereof, substantiating their B-BBEE status. The submission of such certificates must comply with the requirements of instructions and guidelines issued by National Treasury and be in accordance with the applicable notices published by the Department of Trade and Industry in the Government Gazette.

19.4 The DBSA 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 DBSA.

19.5 Failure to provide the required information may result in disqualification of the Bidder.

20. PREPARATION OF BIDS

20.1 Bidders must ensure that:
   20.1.1 their Bid is submitted in the required format as stipulated in this RFP; and
   20.1.2 all the required information fields in the Bid are completed in full and contain the information requested by the DBSA.

20.2 The DBSA may in its absolute discretion reject a Bid that does not include the information requested or is not in the format required.

20.3 Unnecessarily elaborate responses or other representations beyond that which is sufficient to present a complete and effective tender proposal are not desired or required. Elaborate and expensive visual and other presentation aids are not necessary.

20.4 Where the Bidder is unwilling to accept a specified condition, the non-acceptance must be clearly and expressly stated. Prominence must be given to the statement detailing the non-acceptance. It is not sufficient that the statement appears only as part of an attachment to the Bid, or be included in a general statement of the Bidders usual operating conditions.

20.5 An incomplete Bid may be disqualified or assessed solely on the information completed or received with the Bid.
21. **ILLEGIBLE CONTENT, ALTERATION AND ERASURES**

21.1 Incomplete Bids may be disqualified or evaluated solely on information contained in the Bid.

21.2 The DBSA may disregard any content in a Tender that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.

21.3 The DBSA may permit a Bidder to correct an unintentional error in its Bid where that error becomes known or apparent after the Closing Time, but in no event will any correction be permitted if the DBSA reasonably considers that the correction would materially alter the substance of the Bid or effect the fairness of the Tendering Process.

22. **OBLIGATION TO NOTIFY ERRORS**

If, after a Bidder’s Response has been submitted, the Bidder becomes aware of an error in the Bidders Response (including an error in pricing but excluding clerical errors which would have no bearing on the evaluation of the Bid), the Bidder must promptly notify the DBSA of such error.

23. **RESPONSIBILITY FOR BIDDING COSTS**

23.1 The Bidders participation or involvement in any stage of the Tendering Process is at the Bidders sole risk, cost and expense. The DBSA will not be held responsible for, or pay for, any expense or loss that may be incurred by Bidders in relation to the preparation or lodgement of their Bid.

23.2 The DBSA is not liable to the Bidder for any costs on the basis of any contractual, promissory or restitutionary grounds whatsoever as a consequence of any matter relating to the Bidders participation in the Tendering Process, including without limitation, instances where:

   23.2.1 the Bidder is not engaged to perform under any contract; or
   23.2.2 the DBSA exercises any right under this RFP or at law.

24. **DISCLOSURE OF BID CONTENTS AND BID INFORMATION**

24.1 All Bids received by the DBSA will be treated as confidential. The DBSA will not disclose contents of any Bid and Bid information, except:

   24.1.1 as required by law;
   24.1.2 for the purpose of investigations by other government authorities having relevant jurisdiction;
   24.1.3 to external consultants and advisors of the DBSA engaged to assist with the Tendering Process; or for the general information of Bidders required to be disclosed
as per National Treasury Regulations, Guidelines, Instruction Notes or Practice Notes.

25. USE OF BIDS
25.1 Upon submission in accordance with the requirements relating to the submission of Bids, all Bids submitted become the property of the DBSA. Bidders will retain all ownership rights in any intellectual property contained in the Bids.
25.2 Each Bidder, by submission of their Bid, is deemed to have licensed the DBSA to reproduce the whole, or any portion, of their Bid for the sole purposes of enabling the DBSA to evaluate the Bid.

26. BID ACCEPTANCE
All Bids received must remain open for acceptance for a minimum period of 90 (Ninety) days from the Closing Time. This period may be extended by written mutual agreement between the DBSA and the Bidder.

27. EVALUATION PROCESS
27.1 The Bids will be evaluated and adjudicated as follows:

27.1.1 First Stage – Test for administrative Responsiveness
The test for administrative responsiveness will include the following:

Stage 1: Responsiveness
The Tenderer should be able to provide all the relevant information required in the Supplier Information Form (SIF) which will include but not limited to;

A. Tenderers who do not adhere to those criteria listed a PRE-QUALIFIER, will be disqualified immediately.

<table>
<thead>
<tr>
<th>Responsiveness Criteria</th>
<th>Prequalifying Criteria</th>
<th>Applicable to this Tender (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. In terms of the DBSA Transformation Imperative Targets, the DBSA will consider companies with a minimum B-BBEE status of Level 2 who will contribute to meaningful B-BBEE initiatives as part of the tender process</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
</tbody>
</table>
B. Tenderers who do not adhere to the indicated response time for clarifications requested by the Employer will be deemed to be non-responsive and their submissions will not be evaluated further.

<table>
<thead>
<tr>
<th>Responsiveness Criteria</th>
<th>Clarification Time</th>
<th>Applicable to this Tender (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 Standard conditions of tender as required.</td>
<td>1 Week</td>
<td>Y</td>
</tr>
<tr>
<td>3 Returnable documents completed and signed.</td>
<td>1 Week</td>
<td>Y</td>
</tr>
<tr>
<td>4 Submission of Registration with National Treasury Central Supplier Database (CSD) Summary Report: - Bidder must be fully registered &amp; compliant in order to do business with the DBSA.</td>
<td>1 Week</td>
<td>Y</td>
</tr>
<tr>
<td>5 A valid and active Tax Compliance Status Pin issued by SARS.</td>
<td>1 Week</td>
<td>Y</td>
</tr>
<tr>
<td>6 Valid original/ certified letter of good standing (COIDA).</td>
<td>1 Week</td>
<td>Y</td>
</tr>
<tr>
<td>7 3 Years Audited Financial Statements, or Financial Statements signed off by an Accountant.</td>
<td>1 Week</td>
<td>N</td>
</tr>
<tr>
<td>8 Requisite industry experience and minimum requirements in terms of risks related to connected persons and/or engagement profile.</td>
<td>1 Week</td>
<td>N</td>
</tr>
</tbody>
</table>

Only those Bidders which satisfy all of the Pre-Qualifying Criteria will be eligible to participate in the Tendering Process further. Bids which do not satisfy all of the Pre-Qualifying Criteria will not be evaluated further.

27.1.2 **Second Stage – Functional criteria**

27.1.1 All bidders will be subjected to the same evaluation criteria and bidders who achieve a minimum score of **90 points out of 100 points for generic bidders and 75 points out of 100 for QSEs/EMEs bidders** will proceed to short listing. We will endeavor to maintain an equal ratio between Generic and EMEs/QSEs in as far as its possible provided that the bidders meet the minimum applicable thresholds. Bidders are required to submit supporting documentation evidencing their compliance with each requirement, where applicable.

Bidders will be assessed on the functional criteria set out in this RFP. Only those Bidders which comply with the eligibility criteria will proceed to the next stage.

27.1.2 **Third Stage – price / rates and preferential points**
27.1.2.1 Those Bidders which have passed the initial and first stages of the tender process will be scored on the basis of price / rates and preference point allocation in accordance with the applicable legislation.

27.1.2.2 The successful Bidder will be the Bidder that scores the highest number of points in the second stage of the Bid evaluation, unless the DBSA exercises its right to cancel the RFP, in line with the PPPFA Regulations.

27.2 NB: Bidders are required to submit, as Annexure J to their Bids, any documentation which supports the responses provided in respect of the Eligibility Criteria below.

27.3 Qualification: Pre-Qualifying Criteria

Only those Bidders which satisfy all of the Pre-Qualifying Criteria will be eligible to participate in the Tendering Process further. Bids which do not satisfy all of the Pre-Qualifying Criteria will not be evaluated further. Please refer to the table above

Note: A tender that fails to meet any Pre-Qualifying Criteria stipulated herein in the tender documents is an unacceptable tender. Please refer to the table above

27.4 Second Stage: Functional Criteria

All bidders will be subjected to the same evaluation criteria and bidders who achieve a minimum score of 90 points out of 100 points for generic bidders and 75 points out of 100 for QSEs/EMEs bidders will proceed to short listing. We will endeavour to maintain an equal ratio between Generic and EMEs/QSEs in as far as its possible provided that the bidders meet the minimum applicable thresholds. The technical proposal will be evaluated according to the criteria and scoring system indicated under terms of reference section on page 53 - 57.

27.5 Third Stage: Price / Rates and Preferential Points Assessment

27.5.1 Rates supplied will be assessed for competitiveness.

27.5.2 Points will be allocated to Bidders at this stage of the evaluation in accordance with the PPPFA and the PPPFA Regulations, as follows:

Price points 80
Preferential procurement points 20
27.5.3 **Price points**

The following formula will be used to calculate the points for price:

\[
Ps = 80(1-(Pt-P_{\text{min}})/P_{\text{min}})
\]

Where:
- \(Ps\) = Points scored for comparative price of tender or offer under consideration;
- \(Pt\) = Comparative price of tender or offer under consideration; and
- \(P_{\text{min}}\) = Comparative price of lowest acceptable tender or offer.

27.5.4 **Preferential procurement points**

A maximum of 20 points may be awarded in respect of preferential procurement, which points must be awarded to a tenderer for attaining their B-BBEE Status Level in accordance with the table below:

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>16</td>
</tr>
<tr>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
</tr>
</tbody>
</table>

An unincorporated trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate Bid.

28. **STATUS OF BID**
28.1 Each Bid constitutes an irrevocable offer by the Bidder to the DBSA to provide the Services required and otherwise to satisfy the requirements of the Specification as set out in this RFP.

28.2 A Bid must not be conditional on:

28.2.1 the Board approval of the Bidder or any related governing body of the Bidder being obtained;
28.2.2 the Bidder conducting due diligence or any other form of enquiry or investigation;
28.2.3 the Bidder (or any other party) obtaining any regulatory approval or consent;
28.2.4 the Bidder obtaining the consent or approval of any third party; or
28.2.5 the Bidder stating that it wishes to discuss or negotiate any commercial terms of the contract.

28.3 The DBSA may, in its absolute discretion, disregard any Bid that is, or is stated to be, subject to any one or more of the conditions detailed above (or any other relevant conditions).

28.4 The DBSA reserves the right to accept a Bid in part or in whole or to negotiate with a Bidder in accordance with the provisions of this RFP and the applicable laws and regulations.

29. CLARIFICATION OF BIDS

29.1 The DBSA may seek clarification from and enter into discussions with any or all of the Bidders in relation to their Bid. The DBSA may use the information obtained when clarification is sought or discussions are had in interpreting the Bid and evaluating the cost and risk of accepting the Bid. Failure to supply clarification to the satisfaction of the DBSA may render the Bid liable to disqualification.

29.2 The DBSA is under no obligation to seek clarification of anything in a Bid and reserves the right to disregard any clarification that the DBSA considers to be unsolicited or otherwise impermissible or irrelevant in accordance with the rules set out in this RFP.

30. DISCUSSION WITH BIDDERS

30.1 The DBSA may elect to engage in detailed discussions with any one or more Bidder(s), with a view to maximising the benefits of this RFP as measured against the evaluation criteria and in fully understanding a Bidder’s offer.

30.2 As part of the evaluation of this Bid, DBSA will invite Bidders to give a presentation to the DBSA in relation to their submissions.

30.3 The DBSA is under no obligation to undertake discussions with, and Bidders.

30.4 In addition to presentations and discussions, the DBSA may request some or all Bidders to:
30.4.1 conduct a site visit, if applicable;
30.4.2 provide references or additional information; and/or
30.4.3 make themselves available for panel interviews.

31. **SUCCESSFUL BIDS**

31.1 Selection as a successful Bidder does not give rise to a contract (express or implied) between the successful Bidder and the DBSA for the supply of the Services. No legal relationship will exist between the DBSA and a successful Bidder for the supply of the Services until such time as a binding contract is executed by them.

31.2 The DBSA may, in its absolute discretion, decide not to enter into pre-contractual negotiations with a successful Bidder.

31.3 A Bidder is bound by its Bid and all other documents forming part of the Bidder’s Response and, if selected as a successful Bidder, must enter into a contract on the basis of the Bid with or without further negotiation.

32. **NO OBLIGATION TO ENTER INTO CONTRACT**

32.1 The DBSA is under no obligation to appoint a successful Bidder or Bidders (as the case may be), or to enter into a contract with a successful Bidder or any other person, if it is unable to identify a Bid that complies in all relevant respects with the requirements of the DBSA, or if due to changed circumstances, there is no longer a need for the Services requested, or if funds are no longer available to cover the total envisaged expenditure. For the avoidance of any doubt, in these circumstances the DBSA will be free to proceed via any alternative process.

32.2 The DBSA may conduct a debriefing session for all Bidders (successful and unsuccessful). Attendance at such debriefing session is optional.

33. **BIDDER WARRANTIES**

33.1 By submitting a Bid, a Bidder warrants that:

33.1.1 it did not rely on any express or implied statement, warranty or representation, whether oral, written, or otherwise made by or on behalf of the DBSA, its officers, employees, or advisers other than any statement, warranty or representation expressly contained in the RFP;

33.1.2 it did not use the improper assistance of DBSA’s employees or information unlawfully obtained from them in compiling its Bid;
33.1.3 it is responsible for all costs and expenses related to the preparation and lodging of its Bid, any subsequent negotiation, and any future process connected with or relating to the Tendering Process;
33.1.4 it accepts and will comply with the terms set out in this RFP; and
33.1.5 it will provide additional information in a timely manner as requested by the DBSA to clarify any matters contained in the Bid.

34. DBSA’S RIGHTS
34.1 Notwithstanding anything else in this RFP, and without limiting its rights at law or otherwise, the DBSA reserves the right, in its absolute discretion at any time, to:
34.1.1 cease to proceed with, or suspend the Tendering Process prior to the execution of a formal written contract;
34.1.2 alter the structure and/or the timing of this RFP or the Tendering Process;
34.1.3 vary or extend any time or date specified in this RFP;
34.1.4 terminate the participation of any Bidder or any other person in the Tendering Process;
34.1.5 require additional information or clarification from any Bidder or any other person;
34.1.6 provide additional information or clarification;
34.1.7 negotiate with any one or more Bidder;
34.1.8 call for new Bid;
34.1.9 reject any Bid received after the Closing Time; or
34.1.10 reject any Bid that does not comply with the requirements of this RFP.

35. GOVERNING LAWS
35.1 This RFP and the Tendering Process are governed by the laws of the Republic of South Africa.
35.2 Each Bidder must comply with all relevant laws in preparing and lodging its Bid and in taking part in the Tendering Process.
35.3 All Bids must be completed using the English language and all costing must be in South African Rand.

36. MANDATORY QUESTIONS
36.1 Bidders shall provide full and accurate answers to all (including mandatory) questions posed in this document, and, are required to explicitly state "Comply/Accept" or "Do not comply/Do not accept" (with a ✓ or an X) regarding compliance with the requirements. Where necessary, the Bidders shall substantiate their response to a specific question.
NOTE: It is mandatory for Bidders to complete or answer this part fully; failure to do so result the Bid being treated as incomplete and the Bid may be disqualified.

36.1.1

| This Bid is subject to the General Conditions of Contract stipulated in this RFP document. | Comply/Accept | Do not comply/Do not accept |
|---|---|

36.1.2

| The laws of the Republic of South Africa shall govern this RFP and the Bidders hereby accept that the courts of the Republic of South Africa shall have the jurisdiction. | Comply/Accept | Do not comply/Do not accept |
|---|---|

36.1.3

| The DBSA shall not be liable for any costs incurred by the Bidder in the preparation of response to this RFP. The preparation of response shall be made without obligation to acquire any of the items included in any Bidder's proposal or to select any proposal, or to discuss the reasons why such vendor's or any other proposal was accepted or rejected. | Comply/Accept | Do not comply/Do not accept |
|---|---|

36.1.4

| The DBSA may request written clarification or further information regarding any aspect of this proposal. The Bidders must supply the requested information in writing within two working days after the request has been made, otherwise the proposal may be disqualified. | Comply/Accept | Do not comply/Do not accept |
|---|---|

36.1.5

| In the case of Consortium, Joint Venture or subcontractors, Bidders are required to provide copies of signed agreements stipulating the work split and Rand value. | Comply/Accept | Do not comply/Do not accept |
|---|---|
36.1.6

In the case of Consortium, Joint Venture or subcontractors, all Bidders are required to provide mandatory documents as stipulated in Part C: Checklist of Compulsory Returnable Schedules and Documents of the Tender Document.

<table>
<thead>
<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
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</thead>
</table>

36.1.7

The DBSA reserves the right to; cancel or reject any proposal and not to award the proposal to the lowest Bidder or award parts of the proposal to different Bidders, or not to award the proposal at all.

<table>
<thead>
<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
</table>

36.1.8

Where applicable, Bidders who are distributors, resellers and installers of network equipment are required to submit back-to-back agreements and service level agreements with their principals.

<table>
<thead>
<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
</table>

36.1.9

By submitting a proposal in response to this RFP, the Bidders accept the evaluation criteria as it stands.

<table>
<thead>
<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
</table>

36.1.10

Where applicable, the DBSA reserves the right to run benchmarks on the requirements equipment during the evaluation and after the evaluation.

<table>
<thead>
<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
</table>

36.1.11
The DBSA reserves the right to conduct a pre-award survey during the source selection process to evaluate contractors' capabilities to meet the requirements specified in the RFP and supporting documents. | Comply/Accept | Do not comply/Do not accept |

36.1.12

Only the solution commercially available at the proposal closing date shall be considered. No Bids for future solutions shall be accepted. | Comply/Accept | Do not comply/Do not accept |

36.1.13

The Bidder should not qualify the proposal with own conditions. **Caution:** If the Bidder does not specifically withdraw its own conditions of proposal when called upon to do so, the proposal response shall be declared invalid. | Comply/Accept | Do not comply/Do not accept |

36.1.14

Delivery of and acceptance of correspondence between the DBSA and the Bidder sent by prepaid registered post (by air mail if appropriate) in a correctly addressed envelope to either party's postal address or address for service of legal documents shall be deemed to have been received and accepted after (2) two days from the date of postage to the South African Post Office Ltd. | Comply/Accept | Do not comply/Do not accept |

36.1.15

Should the parties at any time before and/or after the award of the proposal and prior to, and-or after conclusion of the contract fail to agree on any significant product price or service price adjustments, change in technical | Comply/Accept | Do not comply/Do not accept |
specification, change in services, etc. The DBSA shall be entitled within 14 (fourteen) days of such failure to agree, to recall the letter of award and cancel the proposal by giving the Bidder not less than 90 (ninety) days written notice of such cancellation, in which event all fees on which the parties failed to agree increases or decreases shall, for the duration of such notice period, remain fixed on those fee/price applicable prior to the negotiations. Such cancellation shall mean that the DBSA reserves the right to award the same proposal to next best Bidders as it deems fit.

<table>
<thead>
<tr>
<th>36.1.16</th>
<th>In the case of a consortium or JV, each of the authorised enterprise’s members and/or partners of the different enterprises must co-sign this document.</th>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>36.1.17</th>
<th>Any amendment or change of any nature made to this RFP shall only be of force and effect if it is in writing, signed by the DBSA signatory and added to this RFP as an addendum.</th>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>36.1.18</th>
<th>Failure or neglect by either party to (at any time) enforce any of the provisions of this proposal shall not, in any manner, be construed to be a waiver of any of that party’s right in that regard and in terms of this proposal. Such failure or neglect shall not, in any manner, affect the continued, unaltered validity of this proposal, or prejudice the right of that party to institute subsequent action.</th>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
</table>

| 36.1.19 | | | |
### Bidders who make use of subcontractors:

<table>
<thead>
<tr>
<th>Description</th>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. It is the responsibility of the Bidder to select competent subcontractors that meet all the tender requirements stipulated in this tender document.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. The Bidder shall be responsible for all due diligence of the selected subcontractors and will be held liable for any non-performance of the subcontractor.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Bidders are required to provide documentation (such as BBBEE Certificate/Sworn Affidavit, Valid or Active Tax Compliance Status Pin Issued by SARS, CSD Summary Report, Valid or Active CIDB Certificate etc.) for the relevant subcontractor as a minimum in support of the subcontracting arrangement.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Subcontracting must not contradict any Regulation or Legislation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. No separate contract shall be entered into between the DBSA and any such subcontractors. Copies of the signed agreements between the relevant parties must be attached to the proposal responses.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**36.1.20**

<table>
<thead>
<tr>
<th>Description</th>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
</tr>
</thead>
<tbody>
<tr>
<td>All services supplied in accordance with this proposal must be certified to all legal requirements as per the South African law.</td>
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**36.1.21**

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<thead>
<tr>
<th>Description</th>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
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<tbody>
<tr>
<td>No interest shall be payable on accounts due to the successful Bidder in an event of a dispute arising on any stipulation in the contract.</td>
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</tbody>
</table>
36.1.22

| Evaluation of Bids shall be performed by an evaluation panel established by the DBSA. Bids shall be evaluated on the basis of conformance to the required specifications (functionality) as outlined in the RFP. For Bids considered for price and preference evaluation, points shall be allocated to each Bidder, on the basis that the maximum number of points that may be scored for price is 80, and the maximum number of preference points that may be claimed for B-BBEE status level of contributor (according to the PPPFA Regulations) is 20. |
|--------------------|----------------|
| Comply/Accept      | Do not comply/Do not accept |

36.1.23

| If the successful Bidder disregards contractual specifications, this action may result in the termination of the contract. |
|--------------------|----------------|
| Comply/Accept      | Do not comply/Do not accept |

36.1.24

| The Bidders’ response to this Bid, or parts of the response, shall be included as a whole or by reference in the final contract. |
|--------------------|----------------|
| Comply/Accept      | Do not comply/Do not accept |

36.1.25

| Should the evaluation of this Bid not be completed within the validity period of the Bid, the DBSA has discretion to extend the validity period. |
|--------------------|----------------|
| Comply/Accept      | Do not comply/Do not accept |

36.1.26
Upon receipt of the request to extend the validity period of the Bid, the Bidder must respond within the required time frames and in writing on whether or not he agrees to hold his original Bid response valid under the same terms and conditions for a further period.

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<tr>
<th>36.1.27</th>
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<tbody>
<tr>
<td>Should the Bidder change any wording or phrase in this document, the Bid shall be evaluated as though no change has been effected and the original wording or phrasing shall be used.</td>
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</table>

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<th>36.1.28</th>
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<tbody>
<tr>
<td>Tax Compliance Status either on CSD National Treasury Database or SARS eFiling System as a Condition for Appointment/Award of the Bid.</td>
</tr>
<tr>
<td>This requirement is mandatory and has to be satisfied by the successful bidder. The successful bidder must be tax compliant prior to appointment/award of the bid as no bid will be awarded to persons who are not tax compliant.</td>
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</tbody>
</table>

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<th>36.1.29</th>
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</thead>
<tbody>
<tr>
<td>Company registration with CSD National Treasury Database as a Condition for Appointment/Award of the Bid.</td>
</tr>
<tr>
<td>This requirement is mandatory and has to be satisfied by the successful bidder. The successful bidder must be registered on the CSD National Treasury site prior to appointment/award of the bid.</td>
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</table>

| 36.1.30 |
The following will be grounds for disqualification:

- Unsatisfactory performance under a previous public contract in the past 5 years, provided that notice of such unsatisfactory performance has been given to the bidder; and/or
- The bidder or any of its directors have committed a corrupt or fraudulent act in competing for the appointment; and/or
- The bidder or any of its directors have been convicted of fraud or corruption in the last 5 years; and/or
- The bidder or any of its directors have been listed in the Register for Tender Defaulters under section 9 of the Prevention and Combating of Corrupt Activities Act; and/or
- Bids received after the stipulated closure time will be immediately disqualified; and/or
- Bidders whom have recently completed or currently performing, or to commence work on specific categories of services may be excluded to enable the Bank manage its concentration risk. This threshold is currently set at R10 million for consultancy services.

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</table>

Signature(s) of Bidder or assignee(s)  
Date

Name of signing person (in block letters)

Capacity

Are you duly authorized to sign this Bid?

Name of Bidder (in block letters)

Postal address (in block letters)
Domicilium citandi et executandi in the RSA (full street address of this place) (in block letters)
PART E

TERMS OF REFERENCE & PROJECT BRIEF
1. INTRODUCTION

The Infrastructure Fund (IF) was established pursuant to a memorandum of agreement (MOA) dated on 17 August 2020 between the Development Bank of Southern Africa (DBSA), National Treasury (NT) and Department of Public Works and Infrastructure (DPWI’s) represented by Infrastructure South Africa (ISA). In terms of the MOA, the IF is housed within the DBSA as a ring-fenced division. The IF is meant to fundamentally transform the state’s approach to the financing of infrastructure projects by reducing the current fragmentation of infrastructure spend, and thereby ensuring more efficient and effective use of state resources while improving the speed and quality of delivery.

The IF, alongside ISA, actively supports project sponsors in all spheres of the South African government being national, provincial, and local spheres including state owned entities in the development of the financial mechanism for blended finance projects. As per NT’s Budget Facility for Infrastructure (BFI) guidelines, which were introduced in 2016 as a reform to the budget process, the projects undertaken by Project Sponsors will primarily be in the following key sectors: energy, water and sanitation, transport, communications, human settlements, agriculture and agro-processing, health, education and municipal infrastructure.

The IF’s core objective is to encourage collaboration between public and private role-players to unlock successful blended financing solutions that will enable projects to achieve financial close. The IF achieves this objective by:

i. Undertaking all activities necessary to develop blended financing solutions for projects which includes identifying and developing appropriate funding structures such as the use of grants, capital contributions, user pay models, interest rate guarantees, subordinated debt etc. The IF also develops financial models, financial delivery mechanisms and incentives for the projects;

ii. Where appropriate, arranging, coordinating, structuring and engaging with financial markets to develop financial instruments that will enable investments in projects by private investors;

iii. Where necessary, developing a procurement plan for the projects and providing procurement support to Project Sponsors; and

iv. Monitoring and driving the process of moving projects across the value chain, that is, through the planning stage until financial closure.

The Infrastructure Finance Unit (IFU) is one of four pillars within the IF that is primarily responsible for driving the delivery of the above-mentioned objectives. In delivering the IF’s objectives, the IFU’s work will be underpinned by three (3) guiding principles, namely: (i) the maximization of private sector participation per project, (ii) ensuring private capital is obtained at competitive and cost-effective terms and (iii) expediting the implementation of projects.

2. BACKGROUND

The IF builds on the government’s efforts to transform public infrastructure development. An allocation of R100-billion has been earmarked for the IF by the NT over a period of 10 years. The aforesaid R100-billion
will be used as viability gap funding for large-scale infrastructure investments and could galvanize R1 trillion of local and internationally sourced private investment.

As such, the IFU is actively partnering with Project Sponsors to structure innovative and bespoke blended finance solutions intended to alleviate the constrained fiscus by crowding-in private investments. In so doing, the IFU plays a pivotal role across the following phases of the project development value chain: project identification, design and conceptualisation, preparation, structuring, budgeting, financing, procurement and implementation.

From time to time, as envisaged in the approved IF Business Plan signed on the 11 December 2020, the IF may seek assistance from external advisors to complement its own team and supplement its resources and expertise. In particular, the IFU will require the services of experienced infrastructure and project finance advisors with a deep understanding of the challenges related to raising project financing in the sectors and markets in which the IF is active.

The IFU is tasked to support ISA and Project Sponsors in developing the investment case for blended finance and is required to provide inputs into various milestones throughout the above-mentioned value chain, that is, from developing the early business case until financial closure is achieved. Thus, the financial advisory services would be required at the earliest stages of project development. Moreover, to materially alleviate fiscal pressure, the IFU is open to new transaction structures. The IF seeks to disrupt the infrastructure financing approach adopted by government thus far by introducing new ways of financing infrastructure projects. The IFU seeks to move into unchartered waters by, inter alia:

i. Improving the bankability of social infrastructure;
ii. Introducing untested contractual frameworks;
iii. Transform sectors by deliberately designing projects such that there is increased participation of smaller contractors and operators that have typically been underbanked or unbanked; and
iv. Rolling out, in scale, projects which are pioneers in their asset class.

These innovative solutions would need to be fully developed and thoroughly tested ahead of rollout. The IFU requires the support of Transaction Advisory firms that understand the risks associated with the innovative blending finance solutions and structures that the IFU will be developing. The Transaction Advisory firm would bolster the in-house expertise within the IFU, by identifying such risk, quantifying the risk and where possible proposing risk mitigants for the IFU’s consideration. In addition to the IF’s legal in-house expertise, the IFU requires the support of the Transaction Advisory firms during the negotiation of the projects’ contractual frameworks to ensure that the proposed commercial arrangements are conducive to implementing an optimal financing package in the context of the IF’s strategy and objectives.

The services of a Transaction Advisory firm are imperative, if the IFU is to successfully deliver on its mandate. Independent advice will not only allow the IF to access global financial expertise but will also prevent the IF from making costly mistakes when rolling out its ground-breaking and innovative structures. Most importantly,
the use of external Transaction Advisory services brings legitimacy to the IF’s processes, this endorsement is expected to increase investor and public confidence.

3. PURPOSE OF THE REQUEST FOR PROPOSAL

A selection of bidders to be constituted as follows: Generic bidders that meet or exceed the minimum functional threshold (90%) and EMES/QSE firms that meet or exceed the minimum functional threshold (75%) will be appointed to the IF’s Transaction Advisory Panel for a period of five years. We will endeavor to maintain an equal ratio between Generic and EMES/QSEs in as far as its possible provided that the bidders meet the minimum applicable thresholds. Successful bidders may be expected to collaborate and twin with other advisory firms also appointed on DBSA’s panel as a platform for the exchange of knowledge, transfer of skills, broadening of networks and strengthening of capacity.

Twinning should be two-way and both advisory firms should benefit from the collaboration and learn from each other. Forms of twinning include training exchanges, information exchanges, technical exchanges and collaborations on specific initiatives. Twinning arrangements will be concluded during the commissioning of specific work packages based on experience specific to the task at hand. The IF reserves the right to not appoint any bidder to the transaction advisory panel and to terminate this appointment or temporarily defer work, or any part thereof at its sole discretion.

Successful bidders will be expected to confirm Professional Indemnity cover for the active duration of the assignment/s, once appointed.

4. ACCURACY OF REQUEST FOR PROPOSAL

Whilst all due care has been taken in connection with the preparation of this RFP, the IF makes no representations or warranties that the content in this RFP or any information communicated to or provided to bidders during the procurement process is, or will be, accurate, current or complete. The IF, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete.

If a bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the IF (other than minor clerical matters), the bidder must promptly notify the IF in writing of such discrepancy, ambiguity, error or inconsistency to afford the IF an opportunity to consider what corrective action is necessary (if any).

Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the IF will, if possible, be corrected and provided to all bidders without attribution to the bidder who provided the written notice.
5. **ADDITIONS AND AMENDMENTS TO THE RFP**

The IF reserves the right to change any information in, or to issue any addendum to this RFP before the closing time. The IF and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.

Should the IF exercise its right to change information, it may seek amended responses from all bidders.

6. **REPRESENTATIONS**

No representations made by or on behalf of the IF in relation to this RFP will be binding on the IF unless that representation is expressly incorporated into the contract ultimately entered between the IF and the successful bidder.

7. **CONFIDENTIALITY**

Any confidential information obtained by either party to this contract, or arising from the implementation of this contract, shall be treated as confidential by the party receiving it and shall not be used, divulged or permitted to be divulged to any person not being a party to this contract, without the prior written consent of the other party.

8. **DETAILED SCOPE OF WORK**

Generally, the Transaction Advisor will be required to assist the IF with the design of the financial parameters of the transaction, for which it is engaged, and thereby advise the IF on the most effective means of structuring a particular project and procurement to ensure that the transaction, for which it is engaged is optimally structured, priced and bankable. The Transaction Advisor will perform all tasks within the scope of work with high professional skills based on its due diligence and experience. The Transaction Advisor will be required to liaise with and disclose information to other advisors involved in the project including, but not limited to the legal advisor and technical advisor. Furthermore, the Transaction Advisor will be required to attend meetings as and when required and to make various presentations to the relevant project governance structure(s) if required.

8.1 **Assessment of feasibility and technical design documentation of the project**

The scope will include, but not be limited to, supporting the IF during the preparation of the project and the prequalification stage of the project, providing commercial, strategic, economic, financial advice and guidance to the IF and its advisors. The Transaction Advisor will determine the optimum form of transaction to implement the project. The Transaction Advisor will also be required to conduct an independent evaluation
of the documentation prepared and the information available and gauge compliance with the requirements of the Budget Facility for Infrastructure (BFI)\textsuperscript{1} and other regulatory requirements.

The Transaction Advisor will perform a review encompassing verification of the cost estimate of the proposed capital investment; where relevant, review of the current market data and projections; and analyze the results of the various surveys carried out in the recent past to assess potential users’ willingness to pay for using the service with the view of determining (i) whether the current documentation is conducive to launching a transaction, and (ii) identify any gaps in the information available to date.

8.2 Financial modelling

The Transaction Advisor will provide financial modelling support as and when required, including the development of a new project finance financial model(s) or review and enhancement of existing financial models. Such an exercise will consider the outcome(s) of the feasibility study(ies), the technical, legal and financial due diligence, prevailing market conditions and outlook. The objective of such financial model will be to:

i. Provide a useful, trustworthy and flexible tool to inform sound decision making by relevant decision makers and stakeholders;

ii. Assess the commercial viability of proposed/selected option(s) from the feasibility study(ies);

iii. Quantify the future cashflow requirement of the project to inform the level of borrowing(s) required over the life of the project;

iv. Establish the optimal transaction structure for project implementation;

v. Derive model outputs such as NPV, IRR, MIRR, Payback Period, PI Ration, Unitary payment/tariff, debt service cashflows, revenue profile, opex profile, various relevant graphs, i.e. debt curves, radar charts etc.;

vi. Establish the optimal sources of funding and summarise key financial ratios on a dashboard, i.e. Gearing ratios, DSCR, LLCR, etc.;

vii. Run scenario testing and consider varying circumstances under which the proposed option can be implemented, including the application of various sources of funding in varying combinations and quantum;

viii. Run sensitivity analysis and establish the impact on main outputs because of a change/movement (up and down) in variables such as CPI, interest rate, volume, demand, capex etc.;

ix. Evaluate the financial impact of such structures on the South African Government and its finances.

x. Document the financial modelling process, input assumptions and the use thereof for quality assurance and control measures;

\textsuperscript{1} The BFI’s overarching requirements include the following: description of the project; objectives; options analysis; financial analysis; economic analysis; risk analysis; procurement plan and institutional readiness to implement the project. A copy of the BFI guideline has been attached as annexure A to the ToRs.
xi. Assist with ad-hoc requests requiring financial modelling work and analysis, as well as responding to various stakeholder(s) queries on the model and its outputs during the structuring of the project and various stages of the project agreement negotiations; and

xii. Handover of work performed to the IFU team on completion of work;

It is expected that the financial model may be shared with relevant parties (investors and/or financiers) and/or audited by the lender’s advisors.

8.3 Assessment of contingent liability

Assess the proposed/envisaged project structure, highlight and record the impact of such financial structuring on the contingent liabilities of the South African government if any.

8.4 Economic model

The IF undertakes projects that are submitted to NT’s BFI process for fiscal funding approval. One of the major requirements underpinning this approval is the demonstration that a project/programme seeking to secure such an approval through the BFI process is likely to generate significant economic benefits to the country. The demonstration is in a form of an economic model that converts financial value to economic value(s) to justify the need for fiscal support. The Transaction Advisor is required to build an economic model considering all the economic costs and benefits of the project. The objective(s) of such economic model are:

i. Justify fiscal support through a credible analysis of social and economic costs and benefits of the project;

ii. Provide information that enables the assessment of welfare changes due to the project and estimation of the project’s impact on all segments of the society as measured by the calculation of economic performance indicators such as the Economic Net Present Value (ENPV), the Economic Rate of Return (ERR) and Cost-Effective Ratios (CER);

iii. Provide a scientific method of demonstrating economic cost and benefits of a project through Cost Benefit Analysis (CBA) and/or Cost Effectiveness Analysis (CEA) to assess their economic viability across a range of options considered;

iv. Demonstrate the distributional impact(s) in relation to the accrual of gains or losses to different groups from the implementation of the project. A project may have differing impacts according to age, gender, ethnic group, health, skill, or location.

9. ADDITIONAL ADVICE

The Transaction Advisor shall provide all round specialist advice as and when required or identified as necessary during the project or structuring the transaction.

9.1 Technical-Delivery Options Report
The Transaction Advisor shall prepare a Technical-Delivery Option Analysis Report that will:

i. Present the different options being considered for implementation of the project (structure of transaction and implementation methods) and present pros and cons for each option;

ii. High level costing of each option to justify preference;

iii. Record a preliminary risk matrix together with proposal for risk sharing/transfer for the project; and

iv. Record a detailed timeline for the implementation of the project.

In instances considered necessary or appropriate by the IF, the Transaction Advisor may be required to present relevant examples of transactions where proposed solutions have been implemented. The Financial Advisor may also be required to prepare a detailed risk allocation matrix of the project, in coordination and consultation with the IF’s other advisors, which will form the framework for the relevant contractual documentation for the transaction.

9.2 Approvals

The Transaction Advisor will be required, through reports, presentations and supporting written recommendations, to support the IF in its efforts to secure relevant approvals from the NT, ISA and other approving organs of state.

9.3 Marketing of the Transaction

The Transaction Advisor will be required to provide advice on how best to promote the transaction and support the IF in its efforts to solicit market buy-in and promote the transaction. This requirement entails (i) developing a marketing strategy for the transaction including a list of activities to be undertaken and a detailed timeline; (ii) preparing the project information memorandum; (iii) identifying a list of potential parties that might be interested in bidding for the transaction; and (iv) on instruction, contacting such parties to raise their awareness and solicit buy-in into the project (this might include but not be limited to the production of request for information, project teasers. Project information memorandum and other relevant marketing documents).

Moreover, if required by the IF, the Transaction Advisor will assist in arranging for road shows, transaction launch seminar or other relevant marketing promotions and events. Finally, the Transaction Advisor will be required to follow up with interested bidders to ensure successful outcome of the pre-qualification, including providing detailed logs of information contact and feedback from investors.

9.4 Expressions of interest from potential financiers

The Transaction Advisor will assist the IF in i) developing the relevant documentation to be sent out to the market, including local and international financial institutions to solicit interest from the market and crowd in participation and ii) collating responses to analyse deal appetite from the market.

9.5 Pre-qualification documents
The Transaction Advisor will review documents drafted by the legal and technical advisors and take responsibility for amending and finalising such project documentation in line with counsel received by the IF. The Transaction Advisor(s) will support the IF in i) developing financial and economic development criteria to be used in judging the suitability of prospective bidders, ii) identifying the ideal profile of a strategic investor; and iii) conducting a fair and transparent pre-qualification process. The Transaction Advisor(s) will liaise closely with the legal advisor to ensure the prequalification method is fully in compliance with the relevant laws.

9.6 Pre-qualification

The Transaction Advisor will assist the IF in i) developing a methodology and supporting documentation for the evaluation of the interested investors ii) assist the IF in responding to inquiries from interested investors and if required iii) assist in the evaluation of applications received.

9.7 Bidding documents

The Transaction Advisor(s), with the counsel of other advisors (technical and legal), will assist in preparing the relevant bidding documentation. The Transactions Advisor(s) will not bear ultimate responsibility for the drafting of the project and finance documentation, however, will provide significant inputs in relation to international and market best practice. This will include but not limited to:

i. A review and commentary on the proposed project documentation;

ii. Provide inputs and support in the preparation of the bidding instructions;

iii. Provide inputs and support in the development of a transparent bid evaluation criteria and a methodology for bid evaluation and preparation of relevant documentation, including support in the management of the data room, if necessary, as well as any other necessary steps in the bidding process.

9.8 Bidders’ review and comments

The Transaction Advisor(s) will i) review comments and queries by bidders in conjunction with the IF, ii) advise the IF whether these comments and queries would influence the terms of the proposed scheme, iii) seek to support the IF in addressing the comments by bidders timeously, iv) where necessary recommend appropriate revisions to the project documents based on the comments and queries received and assist in the preparation of any relevant change to the documentation, v) advise the IF on appropriate actions to mitigate against risk and minimize the scope of post-bid award negotiations in relation to the project and finance documentation.

9.9 Contact with investors during bidding process

The Transaction Advisor will assist/support the IF in (i) maintaining contact with pre-qualified bidders during the bid preparation period, (ii) organising a pre-bid conference and meetings with the IF; and (iii) where required assist in competitive negotiations/discussions with pre-qualified bidders.
**9.10 Bid evaluation methodology**

The Transaction Advisor will be responsible for the development of a bid evaluation methodology for the bids to be submitted by bidders. Such evaluation methodology will be presented in written form, discussed with the IF and, if necessary, the Transaction Advisor will make relevant amendments to such methodology.

**9.11 Bid evaluation**

Transaction Advisor will assist the IF in analysing bids including checks of the compliance of the bidders and their applications with the criteria set forth in the tender documentation, and evaluation of the bids.

**9.12 Facilitating the bidders’ due diligence including preparation of a data room**

The Advisor may be required to assist the IF in defining the procedures for the prequalified bidders to carry out their due diligence of the proposed project. In addition, in conjunction with the other advisors and the IF, the Transaction Advisor will be responsible for preparing a data room and the procedures for access to and use of the data room.

**9.13 Transaction closure**

The Transaction Advisor(s) will be required to assist the IF (i) conducting all relevant negotiations with the selected preferred bidder(s), (ii) attending to and addressing the preferred bidders’ information requests and queries (including running certain scenarios in the financial model and (iii) finalising and executing the relevant project and finance documentation.

**9.14 General**

In supplementing the above functional requirements, bidders are required to demonstrate expertise and experience in the following areas:

i. Experience in dealing with government departments and entities listed under the PFMA and/or the MFMA;

ii. Knowledge of the PFMA, MFMA and corresponding regulations;

iii. Experience in working with the local and international financial institutions, including, but not limited to, commercial banks, institutional investors, multilateral development banks and development finance institutions;

iv. Ability to render timely, professional and cost-effective financial solutions;

v. Ability to offer solutions which are innovative and/or contribute to the IF’s ability to carry out its operations in a more efficient, cost-effective manner.

**10. MANAGEMENT OF THE TRANSACTION ADVISOR**

The IF will appoint and be responsible for the day-to-day management of the advisor’s work.
11. QUALIFICATION CRITERIA

The criteria that will be used in the adjudication process will be in accordance with the DBSA procurement guidelines, which incorporates, amongst others, the Bid Submission Requirements and Bid Evaluation.

12. RULES OF BIDDING, SUBMISSION REQUIREMENTS AND BID EVALUATION

12.1 Rules of Bidding

i. The IF will enter into a contract with the advisor for the work set out in these Terms of Reference. The advisor must be a single legal entity, which must obtain expertise through sub-contracts if necessary. Any proposal submitted by a consortium or joint venture of two or more firms must be accompanied by the consortium formation document or joint venture agreement, as applicable, authenticated by a Notary Public, which sets forth the precise responsibilities of each of the parties thereto. Consortia and joint venture members should be advised that each member would be held jointly and severally liable for the performance of the consortium or joint venture.

ii. The IF reserves the right to terminate this appointment or temporarily defer the work, or any part thereof. If the contract between IF and the advisor is terminated by either party due to reasons not attributable to the advisor, the advisor will be remunerated for the appropriate portion of work completed up to a maximum amount of not more than the total fee bid by the advisor for the appropriate phase of the project during which the appointment was terminated.

iii. The persons proposed for professional work on the project shall remain on the project unless permission is granted in writing by the IF to change the proposal. Such permission will only be granted in exceptional circumstances.

iv. The advisor may not use any material or information derived from the provision of the services in terms of the contract for any purpose. Copyright of all documents and electronic aids, software programmes prepared or developed in terms of this appointment shall vest in the IF and DBSA.

v. The costs of preparing proposals and of negotiating the contract are not reimbursable.

vi. The IF is not bound to accept any of the proposals submitted and reserves the right to negotiate the price with the preferred bidder.

vii. The advisor and its affiliates are disqualified from providing goods, works and services to any bidding consortium or members of such a consortium and/or the private party to the agreement, or to any eventual project that may result, directly or indirectly from these services.

viii. The IF will not accept any late bid submissions and will return late bid submissions unopened. Bidders may not contact the IF or any participant on any matter pertaining to their bid from the time when bids are submitted to the time the contract is awarded. Any efforts by a bidder to influence bid evaluation, bid comparisons or bid award decisions in any manner, will result in rejection of the bid.

12.2 Bid Submission Requirements
The Transaction Advisor, as part of its deliverables, will be required to present two proposals, which will include the following details:

**A. The Technical Proposal**

Approach to implement the scope of work (covering the scope outlined above) including:

i. an explanation of key issues relevant to project finance transactions in the South African market;

ii. **CVs of the Lead Resources** with a clear indication of which specialist role the individual will occupy;

iii. **Resource matrix**: a brief biography (organogram) of the proposed project team, with clear identification of the role of team members and their experience, with an indication of each transaction of the person's role, scope of the mandate, and status of the transaction (closed, aborted, in progress) in the following areas:
   a. in infrastructure transactions; and
   b. PPP transactions

iv. **Project/transaction list up to 10** between the total team, showcasing the institution’s or team experience in the economic appraisal, evaluation and financing of infrastructure projects in the sectors, including:
   a. experience in Government side mandates for infrastructure transactions (specifying in each case role and whether the transaction closed);
   b. experience in undertaking private sector mandates for infrastructure projects (specifying in each case the role and whether the transaction closed);
   c. Public Private Partnership (PPP) projects (specifying in each case the role and whether the transaction closed);
   d. social infrastructure specifying in each case the role and whether the transaction closed);
   e. infrastructure projects in the South African market;
   f. infrastructure projects in Africa/other emerging markets (other than South Africa); and
   g. other relevant infrastructure projects.

v. **Methodology or approach proposal** that will be followed to achieve the TOR objectives.

**B. The Financial Proposal**

All bidders forming part of the panel will be compensated as and when assignments are awarded to the bidder. Bidders are required to state their price in a uniform manner to enable the IF comparison from one bidder to the other. Bidders are advised to make use of the following table and indicate the number of hours:

**Table 1: Rate per hour for each resource on assignment**

<table>
<thead>
<tr>
<th>Resource</th>
<th>Rate per hour</th>
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<tbody>
<tr>
<td>One Lead Advisor &amp; Financial expert</td>
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</table>
Separately, the financial advisors will be able to claim reimbursable expenses on the project for costs such as airline tickets (at economy fare rates) and hotel accommodations (within an approved list of hotels) to the extent that the travels have been approved in advance with the IF. All other expenses, included but not limited to telecom costs, taxi, printing and photocopies, meals etc. will not be subject to reimbursement.

13. EVALUATION PROCESS

The Evaluation Process for this tender will be as follows:

Phase 1 – Pre-qualification criteria (Mandatory)
Phase 2 - Responsiveness of the tender (Statutory Compliance)
Phase 3 – Functional evaluation criteria

14. TECHNICAL REQUIREMENTS

14.1 Skills and Experience:

The service provider must have both the skills and experience necessary to undertake the tasks set out in this Terms of Reference including knowledge and experience in innovative and green technologies. In addition, the service provider must be able to demonstrate a comprehensive understanding of the requirements of the assignment and experience and be in good standing in all respects including ethically and professionally and must provide proof of professional registration where applicable. The service provider must be personally available to do the work when required to do so.

The advisor must comprise of a team whose members have both the required skills and experience necessary to undertake the range of tasks set out in this Terms of Reference. The skills and experience required in the advisor team include knowledge and experience in preparing project structuring and financial modelling; financial impact assessment; socio-economic assessment; expertise in infrastructure projects.

The advisor must be able to demonstrate a comprehensive understanding of the requirements of the assignment and have proven experience with the subject matter. The lead advisor will manage the team and be responsible for ensuring project deliverables and the professional conduct and integrity of the team. All members of the advisory team must be in good standing in all respects including ethically and professionally
and must provide proof of professional registration where applicable. Each member of the team must be personally available to do the work when required to do so.

It is required that the team should (at a minimum) consist of the following key personnel:

i. One Lead Advisor & Financial expert,

ii. One Infrastructure financier / Financial expert; and

iii. One Financial Modeler.

All experts shall have a minimum of first degree (Bachelor) and shall have a minimum of the years stated in professional experience after they secured their first degree. Each shall have demonstrable specific experience in the area of assignment or sectors listed for at least 3 years.

Bidders are encouraged to ensure that at least one key resource is black as defined in the BEE Act. The key personnel maybe supported by an appropriately qualified team of financial analysts, legal professionals and technical specialists where needed to adequately address the Scope of Work.

The bidder must therefore demonstrate that they have in their employ professionally registered persons, or have a written undertaking from professional service providers who have in their employ registered professionals who can provide the services listed in the table below at the required time:

Table 2: The Required Expertise

<table>
<thead>
<tr>
<th>No.</th>
<th>Expert Required</th>
<th>Pre-qualification Criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>LEAD ADVISOR / FINANCIAL EXPERT</td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Academic qualifications</td>
<td>Experience: Postgraduate degree</td>
</tr>
<tr>
<td></td>
<td>Relevant Academic qualifications</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i.e., finance, economics, engineering, actuarial science, public or business administration, or any numeric degree)</td>
<td></td>
</tr>
<tr>
<td>1.2</td>
<td>Relevant experience in large infrastructure Projects:</td>
<td>At least 15 years’ experience:</td>
</tr>
<tr>
<td></td>
<td>(Where large refers to individual projects with a project value of over R 100 million or above)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Structured Finance, Project Finance, PPPs,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Financial and economic cost benefit analysis</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Financial assessment and risk modelling</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Budget analysis and affordability solutions</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- PFMA, MFMA, Procurement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minimum of one recent traceable project reference of experience should be submitted</td>
<td>(Please refer to Form Preg 1 and Form Preg 2).</td>
</tr>
</tbody>
</table>
| 1.3 | **Sector experience:**  
Related experience in infrastructure projects within the energy, water and sanitation, transport, communications, human settlements, agriculture and agro-processing, health, education, and municipal infrastructure. **or**  
Demonstrate at least 3 years of uninterrupted deal structuring or transaction advisory experience in a consultancy or banking environment. | Minimum 3 years’ experience in at least one sector |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td><strong>INFRASTRUCTURE FINANCIER / FINANCE EXPERT</strong></td>
<td></td>
</tr>
</tbody>
</table>
| 2.1 | **Academic qualifications**  
(i.e., finance, economics, engineering, actuarial science, public or business administration, or any numeric degree) | Experience:  
Postgraduate degree |
| 2.2 | **Relevant experience in large infrastructure Projects:**  
(Where large refers to individual projects with a project value of over R 100 million or above)  
- Structured Finance, Project Finance, PPPs,  
- Financial and economic cost benefit analysis  
- Financial assessment and risk modelling  
- Budget analysis and affordability solutions PFMA, MFMA, Procurement  
**Minimum of one recent traceable project reference of experience should be submitted** (*Please refer to Form Preg 1 and Form Preg 2).* | At least 10 years’ experience |
| 2.3 | **Sector experience:**  
Related experience in infrastructure projects within the energy, water and sanitation, transport, communications, human settlements, agriculture and agro-processing, health, education, and municipal infrastructure.  
**or**  
Demonstrate at least 3 years of uninterrupted deal structuring or transaction advisory experience in a consultancy or banking environment. | Minimum 3 years’ experience in at least one sector |
| 3 | **FINANCIAL ANALYST** | |
| 3.1 | **Academic qualifications**  
(i.e., finance, economics, econometrics, engineering, actuarial science, business administration, or any numeric degree) | Experience:  
Bachelor’s degree or above |
|  | **Relevant experience in large infrastructure Projects:** | At least 8 years’ experience |
3.2 Where large refers to individual projects with a project value of over R 100 million or above. Financial modelling, financial planning, assessment, etc. of large infrastructure projects. **Minimum of one recent traceable project reference of experience should be submitted** *(Please refer to Form Preq 1 and Form Preq 2).*

3.3 **Sector experience:**
Related experience in infrastructure projects within the energy, water and sanitation, transport, communications, human settlements, agriculture and agro-processing, health, education, and municipal infrastructure or Demonstrate at least 3 years of uninterrupted financial modelling experience in an advisory or banking environment, modelling various sectors. Minimum 3 years’ experience in at least one sector

**Note:** Only bids which satisfy the above pre-qualification criteria will be evaluated for Functional Evaluations and Financial proposal.

15. **RESPONSIVENESS OF THE TENDER (STATUTORY COMPLIANCE)**

A. Bidders who do not adhere to the pre-qualification criteria, will be disqualified immediately.
B. Bidders who do not adhere to the response time indicated below for clarification enquiries by the IF will be deemed non-responsive and not be evaluated further.

**Table 3: Responsiveness Criteria**

<table>
<thead>
<tr>
<th>Responsiveness Criteria</th>
<th>Clarification Time</th>
<th>Applicable to this Tender (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>BEE Level 1 and 2 Only</td>
<td>N/A</td>
</tr>
<tr>
<td>2</td>
<td>Standard conditions of tender as required.</td>
<td>48 hours</td>
</tr>
<tr>
<td>3</td>
<td>Returnable documents completed and signed.</td>
<td>48 hours</td>
</tr>
<tr>
<td>4</td>
<td>Submission of Proof of Registration with National Treasury Central Supplier Database (CSD) Summary Report N.B - Bidder must be fully registered &amp; tax compliant to do business with the IF.</td>
<td>7 working days</td>
</tr>
</tbody>
</table>

16. **FUNCTIONAL EVALUATION**

16.1 Responsiveness to the Evaluation Criteria set out:
The proposal submitted by the bidder should at the minimum meet the pre-qualification criteria outlined above after which it will move to the next level of Functional evaluations. The following submissions must be made to facilitate the evaluation of the Proposal. The electronic file submissions must be appropriately named as specified below (contained within folders if comprising more than one (1) file:

**A. CVs of the Lead Resources with a clear indication of which specialist role the individual will play on the project, namely;**

1. **Lead Advisor & Financial Expert;**
2. **Infrastructure financier / financial Expert; and**
3. **Financial Modeller**
   - The CVs must clearly state the individual’s relevant qualifications and employment history.
   - The CVs must also contain brief descriptions of the key projects that the specialists have worked on, including:
     - the scope, year of commencement and duration of the project,
     - the length of the candidate tenure on the project,
     - their key activities,
     - responsibilities, and
     - achievements on the project.
   - The CVs should be limited to 3 pages and certified copies of all relevant academic and professional qualifications should be included in the proposal.

**B. A Resource Matrix** briefly indicating the role to be fulfilled by everyone on the team. This matrix should highlight the roles to be occupied by respective members of the team.

- The team organogram or profile should be limited to 3 pages and certified copies of all relevant academic and professional qualifications should be included in the proposal.

**C. A Project Reference List** indicating the names of up to 10 projects that are relevant to the assignment. *(Complete form preq-2)* This should include:

- the client whom the project was done for;
- the project duration;
- the client situation;
- the project approach; and
- the project’s value addition.

Each project description should be no longer than 250 words

**D. A Methodology and Approach proposal** that will be followed to achieve the TOR objectives:

- The methodology and approach should also highlight the approach that will be adopted to ensure a quality outcome in the desired timeframe.
- Project Implementation plan.
16.2 Table 4: The Evaluation Criteria

The Functional Criteria that will be used to test the capability of Bidders is provided in the table below. The technical score will be calculated out of 100 points, and only those bids that achieve a threshold of **90 points for generic bidders** and **75 points for EMEs/QSEs bidders** for the technical proposal will move to the next level of evaluation.

<table>
<thead>
<tr>
<th>No.</th>
<th>Evaluation Criteria</th>
<th>Minimum score</th>
<th>Points allocation</th>
<th>Maximum points Total (100)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>LEAD ADVISOR &amp; FINANCIAL EXPERT</td>
<td></td>
<td></td>
<td>30 OUT OF 100</td>
</tr>
<tr>
<td>1.1</td>
<td>Must at least have a Postgraduate degree in the relevant academic field (i.e., finance, economics, engineering, actuarial science, public or business administration, or any numeric degree)</td>
<td></td>
<td><em>(4 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)</em></td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Points:</td>
<td></td>
<td>Postgraduate degree = 4 Points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Below a Postgraduate degree = 0 Point</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.2</td>
<td>Relevant experience in large infrastructure Projects for a minimum of 15 years: (Where large refers to individual projects with a project value of over R 100 million or above)</td>
<td></td>
<td><em>(10 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)</em></td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>• Structured Finance, Project Finance, PPPs,</td>
<td></td>
<td>*Points:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Financial and economic cost benefit analysis</td>
<td></td>
<td>x ≥ 20 years= 17 Points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Financial assessment and risk modelling</td>
<td></td>
<td>15 years &lt; x &lt; 20 years = 12 Points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Budget analysis and affordability solutions</td>
<td></td>
<td>x = 15 years = 10 Points</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• PFMA, MFMA, Procurement</td>
<td></td>
<td>x &lt; 15 years = 0 Point</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minimum of one recent traceable project reference of experience should be submitted (Please refer to Form Preg 2).</td>
<td></td>
<td>*Note: With at least one traceable reference attached to secure points.</td>
<td></td>
</tr>
</tbody>
</table>
### 1.3 Sector experience:
Related experience of a minimum of 3 years in infrastructure projects within the energy, water and sanitation, transport, communications, human settlements, agriculture and agro-processing, health, education, and municipal infrastructure or Uninterrupted deal structuring experience of a minimum of 3 years in an advisory or banking environment.

*(Please refer to Form Preq 2)*

<table>
<thead>
<tr>
<th>Points:</th>
<th>(3 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>x ≥ 8 years in one sector or a minimum of 3 years spent in three or more sectors = 9 Points</td>
<td></td>
</tr>
<tr>
<td>3 years in one sector &lt; x &lt; 8 years in one sector Or a minimum of 3 years spent in two sectors = 6 Points</td>
<td></td>
</tr>
<tr>
<td>x = 3 years in one sector = 3 Points</td>
<td></td>
</tr>
<tr>
<td>x &lt; 3 years = 0 Point</td>
<td></td>
</tr>
</tbody>
</table>

### 2 INFRASTRUCTURE FINANCIER/ FINANCIAL EXPERT 30 OUT OF 100

#### 2.1 Must at least have a Postgraduate degree in the relevant academic field
(i.e., finance, economics, engineering, actuarial science, public or business administration, or any numeric degree)

<table>
<thead>
<tr>
<th>Points:</th>
<th>(4 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postgraduate degree = 4 Points</td>
<td></td>
</tr>
<tr>
<td>Below a Postgraduate degree = 0 Point</td>
<td></td>
</tr>
</tbody>
</table>

#### 2.2 Relevant experience in large infrastructure Projects for a minimum of 10 years:
(Where large refers to individual projects with a project value of over R 100 million or above)
- Structured Finance, Project Finance, PPPs,
- Financial and economic cost benefit analysis
- Financial assessment and risk modelling
- Budget analysis and affordability solutionsPFMA, MFMA, Procurement

<table>
<thead>
<tr>
<th>Points:</th>
<th>(10 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>x ≥ 15 years = 17 Points</td>
<td></td>
</tr>
<tr>
<td>10 years &lt; x &lt;15 years = 14 Points</td>
<td></td>
</tr>
<tr>
<td>x = 10 years = 10 Points</td>
<td></td>
</tr>
<tr>
<td>x &lt; 10 years = 0 Point</td>
<td></td>
</tr>
</tbody>
</table>

*Note: With at least one traceable reference attached to secure points.*
Minimum of one recent traceable project reference of experience should be submitted (Please refer to Form Preg 2).

2.3 **Sector experience:**
Related experience of a minimum of 3 years in infrastructure projects within the energy, water and sanitation, transport, communications, human settlements, agriculture and agro-processing, health, education, and municipal infrastructure or
Uninterrupted deal structuring experience of a minimum of 3 years in an advisory or banking environment.

(3 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)

**Points:**
- x ≥ 8 years in one sector or a minimum of 3 years spent in three or more sectors = 9 Points
- 3 years in one sector < x < 8 years in one sector
  - Or a minimum of 3 years spent in two sectors = 6 Points
  - x = 3 years in one sector = 3 Points
  - x < 3 years= 0 Point

<table>
<thead>
<tr>
<th>3</th>
<th>FINANCIAL ANALYST</th>
<th>20 OUT OF 100</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Must at least have a Bachelors degree in the relevant academic field</strong> (i.e., finance, economics, econometrics, engineering, actuarial science, business administration, or any numeric degree)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(2 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)

**Points:**
- Postgraduate degree = 3 Points
- Bachelor’s degree= 2 Points
- Below a bachelor’s degree = 0 Point

<table>
<thead>
<tr>
<th>Minimum of 8 years’ experience in large infrastructure Projects:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Where large refers to individual projects with a project value of over R 100 million or above)</td>
</tr>
<tr>
<td>• Financial modelling, financial planning, assessment, etc. of large infrastructure projects.</td>
</tr>
</tbody>
</table>

(7 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)

**Points:**
- x ≥ 10 years: 12 Points
- 8 years < x < 10 years: 9 Points
- x = 8 years: 7 Points
- x < 8 years: 0 Points
Minimum of one recent traceable project reference of experience should be submitted *(Please refer to Form Preq 2)*

*Note: With at least one traceable reference attached to secure points.*

<table>
<thead>
<tr>
<th>Sector experience:</th>
<th>Points:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Related experience in infrastructure projects within the energy, water and sanitation, transport, communications, human settlements, agriculture and agro-processing, health, education, and municipal infrastructure. or Uninterrupted financial modelling experience of a minimum of 3 years in an advisory or banking environment.</td>
<td>(3 is the minimum threshold for this element. A score of anything below leads to disqualification of the proposal)</td>
</tr>
</tbody>
</table>

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>x ≥ 5 years of modelling in one sector = <strong>5 Points</strong></td>
<td></td>
</tr>
<tr>
<td>3 years of modelling in one sector &lt; x &lt; 5 years of modelling in one sector = 4 Points</td>
<td></td>
</tr>
<tr>
<td>x = 3 years of modelling in one sector = <strong>3 Points</strong></td>
<td></td>
</tr>
<tr>
<td>x &lt; 3 years: 0 Points</td>
<td></td>
</tr>
</tbody>
</table>

### 4 PORTFOLIO EXPERIENCE (PROJECT/TRANSACTION)

#### 4.1 Knowledge and evidence of at least 5 projects executed by the bidder or (project experience across the broader team) in financial assessment studies, PPPs, Financial Structuring of infrastructure projects.

*(Complete form preq 2)*

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None allocated</td>
<td><strong>Points:</strong></td>
</tr>
<tr>
<td>x ≥ 5 projects = <strong>10 Points</strong></td>
<td></td>
</tr>
<tr>
<td>x = 5 projects =7 Points</td>
<td></td>
</tr>
<tr>
<td>x &lt; 5 projects =0 Point</td>
<td></td>
</tr>
</tbody>
</table>

### 5 UNDERSTANDING THE TERMS OF REFERENCE

#### 5.1 Comprehension

Provide a detailed understanding of the assignment,
- Show clear analysis of key challenges and risks associated with the assignment and adequate proposals to address these
- Concrete suggestions regarding the proposed methodology and approach (do not duplicate the ToRs) and where necessary

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None allocated</td>
<td>Addresses all requirements, demonstrates a sound understanding of assignment, associated risks and included value add innovations = <strong>5 Points</strong></td>
</tr>
<tr>
<td>Addresses most areas of requirements but is generic and does not convey an</td>
<td></td>
</tr>
</tbody>
</table>
amendments / additions to the proposed scope.

- Detailed level of presentation.

understanding of assignment and associated risk = 4 Points

Partially addresses requirements, but overall is not convincing (i.e. scope is not fully addressed, or timeframes are not reasonable) = 3 Points

Does not address the requirement and is not detailed = 0 Point

<table>
<thead>
<tr>
<th></th>
<th>METHODOLOGY AND APPROACH</th>
<th></th>
<th>5 OUT OF 100</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Demonstrate a detailed proposal through inter alia a:</td>
<td>None allocated</td>
<td>Provided- addresses all requirements, demonstrates a sound understanding of assignment, associated risks and included value add innovations</td>
</tr>
<tr>
<td></td>
<td>- Detailed level of presentation;</td>
<td></td>
<td>Partially provided (i.e. scope is not fully addressed, or timeframes are not reasonable)</td>
</tr>
<tr>
<td></td>
<td>- work plan for execution of the scope;</td>
<td></td>
<td>Methodology not provided</td>
</tr>
<tr>
<td></td>
<td>- project management approach;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>- timeframe where possible,</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Total | 100 |
Minimum threshold for technical | 75/90 |

16.3 The Financial Proposal:

All bidders will be subjected to the same evaluation criteria and bidders who achieve a minimum score of 90 points out of 100 points for generic bidders and 75 points out of 100 for QSEs/EMEs bidders will
proceed to short listing. We will endeavor to maintain an equal ratio between Generic and EMEs/QSEs in as far as its possible provided that the bidders meet the minimum applicable thresholds.

16.4 Transformation Objectives:

The IF is an equal opportunity employer and procurer of services & goods and needs to balance various objectives including transformation in the selection of the panel to achieve the desired diversification in the portfolio of the panel (i.e. sector such as water, energy, project or experience based on transaction value, BEE requirements etc.) and meet companywide strategic objectives.

<table>
<thead>
<tr>
<th></th>
<th>OVERALL RESOURCE MATRIX</th>
<th>Points:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Proposal</td>
<td>None allocated</td>
</tr>
</tbody>
</table>

Demonstrate a detailed proposal through *inter alia*:
- Team organogram detailing experience of key roles and the support roles.
- Provided Brief CV (Work history) and qualifications of each member of the team.
- (Where legal specialist refers to registered legal practitioner and technical specialist refers to professional engineer, QS etc.)
- Projects/Transactions team members have worked on
- Inclusion of previously disadvantaged groups into the structure.

### 1.2 Overall team structure:

#### i. Expertise

- A competent team with strong capabilities to provide infrastructure financing expertise and understanding of both private and public sectors.
- It is a mandatory requirement for the composition of the to include the expertise of an Economist/Socio-economic expert with the following qualifications or expertise:
  - the relevant academic field (i.e., economics, econometric or statistics)
  - with expertise in large Infrastructure Projects/PPP including knowledge of:
    - Economic /socio economic analysis
    - Cost benefit analysis
    - Cost effectiveness analysis
    - Social accounting matrixes
    - Input/Output Models
    - Knowledge PFMA, MFMA, Procurement
Annexure A

The Financial Proposal

All bidders forming part of the panel will be compensated as and when assignments are awarded to the bidder. Bidders are required to state their price in a uniform manner to enable the IF comparison from one bidder to the other. Bidders are advised to make use of the following table and indicate the number of hours:

Table 1: Rate per hour for each resource on assignment

<table>
<thead>
<tr>
<th>Resource</th>
<th>Rate per hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Lead Advisor &amp; Financial expert</td>
<td></td>
</tr>
<tr>
<td>Infrastructure financier / Financial expert</td>
<td></td>
</tr>
<tr>
<td>One Financial Modeler</td>
<td></td>
</tr>
<tr>
<td>Team Support (*where applicable)</td>
<td></td>
</tr>
</tbody>
</table>

*Note: a combined rate for the overall support on the team.

Separately, the financial advisors will be able to claim reimbursable expenses on the project for costs such as airline tickets (at economy fare rates) and hotel accommodations (within an approved list of hotels) to the extent that the travels have been approved in advance with the IF. All other expenses, included but not limited to telecom costs, taxi, printing and photocopies, meals etc. will not be subject to reimbursement.
Annexure B

Brief profile (of no longer than a page) of each member of the proposed team and the role that they will play in the services.

This document(s) is to be prepared and submitted by the bidders as Annexure B to their Bid.
DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, 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 a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or

- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:
…………………………………………………………………………………………………………………………

2.2 Identity Number:
…………………………………………………………………………………………………………………………

2.3 Position occupied in the Company (director, trustee, shareholder²):
…………………………………………………………………………………………………………………………

2.4 Company Registration Number:
…………………………………………………………………………………………………………………………

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.

¹ “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.

² “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 attached 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 YES/NO of the company have any interest in any other related companies whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

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

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>Personal Reference Number</th>
<th>Tax Number</th>
<th>State Employee Number / Personal Number</th>
<th>Employee Persal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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 IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.......................................................  .........................................................
Signature                                      Date

.......................................................  .........................................................
Position                                       Name of bidder
ANNEXURE C

SBD 6.1

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

1.1.7

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


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

  a) The value of this bid is estimated not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

  b) Either the 80/20 preference point system will be applicable to this tender.

1.2 Points for this bid shall be awarded for:

   (a) Price; and

   (b) B-BBEE Status Level of Contributor.

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

<table>
<thead>
<tr>
<th>Points</th>
<th>PRICE</th>
<th>B-BBEE STATUS LEVEL OF CONTRIBUTION</th>
<th>Total points for Price and B-BBEE must not exceed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>80</td>
<td>20</td>
<td>100</td>
</tr>
</tbody>
</table>

1.4 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.

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

(a) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) “B-BBEE status level of contributor” means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) “EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(f) “functionality” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) “prices” includes all applicable taxes less all unconditional discounts;

(h) “proof of B-BBEE status level of contributor” means:

1) B-BBEE Status level certificate issued by an authorized body or person;

2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) “QSE” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(j) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

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

Where

\begin{align*}
P_s & = \quad \text{Points scored for price of bid under consideration} \\
P_t & = \quad \text{Price of bid under consideration} \\
P_{\text{min}} & = \quad \text{Price of lowest acceptable bid}
\end{align*}
4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>16</td>
</tr>
<tr>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
</tr>
</tbody>
</table>

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)

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

7.1.1 If yes, indicate:
What percentage of the contract will be subcontracted

The name of the sub-contractor

The B-BBEE status level of the sub-contractor

Whether the sub-contractor is an EME or QSE

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:

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-BBEE 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.............................................
.............................................
.............................................

WITNESSES
1. ............................................
2. .............................................
DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES – N/A

1. This Standard Bidding Document must form part of all bids invited.

2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3. The bid of any bidder may be disregarded if that bidder, or any of its directors have:
   a. abused the institution’s supply chain management system;
   b. committed fraud or any other improper conduct in relation to such system; or
   c. failed to perform on any previous contract.

4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>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? (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 audi alteram partem rule was applied).</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>The Database of Restricted Suppliers now resides on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.2</td>
<td>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)? 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.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4.2.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.3</td>
<td>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?</td>
<td>Yes ☐ No ☐</td>
<td></td>
</tr>
<tr>
<td>------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td>4.3.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.4</td>
<td>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?</td>
<td>Yes ☐ No ☐</td>
<td></td>
</tr>
<tr>
<td>4.4.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SBD 8**

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME)………………………………………………………………

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

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

………………………………………  ………………………………………
Signature  Date

………………………………………  ………………………………………
Position  Name of Bidder

………………………………………  ………………………………………
Position  Name of Bidder
Annexure E

CERTIFICATE OF INDEPENDENT BID DETERMINATION – N/A

1 This Standard Bidding Document (SBD) must form part of all bids¹ 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).² 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:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

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

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\(^3\) 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.

\(^3\) Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.................................................................
SignatureDate

.................................................................
Position Name of Bidder
Annexure F

Bidders are required to include, as Annexure F to their Bids, certified copies of all relevant CIPC registration documents listing all members with percentages, in the case of a close corporation.
Annexure G

Bidders are required, as annexure G to their Bids, to submit certified copies of the latest share certificates of all relevant companies
Annexure H

Bidders which submit Bids as an unincorporated joint venture, consortium or other association of persons are required to submit, as Annexure H, a breakdown of how the percentage (%) fees and work will be split between the various people or entities which constitute the Bidder.
Annexure I

Bidders are required to include, as Annexure I to their Bids, supporting documents to their responses to the Pre-Qualifying Criteria and Evaluation Criteria.

Where the supporting document is the profile of a member of the Bidder’s proposed team, this should be indicated.
Annexure J

[General Conditions of Contract]

PLEASE NOTE THAT ALL BIDDERS ARE REQUIRED TO READ THROUGH THE GENERAL CONDITIONS OF CONTRACT PRESCRIBED BY THE NATIONAL TREASURY. SUCH GENERAL CONDITIONS OF CONTRACT CAN BE ACCESSED ON THE NATIONAL TREASURY WEBSITE.

PLEASE NOTE FURTHER THAT ALL BIDDERS MUST ENSURE THAT THEY ARE WELL ACQUINTED WITH THE RIGHTS AND OBLIGATIONS OF ALL PARTIES INVOLVED IN DOING BUSINESS WITH GOVERNMENT.

NOTE: All Bidders are required to confirm (Tick applicable box) below:

<table>
<thead>
<tr>
<th>Item</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the Bidder familiar with the General Conditions of Contract prescribed by the National Treasury?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Annexure K

Tax Compliant Status and CSD Registration Requirements

All PROSPECTIVE BIDDERS MUST HAVE A TAX COMPLIANT STATUS EITHER ON THE CENTRAL SUPPLIER DATABASE (CSD) OF THE NATIONAL TREASURY OR SARS E FILING PRIOR TO APPOINTMENT/AWARD OF THE BID.

REGISTRATION ON THE CSD SITE OF THE NATIONAL TREASURY IS A COMPULSORY REQUIREMENT FOR A BIDDER TO BE APPOINTED, TO CONDUCT BUSINESS WITH THE DBSA. THE ONUS IS ON THE SUCCESSFUL BIDDER TO REGISTER ON THE CSD SITE AND PROVIDE PROOF OF SUCH REGISTRATION PRIOR TO APPOINTMENT/AWARD OF THE BID.

CSD Registration Number: