



Province of the  
**EASTERN CAPE**  
HEALTH

Office of: The Deputy Director of Supply Chain Management – Livingstone Tertiary Hospital

Livingstone Hospital • Ground Floor • Nurses' Home • Room 12 • Stanford Road • Korsten • Port Elizabeth • Eastern Cape  
Private Bag X • Korsten • 6014 • REPUBLIC OF SOUTH AFRICA  
Mr V Coetzee - Tel: 041 405 2424 OR Ms T Mnabisa 041 405 2183 • OR: Mr K Jooste 041 405 2320 •  
Email: [valentine.coetzee@echealth.gov.za](mailto:valentine.coetzee@echealth.gov.za) OR [thandi.mnabisa@echealth.gov.za](mailto:thandi.mnabisa@echealth.gov.za) OR [kevin.jooste@echealth.gov.za](mailto:kevin.jooste@echealth.gov.za)

**ADVERTISEMENT**

**REQUEST FOR 5 DAY QUOTATION BID**

**BID NO: SCMU3-P23/24-1511-LDH**

**06 FEBRUARY 2024**

**SUPPLY AND DELIVERY OF BREAKFAST CEREALS AND BEVERAGES FOR A PERIOD OF 12 (TWELVE) MONTHS AT LIVINGSTONE TERTIARY HOSPITAL**

Quotations are hereby invited from all interested and relevant service providers that can offer the abovementioned service.

Bid documents with the necessary terms of reference may be downloaded from the Departments website [www.echealth.gov.za](http://www.echealth.gov.za) (tenders)

**THERE IS NO PAYMENT REQUIRED FOR THE BID DOCUMENTS**

**PLEASE TAKE NOTE: BID DOCUMENTS ARE NOT ISSUED BY THE DEPARTMENT – BIDDERS ARE THEREFORE REQUESTED TO BRING THE FLASH DISK TO DOWNLOAD THE BID DOCUMENTS**

Bidders must immediately ensure that they are registered on Centralized Supplier Database (CSD) when collecting these Bid documents.

**Bids will only be awarded to the supplier registered on Centralized Suppliers Database (CSD).**

Completed Bid documents may be deposited in the Bid Box situated at Ground Floor, Main Entrance Nurses Home Building Livingstone Hospital, Korsten, Port Elizabeth. **Bid documents must be submitted in a closed envelope.**

**CLOSING DATE: 20<sup>TH</sup> FEBRUARY 2024 AT 11H00**

Further enquiries can be directed to MR V COETZEE / MS N MNABISA MR K. JOOSTE at the following numbers (041) 405 2424 / 405 2183/ 405 2320

  
.....

DATE: 07/02/2024

**MRS T. NOTSHE**

**ACTING CEO**

**LIVINGSTONE TERTIARY HOSPITAL**

*Together, moving the health system forward*

Fraud prevention line: 0800 701 701  
24-hour Call Centre: 0800 032 364  
Website: [www.ecdoh.gov.za](http://www.ecdoh.gov.za)





**LIVINGSTONE TERTIARY HOSPITAL**

**SPECIFICATION FOR SUPPLY AND DELIVERY BREAKFAST CEREALS AND BEVERAGES**

Category	Item and Composition Requirements	Packing and transportation																								
BREAKFAST CEREALS	<p>Weet - Bix</p> <ul style="list-style-type: none"><li>- The product must contain the following ingredients: Whole wheat, sugar, salt</li><li>- At the time of packing the nutrient value should not be significantly more / less than the following, as shown on the table below</li></ul> <table><tr><th>Nutrient breakdown</th><th>Per Serving</th></tr><tr><td>Energy</td><td>531kJ</td></tr><tr><td>Protein</td><td>4.5g</td></tr><tr><td>Carbohydrate</td><td>25.1g</td></tr><tr><td>Fat</td><td>0.8g</td></tr><tr><td>Cholesterol</td><td>0g</td></tr><tr><td>Sodium</td><td>54mg</td></tr><tr><td>Vitamin B1</td><td>25% of RDA</td></tr><tr><td>Vitamin B2</td><td>25% of RDA</td></tr><tr><td>Nicotinamide</td><td>25% of RDA</td></tr><tr><td>Food Iron</td><td>25% of RDA</td></tr><tr><td>Dietary fibre</td><td>4g</td></tr></table>	Nutrient breakdown	Per Serving	Energy	531kJ	Protein	4.5g	Carbohydrate	25.1g	Fat	0.8g	Cholesterol	0g	Sodium	54mg	Vitamin B1	25% of RDA	Vitamin B2	25% of RDA	Nicotinamide	25% of RDA	Food Iron	25% of RDA	Dietary fibre	4g	<p>Weet-Bix should be packed in virgin high density polyethylene plastic packages laminated, packed in outer cardboard carton which should protect the primary package.</p> <p>Labelling must reflect the product name, weight, grade, nutritional information, expiry / best before date.</p> <p>The product should be transported and handled in the appropriate manner.</p>
	Nutrient breakdown	Per Serving																								
	Energy	531kJ																								
Protein	4.5g																									
Carbohydrate	25.1g																									
Fat	0.8g																									
Cholesterol	0g																									
Sodium	54mg																									
Vitamin B1	25% of RDA																									
Vitamin B2	25% of RDA																									
Nicotinamide	25% of RDA																									
Food Iron	25% of RDA																									
Dietary fibre	4g																									
	<p>Oats</p> <ul style="list-style-type: none"><li>- The product should be a good quality grade and should be produced from accepted milling standards</li><li>- At the time of packing the nutrient value should not be significantly more / less than the following, as shown on the table below</li></ul> <table><tr><th>Nutrient breakdown</th><th>Per 100g uncooked</th></tr><tr><td>Protein</td><td>13g</td></tr><tr><td>Carbohydrate</td><td>65g</td></tr><tr><td>Fat</td><td>6g</td></tr><tr><td>Moisture</td><td>9%</td></tr><tr><td>Energy</td><td>1 680kj</td></tr><tr><td>Dietary fibre</td><td>10g</td></tr></table>	Nutrient breakdown	Per 100g uncooked	Protein	13g	Carbohydrate	65g	Fat	6g	Moisture	9%	Energy	1 680kj	Dietary fibre	10g	<p>Oats should be packed in pre - formed polyethylene bags / virgin high density polyethylene plastic packages laminated, packed in outer cardboard carton.</p> <p>Labelling must reflect the product name, weight, grade, nutritional information, expiry / best before date.</p> <p>The product should be transported and handled in the appropriate manner</p>										
Nutrient breakdown	Per 100g uncooked																									
Protein	13g																									
Carbohydrate	65g																									
Fat	6g																									
Moisture	9%																									
Energy	1 680kj																									
Dietary fibre	10g																									
	<p>Maltabela</p> <ul style="list-style-type: none"><li>- The product should be a good quality grade and should be produced from accepted milling standards</li></ul>	<p>Maltabela should be packed in pre - formed polyethylene bags / virgin high density polyethylene plastic packages laminated, packed in outer cardboard carton.</p>																								

	<ul style="list-style-type: none"><li>- At the time of packing the nutrient value should not be significantly more / less than the following, as shown on the table below</li></ul> <table><tr><th>Nutrient breakdown</th><th>Per 100g uncooked</th></tr><tr><td>Protein</td><td>11g</td></tr><tr><td>Carbohydrate</td><td>72g</td></tr><tr><td>Fat</td><td>3g</td></tr><tr><td>Energy</td><td>1 500kj</td></tr><tr><td>Dietary fibre</td><td>3g</td></tr></table>	Nutrient breakdown	Per 100g uncooked	Protein	11g	Carbohydrate	72g	Fat	3g	Energy	1 500kj	Dietary fibre	3g	<p>Labelling must reflect the product name, weight, grade, nutritional information, expiry / best before date.</p> <p>The product should be transported and handled in the appropriate manner.</p>
Nutrient breakdown	Per 100g uncooked													
Protein	11g													
Carbohydrate	72g													
Fat	3g													
Energy	1 500kj													
Dietary fibre	3g													
HOT BEVERAGES	<p>Ground coffee bag (urn)</p> <ul style="list-style-type: none"><li>- The product should be a good quality grade</li><li>- The coffee should be free flowing and non – caking with a homogenous coarse or fine – grained appearance</li></ul>	<p>Coffee should be packed in porous wet strength paper bags of sufficient strengths to hold the coffee granules as well as the absorbed water without disintegration or splitting.</p> <p>Labeling must reflect the product name, weight, grade, nutritional information, expiry / best before date.</p> <p>The product should be transported, stored in a cool well ventilated location and handled in the appropriate manner.</p>												
	<p>Tea bag (urn)</p> <ul style="list-style-type: none"><li>- The product should be a good quality grade</li><li>- The tea should be free – flowing and non – caking with a homogenous coarse or fine grained appearance</li></ul>	<p>Tea bags tea bags should be packed in porous wet strength paper bags of sufficient strengths to hold the tea granules as well as the absorbed water without disintegration or splitting.</p> <p>Labelling must reflect the product name, weight, grade, nutritional information, expiry / best before date.</p> <p>The product should be transported, stored in a cool well ventilated location and handled in the appropriate manner.</p>												
	<p>Rooibos tea bag / normal tea bag</p> <ul style="list-style-type: none"><li>- The product should be a good quality grade</li><li>- The tea should be free – flowing and non – caking with a homogenous coarse or fine grained appearance</li></ul>	<p>Rooibos tea bags should be packed in porous wet strength paper bags of sufficient strengths to hold the coffee granules as well as the absorbed water without disintegration or splitting.</p> <p>Labeling must reflect the product name, weight, grade, nutritional information, expiry / best before date.</p> <p>The product should be transported, stored in a cool well ventilated location and handled in the appropriate manner.</p>												
		<p>Shelf life for all of the above must be at least 6 months from date of delivery.</p>												

#### PRICE SCHEDULE: Breakfast Cereals and Beverages

Category	Item	Mass control	Cost Price
Breakfast cereals	Weet – Bix	900g (48 biscuits)	
	Oats	25kg	
	Maltabela	10kg	
Hot Beverages	Ground coffee bag (urn)	For a 5l urn	
	Tea bag (urn)	For a 5l urn	
	Tea bag	0.003g per 100 (250g pack)	
	Rooibos tea bag	0.003g per 100 (250g pack)	
TOTAL COST PRICE			

#### General conditions

***NB: Bidders will be requested to provide samples of items quoting on and the results of the inspection will impact on awarding of the bid.***

Products should be delivered at the time determined by the receiving officer; therefore on receipt of order number the Service Provider must confirm quantities and delivery date & time with respective hospital Food Service Manager / Stores Supervisor

The Service Provider will be informed of the any unsatisfactory results discovered during monitoring and will be offered a period for correction of identified unsatisfactory services, failure to correct may lead to termination of the contract

## 1. APPLICABLE BID DOCUMENTS

- 1.1 Bid documents with necessary terms of reference may be obtained from Supply Chain Management Unit, Department of Health, Room 239,241 2<sup>ND</sup> Floor, Nurse's Home, Livingstone Hospital, P.E. Supplier database register numbers.
- 1.2 The onus rests with the prospective bidder to collect the following Bid Documents which forms part of this specification:-
- |         |   |                               |
|---------|---|-------------------------------|
| SBD 1   | : | Invitation to Bid             |
| SBD 3.1 | : | Pricing Schedule              |
| SBD 4   | : | Declaration of interest       |
| SBD 6.1 | : | Specific goals Points Claimed |

## 2. ADJUDICATION CRITERIA

- 2.1 The PPPFA point system will be used for this bid i.e. 80/20 principle. The evaluation criteria will be as follows:-

Price	=	80
Specific goals	=	20

- 2.2 The following table must be used to calculate the score out of 20 points for Specific Goals

Specific Goals Category	Weighting (of 20 points)	Number of points (80/20 system)
Historical Disadvantaged Individuals Ownership	20%	4
Women Ownership	20%	4
Youth Ownership	20%	4
Disability Ownership	20%	4
Military Veterans Ownership	10%	2
Locality Ownership	10%	2
<b>Total</b>	<b>100%</b>	<b>20</b>

- 2.3 The Specific Goals supporting documents required to verify claimed points may in line with the specified requirements include:
- Historically Disadvantaged Individuals Ownership: Proof of ownership (CIPRO certificate) with ID number.
  - Woman Ownership: Proof of ownership (CIPRO certificate) with ID number.
  - Youth Ownership: Proof of ownership (CIPRO certificate) with ID number.
  - Disability Ownership: Proof of ownership (CIPRO certificate) with valid medical documentary proof.
  - Military Veterans Ownership: Proof of ownership (CIPRO certificate) with valid proof of veteran status
  - Locality Ownership: Proof of business address (Municipal accounts or valid lease agreement)
  - Updated CSD report (must be recent within 7 days from closing date).

- ID copies must be certified with original stamp within 3 months from closing date of bid/quote;

### 3. OTHER REQUIREMENTS

The bid will be considered if:-

- 3.1 Compliance in all respects with the specification and conditions of the bid.
- 3.2 All bid documents are fully completed and signed by both bidder as well as witnesses'
- 3.3 The bidder is not appearing in the database of Restricted Service providers and / or Register of Tender Defaulters.
- 3.4 No tippex or correction tape to be used on bid documents. Written corrections must be fully legible and signed.
- 3.5 Original signed bid document must be submitted and no pages are to be removed from the bid document.
- 3.6 The bidder must quote on all items, unless otherwise specified, in the specification or pricing schedule of the bid document failure to comply will deem the bid null and void.
- 3.7 Short listed suppliers will be required to provide samples, where applicable before the bid will be awarded.

#### 4. SPECIAL CONTRACT CONDITIONS

- 4.1 The department reserves the right to accept or reject any bid in response to the advertisement and to withdraw its decision to seek provision of these services at any time.
- 4.2.1 The department may conduct an inspection of premises without prior notice, when it is necessary to do so.
- 4.3 The awarded bidder will be required to fill in and sign a written contract form (SBD 7) The supplier must agree to the standard (SLA) Service Level Agreement to be signed on acceptance of the bid.
- 4.4 Price for the bid must be firm for the duration of twelve (12) months from the signing of the contract or up to the threshold value of R1 000 000.00 (one million rands only), whichever occurs first.
- 4.5 (GCC) The General Conditions of Contract will form part of all bid documents as approved by National Treasury and may not be amended.
- 4.6 The Department reserves the right to split the bid items among prospective bidders in terms of the PPPFA point system, or award the complete bid to one bidder.
- 4.7 Delivery of products must be made in accordance with the instructions appearing on the official order forms emanating from the above-mentioned institutions placing the orders.
- 4.8 Successful bidders are to ensure that goods / services rendered during the contract period comply with the specifications in the bid. submitted. Failure to comply will result in the termination of contract for that particular item(s).
- 4.9 Suppliers should under no circumstances deviate from the purchase orders issued by the departments & must contact the end user after the receipt of the order.
- 4.10 The Department also reserves the right to purchase its requirements elsewhere outside the contract if –
- The item(s) are urgently required and not immediately available.
  - An emergency arises.
- 4.11 **Bids or price quotations will only be awarded to suppliers that are registered on CSD (Central Supplier Database).**
- 4.12 A tenderer failing to submit proof of Specific Goals status level of contributor or is a non-compliant contributor to Specific Goals may not be disqualified, but may only score points out of 80 price, and scores 0 points out of 20 for Specific Goals.
- 4.13 Bids or price quotations will only be awarded to bidders whose tax status has been verified as compliant on CSD (**Central Supplier Database**).

4.14 Bidders are not allowed to add VAT on non-VAT items.

**CONFIRMATION OF SPECIFICATION**

END USER: VC

DATE: 21/02/2024

PRINT NAME: V.C. JONKERMAN

**CONFIRMATION OF THE SPEC MEETING**

CHAIRPERSON: BSC CH

DATE: 21/2/2024

PRINT NAME: B. Koopman



## PART A INVITATION TO BID

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)**

BID NUMBER:	SCM03-P23/24-1511-LDH	CLOSING DATE:	20 <sup>th</sup> February 2024	CLOSING TIME:	11H00
DESCRIPTION	SUPPLY AND DELIVERY OF BREAKFAST CEREALS AND BEVERAGES FOR A PERIOD OF 12 (TWELVE) MONTHS AT LIVINGSTONE TERTIARY HOSPITAL				

**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

Department of Health – Livingstone Tertiary Hospital

Second Floor, Nurses Home Building- Bid Box – Opposite Room 238

Standford Road

Korsten-Port Elizabeth 6041

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	Mr Valentine Coetzee / Mr Kevin Jooste / Ms Thandi Mnabisa	CONTACT PERSON	Ms B. Qwasha / Mrs K. Dyira
TELEPHONE NUMBER	041-405 2424 / 405 2320 / 405 2183	TELEPHONE NUMBER	041 405 2351 / 405 2680
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	valentine.coetzee@echealth.gov.za	E-MAIL ADDRESS	bulelwa.qwasha@echealth.gov.za / khanyiswa.ntiyantiya@echealth.gov.za

### SUPPLIER INFORMATION

NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]**

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?  <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?  <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
---	--

### QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.	

---

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. 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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. 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 SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a> .
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / 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.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

**1.**

**Table of contents**

**Invitation to Bid (SBD 1)**

**Part 1 – Conditions of Bid**

**Part 2- Specifications**

**Part 3 – Bid Forms and related documentation**

<b><u>Schedule A</u></b>	–	Pricing Schedule (SBD 3.1)
<b><u>Schedule B</u></b>	–	Declaration of Interest (SBD 4)
<b><u>Schedule C</u></b>	–	Declaration of Bidder's Past Supply Chain Management Practices (SBD 8)
<b><u>Schedule E</u></b>	–	Preference Points Claim Forms (SBD 6.1)

**DEFINITIONS**

The rules of interpretation and defined terms contained in the Conditions of Bid shall apply to this invitation to bid unless the context requires otherwise.

In addition the following terms used in this invitation to bid shall, unless indicated otherwise, have the meanings assigned to such terms in the table below.

<b>DoH</b>	means the Eastern Cape Department of Health acting for and on behalf of the Eastern Cape Provincial Government;
<b>Invitation to bid</b>	means this invitation to bid comprising <ul style="list-style-type: none"> <li>o The cover page and the table of content and definitions</li> <li>o Part 1 which details the Conditions of Bid;</li> <li>o Part 2 which details the specification;</li> <li>o Part 3 which contains all the requisite bid forms and certificates;</li> </ul>
<b>Services</b>	means the services defined on the cover page of this invitation to bid and described in detail in the Specifications;
<b>Specifications</b>	means the specifications contained in Part 2 of this invitation to bid;

## **PART 1**

### **Conditions of Bid**

#### **1. BACKGROUND AND INTRODUCTORY PROVISIONS**

Refer to Part 4 of this invitation to bid for background and introductory information relating to the Services and this invitation to bid.

#### **2. OFFER AND SPECIAL CONDITIONS**

- 2.1 Without detracting from the generality of clause below, bidders must submit a completed and signed Invitation to Bid form (SBD 1) with its bid. Bidders must take careful note of the special conditions.

- 2.2 **All bids submitted in reply to this invitation to bid should incorporate all the forms, parts, certificates and other documentation forming part of this invitation to bid, duly completed where required.**

- 2.3 In the event that any form or certificate provided in Part 3 of this invitation to bid does not have adequate space for the bidder to provide the requested details, the bidder should attach an annexure to such form or certificate on which the requested details should be provided and the bidder should refer to such annexure in the form or certificate provided.

#### **3. CLOSING TIME OF BIDS AND PROVISIONS RELATING TO SUBMISSION OF BIDS**

- 3.1 The closing time for the receipt of bids in response to this invitation to bid is detailed on the cover page of this invitation to bid.
- 3.2 All bids must be submitted in a sealed envelope bearing the bid number, bid description and closing date.
- 3.4 All bids must be received before the closing time and date stipulated above and must be posted to or deposited in the bid box at the address detailed on the cover page of this invitation to bid.

#### **4. ENQUIRIES**

Should any bidder have any enquiries relating to this invitation to bid, such inquiries may only be addressed to the person/s detailed on the cover page to this invitation to bid at the number/s stipulated.

#### **5. COMPULSORY BID BRIEFING/ CLARIFICATION**

There will be no bid clarification meeting for this bid.

#### **6. PRICING**

- 6.1 The bidder must submit details regarding the bid price for the Services on the Pricing Schedule form/s attached as Part 3 – SBD 3.1 which completed form/s must be submitted together with the bid documents.
- 6.2 Pricing must be stipulated INCLUSIVE OF VALUE ADDED TAX.

- 6.3 It is an express requirement of this invitation to bid that the bidders provide some transparency in respect to their pricing approach. In this regard, bidders must indicate the basis on which they have calculated their pricing by completing all aspects of the Pricing Schedule form Part 3 – SBD3.1

**7. DECLARATION OF INTEREST**

The bidder should submit a duly signed declaration of interest (SBD 4) together with the bid. The declaration of interest is attached as Part 3 – SBD4

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

The bidder must complete the declaration and sign accordingly to submit with the bid. The declaration of bidder's past supply chain management practices is attached as Part 3 – SBD8

**9. CERTIFICATE OF INDEPENDENT BID DETERMINATION**

The bidder must complete the certificate of bid determination and sign accordingly to submit with the bid. The declaration of bidder's past supply chain management practices is attached as Part 3 – SBD9

**10. PREFERENCE POINTS CLAIM FORMS**

Part 3 – SBD 6.1 contains the Preference Points Claim Forms in terms of Preferential Procurement Regulations to be completed and signed by the bidder to the extent applicable and returned with this bid.

**11. VALIDITY**

Bid documentation submitted by the bidder will be valid and open for acceptance for a period of 60 (**Sixty**) calendar days from the closing date and time stipulated on the front cover of this invitation to bid.

**12. ACCEPTANCE OF BIDS**

The DoH does not bind itself to accept either the lowest or any other bid and reserves the right to accept the bid which it deems to be in the best interest of the DOH even if it implies a waiver by department of certain requirements which the DoH considers to be of minor importance and not complied with by the bidder.

**13. NO RIGHTS OR CLAIMS**

- 13.1 Receipt of the invitation to bid does not confer any right on any party in respect of the Services or in respect of or against the DoH. The DoH reserves the right, in its sole discretion, to withdraw by notice to bidders any Services or combination of Services from the bid process, to terminate any party's participation in the bid process or to accept or reject any response to this invitation to bid on notice to the bidders without liability to any party. Accordingly, parties have no rights, expressed or implied, with respect to any of the Services as a result of their participation in the bid process.
- 13.2 Neither the DoH, nor any of their respective directors, officers, employees, agents, representatives or advisors will assume any obligations for any costs or expenses incurred

by any party in or associated with any appraisal and/or investigation relating to this invitation to bid or the subsequent submission of a bid in response to this invitation to bid in respect of the Services or any other costs, expenses or liabilities of whatsoever nature and howsoever incurred by bidders in connection with or arising out of the bid process.

#### **14. NON DISCLOSURE, CONFIDENTIALITY AND SECURITY**

- 14.1 The invitation to bid and its contents are made available on condition that they are used in connection with the bid process set out in the invitation to bid and for no other purpose. All information pertaining to this invitation to bid and its contents shall be regarded as restricted and divulged on a "need to know" bases with the approval of the DoH.
- 14.2 In the event that the bidder is appointed pursuant to this invitation to bid such bidder may be subject to security clearance prior to commencement of the Services.

#### **15. ACCURACY OF INFORMATION**

- 15.1 The information contained in the invitation to bid has been prepared in good faith. Neither the DoH nor any of their respective directors, advisors, officers, employees, agents, representatives make any representation or warranty or give any undertaking express or implied, or accept any responsibility or liability whatsoever, as to the contents, accuracy or completeness of the information contained in the invitation to bid, or any other written or oral information made available in connection with the bid and nothing contained herein is, or shall be relied upon as a promise or representation, whether as to the past or the future.
- 15.2 This invitation to bid may not contain all the information that may be required to evaluate a possible submission of a response to this invitation to bid. The bidder should conduct its own independent analysis of the operations to the extent required to enable it to respond to this bid.

#### **16. COMPETITION**

- 16.1 Bidders and their respective officers, employees and agents are prohibited from engaging in any collusive action with respect to the bidding process which serves to limit competition amongst bidders.
- 16.2 In general, the attention of bidders is drawn to Section 4(1)(iii) of the Competition Act 1998 (Act No. 89 of 1998) (the Competition Act) that prohibits collusive bidding.
- 16.3 If bidders have reason to believe that competition issues may arise from any submission of a response to this bid invitation they may make, they are encouraged to discuss their position with the competition authorities before submitting response.
- 16.4 Any correspondence or process of any kind between bidders and the competition authorities must be documented in the responses to this invitation to bid.

#### **17. RESERVATION OF RIGHTS**

- 17.1 Without limitation to any other rights of the DoH (whether otherwise reserved in this invitation to bid or under law), the DoH expressly reserves the right to:-
- 17.2 Request clarification on any aspect of a response to this invitation to bid received from the bidder, such requests and the responses to be in writing;

17.3 Amend the bidding process, including the timetables, closing date and any other date at its sole discretion;

17.4 Reject all responses submitted by bidders and to embark on a new bid process.

17.5 Award the bid to one or more than one bidder/s.\

## 18. EVALUATION CRITERIA

The bid will be evaluated in terms of the 80/20-point system as stipulated in the Revised Preferential Procurement Regulations of 2022. 80 points will be allocated for the price and 20 points for specific goals.

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

Where

P<sub>s</sub> = points scored for comparative price of bid or offer under consideration.

P<sub>t</sub> = Comparative price of bid or offer under consideration.

P<sub>min</sub> = comparative price of lowest acceptable bid or offer.

**NB:** The Specific Goals supporting documents required to verify claimed points may be in line with specific requirements include:

Specific Goals Category	Weighting of (20) points	Number of points (80/20 system)
Historically Disadvantaged Individuals Ownership	20%	4
Women Ownership	20%	4
Youth Ownership	20%	4
Disability Ownership	20%	4
Military Veterans	10%	2
Locality Ownership	10%	2
<b>Total</b>	<b>100%</b>	<b>20</b>

## PRE – QUALIFICATION

1. The purpose of this Prequalification is to determine which bid is compliant and non-compliant with the bid specifications issued by the DOH as part of the bid process.

The following criteria shall apply:

- a. All documentation inclusive of supporting documentation requested in terms of the Bid Document requirements must be submitted and signed off where required.
- b. Bidder must complete and sign SBD 1 and 4 and the entire document.
- c. Service Provider must be registered with the National Treasury Supplier Database (CSD) and furnish the supplier number as well as Logis and Bas numbers of the ECDOH. Quotation must include all the cost relating to the service (N.B. no hidden costs will be paid by the Department of Health).

**FAILURE TO COMPLY WITH THE ABOVE INFORMATION WILL INVALIDATE YOUR BID**

**PART 2**  
**SPECIFICATION**

**SUPPLY AND DELIVERY OF BREAKFAST CEREALS AND  
BEVERAGES FOR A PERIOD OF 12 (TWELVE) MONTHS AT  
LIVINGSTONE TERTIARY HOSPITAL**

BIDDERS MUST RESPOND TO THE SPECIFICATIONS DETAILED BELOW TO INDICATE WHETHER COMPLY OR NOT COMPLY BY INDICATING (YES/NO) ON THE RELEVANT COLUMN. IN CASE OF NON-COMPLIANCE PLEASE STATE NATURE OF DEVIATION.

See attached specification



**PART 3**

**BID STRATEGY**

**THE BID CALLS FOR THE SUPPLY AND DELIVERY OF BREAKFAST CEREALS AND BEVERAGES FOR A PERIOD OF 12 (TWELVE) MONTHS AT LIVINGSTONE TERTIARY HOSPITAL (NELSON MANDELA MUNICIPALITY IN THE EASTERN CAPE)**

The contract is a rate item based and will be utilized on an as and when as required principle.

**SCOPE OF WORK**

- The suppliers will be requested to supply breakfast cereals and beverages as per delivery schedule /order.
- The successful bidder will be required to do service directly to Livingstone Tertiary Hospital including PE Provincial site, as stated in the specification.
- The bid will only be awarded to one successful bidder.

**DECLARATION OF THE BIDDERS ABILITY TO SUPPLY AND DELIVERY OF BREAKFAST CEREALS AND BEVERAGES AT LIVINGSTONE TERTIARY HOSPITAL INCLUDING PE PROVINCIAL SITE**

- We hereby declare that we.

----- (name of the bidder), have the capacity and capability for the supply and delivery of breakfast cereals and beverages.

**SIGNATURE OF BIDDER** \_\_\_\_\_

**PRICING SCHEDULE – FIRM PRICES**

**(GOODS)**

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

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of bidder.....

Bid number: SCMU3-P23 /24-1511- LDH.....

Closing Time 11:00

Closing date:20<sup>th</sup> February 2023

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

**BID PRICE IN RSA CURRENCY (ALL APPLICABLE TAXES INCLUDED)**

Required by: Eastern Cape DEPARTMENT OF HEALTH  
LIVINGSTONE TERTIARY HOSPITAL, STANDFORD ROAD, KORSTEN, PORT ELIZABETH

- Items to be delivered at: EASTERN CAPE DEPARTMENT OF HEALTH  
LIVINGSTONE TERTIARY HOSPITAL, STANDFORD ROAD, KORSTEN, PORT ELIZABETH

Brand name of item.....

(Circle applicable)

- Does the offer comply with the specification(s)? \*YES/NO
- If not to specification, indicate deviation(s) .....
- Required Delivery Period is 30 days after receipt of Purchase order YES/NO
- Delivery basis (Firm) YES/NO

**Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.**

**\*\* “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

**\*Delete if not applicable**

**Signature: .....**

**Name:.....**

.....  
**Bidder's Stamp**

.....  
**Capacity / Position**

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

### 2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

- 2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

- 2.2.1 If so, furnish particulars:

<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

.....  
.....

- 2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

**YES/NO**

- 2.3.1 If so, furnish particulars:

.....  
.....

### **3 DECLARATION**

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned,  
(name)..... in submitting the  
accompanying bid, do hereby make the following statements that I certify to be true  
and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

---

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022.**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender: (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this bid are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
<b>Total points for Price and Specific Goals</b>	<b>100</b>

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserve the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services , and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes , but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act ,2000 (Act No.5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1 POINTS AWARDED FOR PRICE

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

$$\frac{80}{20}$$
$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

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

### 3.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1 POINTS AWARDED FOR PRICE

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

$$\frac{80}{20}$$
$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{\max}$  = Price of highest acceptable tender

#### **4 POINTS AWARDED FOR SPECIFIC GOALS**

**4.2 In terms of Regulation 4(2); 5(2); 6(2); and 7(2) of the Preferential Procurement**

Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof / documentation stated in the conditions of this tender:

**4.3 In cases where organs of state intend to use Regulation 3(2) of the Regulations,**

which states that, if it unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of-

(a) An invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) Any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

Then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.



**Table 1: Specific goals for the tender and points claimed are indicated per table below.**

**(Note to organs of state: Where either 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.**

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Historically Disadvantaged Individuals Ownership	20	
Women Ownership	20	
Youth Ownership	20	
Disability Ownership	20	
Military Veterans	10	
Locality Ownership	10	

- (a) Service providers must submit proof of its Specific Goals points claimed /Status of contributor.
- (b) The Specific goals supporting documents required to verify claimed points may in line with the specified requirements include:
- Historically Disadvantaged Individuals Ownership: Proof of Ownership (Cipro certificate with ID no.
  - Women Ownership: Proof of ownership (Cipro Certificate) with ID

- Disability Ownership: Proof of ownership (Cipro Certificate) with valid medical documentary proof.
- Military Veterans Ownership: Proof of Ownership (Cipro Certificate) with valid proof of veteran status.
- Locality Ownership: Proof of business address (municipal account or valid lease agreement).
- Updated CSD (must be recent within 7 days from the closing date).
- A bid will not be disqualified from the bidding process if the bidder does not submit a certificate substantiating the SPECIFIC GOALS status level of contribution or is a non-Compliant contributor. Such bidders will score 0 out maximum of 20 points for SPECIFIC GOALS.
- Bidders are required to complete the preference claim (SBD6.1) and submit their proof of SPECIFIC GOALS status level verification certificate or a certified copy thereof at the closing date and time of the bid in order to claim the SPECIFIC GOALS status level points.
- The points scored by a bidder in respect of the level of SPECIFIC GOALS contribution will be added to the points scored for price.
- Only bidders who have completed and signed the declaration part of the preference points claim form and who have submitted a SPECIFIC GOALS status level documents will be considered for preference points.
- The department may, before a bid is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to preference.
- The local points scored will be rounded off to the nearest 2 decimals.
- In the event that two or more bids have scored equal points, the contract will be awarded to the bidder scoring the highest number of preference points for SPECIFIC GOALS.
- However when functionality is part of evaluation process and two or more bidders have scored equal points including preference points for SPECIFIC GOALS, the contract will be awarded to the bidder scoring the highest functionality.
- Should two or more bids equal in all respects, the award shall be decided by drawing of lots.
- A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3 Name of company /firm.....

4.4 Company registration  
number:.....

4.5 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium  
One person business/sole propriety  
Close corporation  
Public Company

Personal Liability Company  
 (Pty) Limited  
 Non –Profit Company  
 State owned company  
 [TICK APPLICABLE BOX]

4.6 I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, , 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....