

Doc Number:  
OF-SCM-01D

## REQUEST FOR BID SERVICES



Revision: 3.0

Effective date:02 October 2023

## REQUEST FOR BID SERVICES

### BID DETAILS

**BID NUMBER:** SAHPRA/2024/RFB 005/PANEL OF LEGAL EXPERTS

**CLOSE**      **Date:** Monday, 12 August 2024  
                  **Time:** 11:00

**DESCRIPTION:** REQUEST FOR BID FOR THE APPOINTMENT OF LEGAL EXPERTS TO FORM PART OF A PANEL OF SERVICE PROVIDERS THAT WILL PROVIDE LEGAL SERVICES TO SOUTH AFRICAN HELATH PRODUCTS REGULATORY AUTHORITY (SAHPRA) FOR A PERIOD OF THIRTY-SIX (36) MONTHS

**BRIEFING SESSION:**      Yes       No

See Section A-1 Paragraph 2 on Bid Submission Conditions and Instructions that the Bidder needs to take note of.

### DETAILS OF BIDDER

**Organisation/individual:** \_\_\_\_\_

**Contact person:** \_\_\_\_\_

**Telephone/ Cell number:** \_\_\_\_\_

**E-mail address:** \_\_\_\_\_

**GLOSSARY**

Award	Conclusion of the procurement process and final notification to the effect to the successful bidder
B-BBEE	Broad-based Black Economic Empowerment in terms of the Broad-based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) and the Codes of Good Practice issued thereunder by the Department of Trade and Industry
Bid	Written offer in a prescribed or stipulated form in response to an invitation by SAHPRA for the provision of goods, works or services
Contractor	Organisation with whom SAHPRA will conclude a contract and potential service level agreement subsequent to the final award of the contract based on this Request for Bid
Core Team	The core team are those members who fill the non-administrative positions against which the experience will be measured.
DTI	Department of Trade and Industry
EME	Exempted Micro Enterprise in terms of the Codes of Good Practice
GCC	General Conditions of Contract
IP	Intellectual Property
SAHPRA	South African Health Products Regulatory Authority
Original Bid	Original document signed in ink, or Copy of original document signed in ink, or Submitted Facsimile of original document signed in ink
Originally certified	To comply with the principle of originally certified, a document must be both stamped and signed in original ink by a commissioner of oaths.
SCM	Supply Chain Management
SLA	Service Level Agreement

**DOCUMENTS IN THIS BID DOCUMENT PACK**

Bidders are to ensure that they have received all pages (38) of this document, which consist of the following sections:

**SECTION A**

**Note: Documents in this section are for information to/instruction of bidders and must be returned with bids.**

- Section A 1: Bid Submission Conditions and Instructions
- Section A 2: Specifications and Requirements
- Section A 3: Evaluation Process/Criteria
- Section A 4: Contract Form (Rendering of Services) (Parts 1 & 2)/Letter of Acceptance/Formal Contract (The pro forma contract is only included for Bidders to take note of the contents of the contract that will be entered into with the successful contractor)

**SECTION B**

**Note: Documents in this section must be completed and returned or supplied with bids.**

- Section B 1: Special Conditions of Bid and Contract: Special conditions that the Bidder needs to accept
- Section B 2: Declaration of Interest (SBD 4)
- Section B 3: Preference Points Claim Form in terms of the Preferential Procurement Regulations, 2022 (SBD 6.1)
- Section B 4: Invitation to Bid (SBD 1)
- Section B 5: Pricing Schedule (Professional Services) (SBD 3.3)
- Section B 6: CV Template Guideline

# SECTION A

(This section must be returned as part of the bid document)

## BID SUBMISSION CONDITIONS AND INSTRUCTIONS

### CONDITIONS AND INSTRUCTIONS THAT BIDDERS NEED TO TAKE NOTE OF

#### 1 FRAUD AND CORRUPTION

- 1.1 All providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

#### 2 BRIEFING SESSION

- 2.1 No briefing session will be held.

#### 3 CLARIFICATIONS/ QUERIES

- 3.1 Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (e-mail) from Takalani.sinyosi@sahpra.org.za by not later than **Monday 05 August 2024**. A reply will be forwarded within three (3) working days. Telephonic requests for clarification will not be accepted. The questions and answers will be uploaded on SAHPRA website on **Wednesday 07 August 2024**. The bid number should be mentioned in all correspondence.

Contact details for Takalani Sinyosi

E-Mail: takalani.sinyosi@sahpra.org.za

#### 4 SUBMITTING BIDS

- 4.1 **One (1) original document plus two (2) copies and one (01) USB must be handed in/ delivered to:**

Loftus Park, Building A,  
402 Kirkness St  
Arcadia  
Pretoria  
0083

***No posted, faxed or e-mailed bids will be accepted***

---

**Bidders should ensure that bids are delivered before the closing date and time to the correct physical address mentioned above. If the bid is late, it will not be accepted for consideration.**

**\* Refer to Paragraph 5 below**

---

1. Bids can only be delivered and deposited into the tender box or handed in at second floor any time during office hours (**08:30 to 16:00 Mondays to Fridays**) before or on the closing date. *Receipt of bid documents outside of these hours cannot be guaranteed.*
2. Bids submitted or handed in at any other address than the one stated above will not be considered.

**4.2** Bids should be submitted in a sealed envelope, marked with:

- BID NUMBER (SAHPRA/2024/RFB 005/PANEL OF LEGAL EXPERTS)
- Closing date and time (**Monday, 12 August 2024 @ 11:00 am**)
- The name and address of the Bidder.

**4.3** Documents submitted on time by bidders shall not be returned.

## **5 LATE BID SUBMISSIONS**

**5.1** Bids received late shall not be considered. A bid will be considered late if it arrived even one second after 11:00 am or any time thereafter. The tender (bid) box shall be closed at exactly 11:00 am of the closing date and bids arriving late will not be considered under any circumstances. Bids received late shall be returned unopened to the bidder. Bidders are therefore strongly advised to ensure that bids be despatched at such a time that will accommodate of any unforeseen events that may delay the delivery of the bid.

**5.2** The official Telkom time, which can be observed by dialling 1026 from any phone, will be used to verify the exact closing time.

## **6 BID VALIDITY**

The bid is valid for ninety (90) days from closing date.

## **7 GENERAL CONDITIONS OF CONTRACT**

**7.1** The General Conditions of Contract must be accepted. The GCC can be downloaded from the Treasury Website. Please refer to the link below:

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract.pdf>

**TERMS OF REFERENCE FOR THE APPOINTMENT OF LEGAL EXPERTS TO FORM PART OF A PANEL OF SERVICE PROVIDERS THAT WILL PROVIDE LEGAL SERVICES TO SOUTH AFRICAN HELATH PRODUCTS REGULATORY AUTHORITY (SAHPRA) FOR A PERIOD OF THIRTY-SIX (36) MONTHS**

**1. PURPOSE OF THE BID**

The purpose for this bid is to call for service providers to be included in the SAHPRA panel of legal practitioners to render legal services to SAHPRA in the specified areas as and when required on a competitive basis.

**2. BACKGROUND**

The mandate of SAHPRA as a schedule 3A entity is to ensure the efficient, effective, and ethical evaluation or assessment and registration of medicines, medical devices and IVDs that meet defined standards of quality, safety, efficacy, and performance, where applicable. To ensure that the process of evaluating or assessing and registering medicines, medical devices and IVDs is transparent, fair, objective and concluded timeously.

**3. SCOPE OF WORK**

The legal practitioners appointed to the panel will provide quality and specialist legal services to the SAHPRA in the various areas of work specified below.

For each practice area there must be a lead practitioner as well as at least one proposed practitioner complying with the minimum requirements. The lead practitioner and the practitioner may be the same person.

Practice Area	Scope of work	Skills required
Corporate and Commercial Law	<ul style="list-style-type: none"> <li>Advise on projects/transactions of corporate law nature.</li> <li>Draft, review and advise on a broad range of complex commercial contracts.</li> <li>Provide advice/ opinions on governance related matters.</li> <li>Other legal advice</li> </ul>	<ul style="list-style-type: none"> <li>Exposure and experience in advising on transactions of corporate law nature.</li> <li>Experience in drafting complex of commercial contracts.</li> <li>Experience in providing sound advice in general commercial law.</li> <li>Sound understanding of legal and regulatory framework governing Healthcare Sector.</li> </ul>
Employment and Labour Law	<ul style="list-style-type: none"> <li>Provide legal opinions on labour and employment law related matters.</li> <li>Assist in disciplinary hearings, arbitrations and other labour dispute resolution fora.</li> <li>Provide general labour law advice.</li> </ul>	<ul style="list-style-type: none"> <li>Experience in labour and employment law litigation.</li> <li>Understanding of labour law and employment jurisprudence for purposes of providing legal opinions.</li> </ul>
Constitutional and Administrative law	<ul style="list-style-type: none"> <li>Provide legal opinions in respect of constitutional and administrative law matters.</li> <li>Advise on legal interpretation and legal implications of existing or</li> </ul>	<ul style="list-style-type: none"> <li>Experience in providing opinions on constitutional and administrative law.</li> </ul>

## Section A 3: Evaluation Process/ Criteria

	proposed agreements to be entered into by SAHPRA.	
Public Private Partnerships and related matters	<ul style="list-style-type: none"> <li>Advise on restructuring PPP projects.</li> <li>Draft or review project documentation, including but not limited to PPP agreements, legal opinions, due diligence and expert reports.</li> <li>Advise on legislative and regulatory matters related to PPPs.</li> </ul>	<ul style="list-style-type: none"> <li>Knowledge of SA PPP market and regulatory environment.</li> <li>Expertise in PPP risk analysis, allocation, and mitigation.</li> <li>Expertise in drafting, analysis and review of PPP documentation and structuring of BEE in PPPs.</li> <li>Experience in conducting PPP due diligence exercises.</li> </ul>
Litigation, civil law, and commercial dispute resolution	<ul style="list-style-type: none"> <li>Conduct litigation on behalf of SAHPRA.</li> <li>Develop and review appropriate litigation strategy in each matter.</li> <li>Ensure effective and efficient litigation process is followed.</li> <li>Collect litigation costs awarded in favour of SAHPRA.</li> <li>Provide oral and written legal advice throughout the litigation process.</li> <li>Avoid prescriptions, and default judgments against SAHPRA.</li> </ul>	<ul style="list-style-type: none"> <li>Sound knowledge of litigation processes and procedures in the Magistrate's Court, Equality Court, High Court, Labour Court, Supreme Court of Appeal, Constitutional Court.</li> </ul>
Regulatory	<ul style="list-style-type: none"> <li>Assist with health products regulatory and compliance matters.</li> </ul>	<ul style="list-style-type: none"> <li>Full and sound understanding of legal and regulatory framework governing the Healthcare Sector and SAHPRA.</li> </ul>
Intellectual property	<ul style="list-style-type: none"> <li>Advise on Intellectual Property law matters.</li> </ul>	<ul style="list-style-type: none"> <li>Full and sound understanding of Intellectual Property law.</li> </ul>
General Governance	<ul style="list-style-type: none"> <li>Provide advice on governance related matters.</li> </ul>	<ul style="list-style-type: none"> <li>Full and sound understanding of governance matters in public entities.</li> </ul>
Forensic Investigations	<ul style="list-style-type: none"> <li>Ability and capacity to conduct forensic investigations.</li> </ul>	<ul style="list-style-type: none"> <li>Full and sound understanding of forensic investigation processes.</li> </ul>

Bidders are required to clearly indicate in their technical proposal the Practice Area(s) in respect of which the bid is submitted.

**Note:** While there is no limit as to the number of practice areas for which a bid may be submitted, bidders are advised to bid for only those areas in respect of which they possess the required skills and expertise.

#### 4. CONTRACT DURATION

The appointed service providers will be required to start immediately after signing the contract and provide the required services **for a period of 36 months with the option to extend the contract for a further period of two years**, subject to satisfactory annual review of service provider performance.

**ALL BIDDERS MUST TAKE NOTE OF THE EVALUATION PROCESS THAT WILL BE FOLLOWED**

**1 EVALUATION PROCESS**

**1.1 COMPLIANCE WITH MINIMUM REQUIREMENTS**

1.1.1 All bids duly lodged as specified in the Request for Bid will be examined to determine compliance with bid requirements and conditions. Bids with obvious deviations from the requirements/conditions may be eliminated from further consideration.

Failure to comply with or submit any one of the following items, may render a bid non-responsive and may not be evaluated further.

Reference	Description	Compliant?	
		YES	NO
Part 1	Signed Special Conditions of Bid and Contract		
Part 2	Tax Compliance Requirements		
Part 3	Completed and signed Declaration of Interest		
Part 4	Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022		
Part 5	Completed and signed Invitation to Bid		
Part 7	Proof of registration on the CSD If there will be subcontracting, proof of CSD registration of the sub-contractor must be submitted		

Failure to comply with or submit completed Pricing schedule, will render a bid non-responsive and will not be evaluated further.

Reference	Description	Compliant?	
		YES	NO
Part 6	Completed Pricing Schedule in the prescribed format		

1.1.2 Bidders must submit their proposal by the closing date and time. Proposals submitted after the closing date and time will be disqualified from further evaluation.

1.1.3 Register the hard-copy proposals in the tender submission register at SAHPRA reception. Hard-copy Proposals not recorded on the tender submission register at SAHPRA reception will be disqualified from further evaluation.

**1.2 FUNCTIONALITY CRITERIA**

1.2.1 The evaluation criteria and weights for functionality as indicated in the table below, will apply.

Bidders must provide the following:

- Curriculum Vitae of each admitted practitioner as resource.
- Experience of each resource.
- contactable reference letters for the bidder for each practice area applied for, as listed in paragraph 3 of the Terms of Reference.

Each practice area will be evaluated separately.

Mandatory Requirements	Provide evidence/page no and/or location	Yes/No (Yes-proceed, No – Do not evaluate further)
Proof of admission as a legal practitioner for each resource		
Letter of Good Standing from the Legal Practice Council (LPC) for each practitioner as a resource.		
Letter of good standing of the firm from the LPC		
Valid fidelity fund certificate		

**If all four conditions above are not met, do not evaluate further**

Functional Evaluation Criteria	Maximum To Be Awarded
<p><b>Size of the bidder</b> (Provide company profile indicating number of years in existence as well as number of admitted practitioners in the employ of the bidder)</p> <p>One (1) to two (2) admitted practitioners = <b>20 points.</b>                      Three (3) and up to five (5) admitted practitioners = <b>30 points.</b>                      Six (6) and up to ten (10) admitted practitioners = <b>40 points.</b>                      Eleven (11) and more admitted practitioners = <b>50 points.</b></p>	<b>50 Points</b>
<p>Contactable reference letters of clients for work in each of the submitted practice area done in the last three (3) years by the bidder.</p> <p>Letters must include the contact person, contact details, it must be signed and be on the client’s letterhead.</p> <p>One (1) to two (2) reference letters provided = <b>20 points.</b>                      Three (3) reference letters provided = <b>30 points.</b>                      Four (4) to five (5) reference letters provided = <b>40 points.</b>                      More than five (5) reference letters provided = <b>50 points.</b></p>	<b>50 Points</b>
<b>TOTAL EVALUATION CRITERIA</b>	<b>100</b>

**a. The score for functionality shall be calculated as follows:**

- i. Each panel member shall award values for each individual criterion on a score sheet.
- ii. The score of each panel member shall be added together and divided by the number of panel members to establish the average score obtained by each individual bidder for functionality.

**b. ELIMINATION OF PROPOSALS ON GROUNDS OF FUNCTIONALITY**

- i. The **minimum technical threshold is 70 points**. Bidders that do not meet the minimum technical threshold will not be eliminated from further consideration. Points will therefore not be awarded for their cost proposals or for preference.

Approved for use!

**CONTRACT FORM: RENDERING OF SERVICES**

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

**PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

- 1. I/we hereby undertake to render services described in the attached bidding documents to SAHPRA in accordance with the requirements and task directives/proposals specifications stipulated in Bid Number SAHPRA/2024/RFB 005/PANEL OF LEGAL EXPERTS at the price/s quoted. My/our offer/s remain binding upon me/us and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
- 2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - 2.1 Bidding documents, viz
    - Invitation to bid
    - Tax clearance certificate
    - Pricing schedule(s)
    - Filled in terms of reference/task directive/proposal
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2022;
    - Declaration of interest
    - Declaration of bidder’s past SCM practices
    - Special Conditions of Contract
  - 2.2 General Conditions of Contract
  - 2.3 Other (specify)
- 3. I/we confirm that I/we have satisfied myself as to the correctness and validity of my/our bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
- 4. I/we accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the principal liable for the due fulfilment of this contract.
- 5. I/we declare that I/we have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
- 6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) \_\_\_\_\_  
 CAPACITY \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_  
 NAME OF FIRM \_\_\_\_\_  
 DATE \_\_\_\_\_

WITNESSES	
1	_____
2	_____
DATE:	_____

**CONTRACT FORM: RENDERING OF SERVICES**

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

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

1. An official order indicating service delivery instructions is forthcoming.

2. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (VAT INCL)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION

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

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

NAME (PRINT) .....

SIGNATURE .....

Section A 4: Contract Form

---

OFFICIAL STAMP

WITNESSES

1 \_\_\_\_\_

2 \_\_\_\_\_

DATE: \_\_\_\_\_

Approved for use!

**SECTION B**

**This section must be completed and returned or supplied with bids as prescribed.**

Approved for use!

**SPECIAL CONDITIONS OF BID AND CONTRACT**  
**Return as Part 1**

<b>SPECIAL CONDITIONS</b>	
<b>1</b>	<b>GENERAL</b>
1.1	The Bidder must clearly state if a deviation from these special conditions are offered and the reason therefor. If an explanatory note is provided, the paragraph reference must be indicated in a supporting appendix to the application submission.
1.2	Should Bidders fail to indicate agreement/compliance or otherwise, the SAHPRA will assume that the Bidder is in compliance or agreement with the statement(s) as specified in this bid.
1.3	Bids not completed in this manner may be considered incomplete and rejected.
1.4	SAHPRA shall not be liable for any expense incurred by the Bidder in the preparation and submission of a bid.
<b>2</b>	<b>CANCELLATION OF PROCUREMENT PROCESS</b>
2.1	This procurement process can be postponed or cancelled at any stage at the sole discretion of SAHPRA provided that such cancellation or postponement takes place prior to entering into a contract with a specific service provider to which the bid relates.
<b>3</b>	<b>BID SUBMISSION CONDITIONS, INSTRUCTION AND EVALUATION PROCESS/CRITERIA</b>
3.1	The Bid submission conditions and instructions as well as the evaluation process/criteria have been noted.
<b>4</b>	<b>NEGOTIATION AND CONTRACTING</b>
4.1	SAHPRA have the right to enter into negotiation with one or more Bidders regarding any terms and conditions, including price(s), of a proposed contract.
4.2	Under no circumstances will negotiation with any Bidders, including preferred Bidders, constitute an award <sup>1</sup> or promise/ undertaking to award the contract.
4.3	SAHPRA shall not be obliged to accept the lowest or any bid, offer or proposal.
4.4	A contract will only be deemed to be concluded when reduced to writing in a formal contract and Service Level Agreement (if applicable) signed by the designated responsible person of both parties. The designated responsible person of SAHPRA is the CEO.
4.5	SAHPRA also reserves the right to enter into one contract with a Bidder for all required functions or into more than one contract with different Bidders for different functions.
<b>5</b>	<b>ACCESS TO INFORMATION</b>

<sup>1</sup> See GLOSSARY.

## Section B 1: Special Conditions of Bid and Contract

5.1	All bidders will be informed of the status of their bid once the procurement process has been completed.
5.2	Requests for information regarding the bid process will be dealt with in line with the SAHPRA SCM Policy and relevant legislation.
<b>6</b>	<b>REASONS FOR REJECTION</b>
6.1	SAHPRA shall reject a proposal for the award of a contract if the recommended Bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
6.2	The SAHPRA may disregard the bid of any bidder if that bidder, or any of its directors: <ul style="list-style-type: none"> <li><input type="checkbox"/> Have abused the SCM system of the SAHPRA.</li> <li><input type="checkbox"/> Have committed proven fraud or any other improper conduct in relation to such system.</li> <li><input type="checkbox"/> Have failed to perform on any previous contract and the proof exists.</li> </ul> Such actions shall be communicated to the National Treasury.
<b>7</b>	<b>GENERAL CONDITIONS OF CONTRACT</b>
7.1	The General Conditions of Contract must be accepted.
<b>8</b>	<b>ADDITIONAL INFORMATION REQUIREMENTS</b>
8.1	During evaluation of the bids, additional information may be requested in writing from Bidders. Replies to such request must be submitted, within 2 (two) working days or as otherwise indicated. Failure to comply, may lead to your bid being disregarded.
8.2	No additional information will be accepted from any individual Bidder without such information having been requested
<b>9</b>	<b>CONFIDENTIALITY</b>
9.1	The bid and all information in connection therewith shall be held in strict confidence by Bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.
<b>10</b>	<b>INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT</b>
10.1	Copyright of all documentation relating to this contract belongs to the client. The successful Bidder may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.
10.2	This paragraph shall survive termination of this contract.
<b>11</b>	<b>NON-COMPLIANCE WITH DELIVERY TERMS</b>
11.1	As soon as it becomes known to the contractor that he/she will not be able to deliver the services within the delivery period and/or against the quoted price and/or as specified, SAHPRA must be

## Section B 1: Special Conditions of Bid and Contract

	given immediate written notice to this effect. SAHPRA reserves the right to implement remedies as provided for in the GCC.
<b>12</b>	<b>WARRANTS</b>
12.1	The Contractor warrants that it is able to conclude this Agreement to the satisfaction of SAHPRA.
<b>13</b>	<b>PARTIES NOT AFFECTED BY WAIVER OR BREACHES</b>
13.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof.
13.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.
<b>14</b>	<b>RETENTION</b>
14.1	On termination of this agreement, the contractor shall, on demand hand over all documentation provided as part of the project and all deliverables, etc., without the right of retention, to SAHPRA.
14.2	No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall also be in writing.
<b>15</b>	<b>CENTRAL SUPPLIER DATABASE</b>
15.1	It is a requirement that all suppliers/ services providers to SAHPRA shall be registered on the National Treasury Central Supplier Database (CSD).
15.2	Bidders are therefore required to register as a supplier on the CSD before submitting a bid.  The CSD website can be accessed on the following link: <a href="http://ocpo.treasury.gov.za/Pages/default.aspx">http://ocpo.treasury.gov.za/Pages/default.aspx</a>
15.3	Bidders are therefore required to submit proof of their registration on the CSD, or if not yet registered, provide proof of their application to be registered, with their bid.
15.4	No bid will be awarded, and a contract concluded with a bidder who is not registered on the CSD.
<b>16</b>	<b>FORMAT OF BIDS</b>
16.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.

## Section B 1: Special Conditions of Bid and Contract

16.2	<b>Bidders are to set out their proposal in the format prescribed hereunder.</b> This means that the proposal must be structured in the parts noted below. <u>Information not submitted</u> in the relevant part, may not be considered for evaluation purposes.
16.3	<b>Part 1: Special Conditions of Bid and Contract</b>
16.3.1	Bidders must initial each page and sign the last page and return the Special Conditions of bid and Contract (Section B-1).  Bids submitted without a completed Special Conditions of Bid form <b>may</b> be deemed to be non-responsive.
16.4	<b>Part 2: Tax Compliance</b>
16.4.1	Bidders must ensure compliance with their tax obligations.  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.  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 <a href="http://www.sars.gov.za">www.sars.gov.za</a> .  Bidders may also submit a printed TCS together with the bid.  In bids where consortia/ joint ventures/ sub-contractors are involved; each party must submit a separate proof of TCS/ PIN/ CSD number.  Where no TCS is available, but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided.  Bids submitted without any one of the above particulars, <b>may</b> be deemed to be non-responsive.
16.5	<b>Part 3: Declaration of Interest</b>
16.5.1	<b>Each party</b> to the bid must complete and return the "Declaration of Interest" (Section B-2).  Bids submitted without a complete and signed Declaration of Interest <b>may</b> be deemed to be non-responsive.
16.6	<b>Part 4: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022</b>
16.6.1	Bidders must complete, sign and return the full "Preference Points Claim Form" (Section B-3) document.  In addition, a valid BEE certificate must be submitted.  Quotes submitted without a completed and signed Preference Points Claim Form and a valid BEE certificate will be awarded zero points for preference.

Section B 1: Special Conditions of Bid and Contract

16.7	<b>Part 5: Invitation to Bid</b>
16.7.1	Bidders must complete, sign and return the full "Invitation to Bid" (Section B-4) document.  Bids submitted without a completed and signed Invitation to Bid <b>may</b> be deemed to be non-responsive.
16.8	<b>Part 6: Pricing Schedule</b>
16.8.1	All costs related to the bid are to be allowed for in the pricing schedule and in the format prescribed and must be returned as part of the submission (Section B-5).  Bids submitted without a price or with an incomplete price, or with a price which is not in the prescribed format, <b>will</b> be deemed to be non-responsive.
16.8.2	Price for thirty-six (36) months of the contract must be firm and must be indicated in the format prescribed.  <input type="checkbox"/> VAT: Value Added Tax must be included and shown separately.
16.9	<b>Part 7: Registration on the CSD</b>
16.9.1	In this part, bidders must submit proof of their registration, or proof that they have applied for registration on the Central Supplier Database.  Bids submitted without the required proof, <b>may</b> be deemed to be non-responsive.

I/we herewith accept all the above-mentioned special conditions of the bid. If I/we do consider a deviation therefrom, I have noted those as per the instruction in paragraph 1 (General) above.

Name of Bidder: \_\_\_\_\_

Signature of Bidder: \_\_\_\_\_

Date: \_\_\_\_\_

**BIDDERS DISCLOSURE (SBD 4)  
Return as Part 3**

**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>2</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:

.....  
.....

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:

.....

<sup>2</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.

Section B 2: Declaration of Interest

---

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>3</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.

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

---

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

Section B 2: Declaration of Interest

---

COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

Approved for use!

**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.**

**Return as part 4.**

**NB: BEFORE COMPLETING THIS FORM, TENDERERS 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 all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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:

	<b>POINTS</b>
PRICE	80
Specific Goals	20
Total points for Price and Specific goals must not exceed	100

1.5 Failure on the part of a bidder to submit proof of specific goals claim as stipulated on paragraph 4 below together with the bid, will be interpreted to mean that preference points claimed.

1.6 The organ of state reserves 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**

**3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \text{ or } Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

**80/20**
**or**
**90/10**

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

**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:

80/20

or

90/10

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

- Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmax = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. 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:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is 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 the table below.**

*(Note to organs of state: Where either the 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 they claim points for each preference point system.)*

SAHPRA SPECIFIC PREFERENTIAL PROCUREMENT GOALS					
Description / Goals		Allocated points		Evidence or Proof of claim	Number of points claimed (80/20 system) (To be completed by the tenderer)
		Preference Point System			
<b>Category A: Promotion of SMMEs</b>		<b>80/20</b>	<b>90/10</b>	<ul style="list-style-type: none"> <li>- Valid BBBEE certificate</li> <li>- Valid affidavit</li> <li>- Director(s)' certified ID copy</li> <li>- CSD report</li> </ul>	
<b>1.</b>	100% Black owned EME and QSE	20	10		
<b>2.</b>	At least 51% Black owned EME and QSEs	18	9		
<b>3.</b>	Zero and less than 51% Black owned EME and QSEs	16	8		
<b>Category B: Promotion of Historically Disadvantaged Individuals -HDI (Large enterprises)</b>		<b>BBBEE Level</b>	<b>Preference Point System</b>		<b>Evidence / proof of claim</b>
<b>4.</b>	<u>% Ownership</u>		<b>80/20</b>	<b>90/10</b>	
	a) 30% - 100% Black women	All levels	20	10	<ul style="list-style-type: none"> <li>- CSD report</li> <li>- Valid affidavit</li> <li>- Valid BBBEE certificate</li> <li>- Directors(s) certified ID copy</li> <li>- Declaration / proof of disability issued by medical practitioner</li> </ul>
	b) 51% - 100% Black youth				
	c) 51% - 100% Black people with - disability				
	a) 51% - 100% Black	1	18	9	
		2	16	8	

Section B 3: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022

Category C: Promotion of BBBEE Contributors - large enterprises	BBBEE Level	Preference Point System		Evidence / proof of claim	
		80/20	90/10		
	3	14	7		
	4	12	6		
	5	8	5		
	6	6	4		
	7	4	2		
	8 and Non-compliant	0	0		
	10.	Nonblack and Non-HDI enterprises	1	12	6
		2	10	5	
		3	8	4	
		4	6	3	
	5 to non-compliant	0	0	0	

**4. BID DECLARATION**

**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 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 have 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.

..... <b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	..... ..... ..... .....

**INVITATION TO BID  
Return as Part 5**

<b>YOU ARE HEREBY INVITED TO QUOTE FOR REQUIREMENT OF SAHPRA</b>					
BID NUMBER:	SAHPRA/2024/ RFB 005	CLOSING DATE:	Monday, 12 August 2024	CLOSING TIME:	11:00 am
DESCRIPTION	REQUEST FOR BID FOR THE APPOINTMENT OF LEGAL EXPERTS TO FORM PART OF A PANEL OF SERVICE PROVIDERS THAT WILL PROVIDE LEGAL SERVICES TO SOUTH AFRICAN HELATH PRODUCTS REGULATORY AUTHORITY (SAHPRA) FOR A PERIOD OF THIRTY-SIX (36) MONTHS				
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Tikalani Sinyosi		CONTACT PERSON	Tikalani Sinyosi	
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	Tikalani.sinyosi@sahpra.org.za		E-MAIL ADDRESS	Tikalani.sinyosi@sahpra.org.za	
<b>SUPPLIER INFORMATION</b>					
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	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
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]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
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		

Section B 4: Invitation to Bid

**INVITATION TO BID**  
**Return as Part 5**

**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.**  
**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. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<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 WWW.SARS.GOV.ZA.
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 PIN 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: .....

**PRICING SCHEDULE (SBD 3.3)**  
 Services  
 Return as Part 6

<b>NAME OF BIDDER:</b> _____ <u>OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID</u>
---

The pricing schedule as indicated below must be completed in the format provided. No alterations to this pricing schedule will be allowed and the bids of bidders who do so will be regarded as non-responsive and will not be evaluated.

**Bids submitted without a price or with an incomplete price, or with a price which is not in the prescribed format, will be deemed to be non-responsive.**

Refer to Section B1 – Paragraph 16.11.2 with regards to the requirements for each proposed resource.

Bidders should only complete the relevant tables below pertaining to the specific practice area resources are proposed for.

**Table 1: Practice Area – Corporate and Commercial Law**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
1.	Lead Attorney:					
2.	Practitioner(s):					
3.						
4.						
5.						

Section B 5: Pricing Schedule

**Table 2: Practice Area – Employment and Labour Law**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
6.	Lead Attorney:					
7.	Practitioner(s):					
8.						
9.						
10.						

**Table 3: Practice Area – Constitutional and Administrative Law**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
11.	Lead Attorney:					
12.	Practitioner(s):					
13.						
14.						
15.						

**Table 4: Practice Area – Public Private Partnerships and related matters**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
16.	Lead Attorney:					
17.	Practitioner(s):					
18.						
19.						
20.						

**Table 5: Practice Area – Litigation, Civil Law, and Commercial Dispute Resolution**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
21.	Lead Attorney:					
22.	Practitioner(s):					
23.						
24.						
25.						

Section B 5: Pricing Schedule

**Table 6: Practice Area – Regulatory Law**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
26.	Lead Attorney:					
27.	Practitioner(s):					
28.						
29.						
30.						

**Table 7: Practice Area – Intellectual Property (IP)**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
31.	Lead Attorney:					
32.	Practitioner(s):					
33.						
34.						
35.						

Section B 5: Pricing Schedule

**Table 8: Practice Area – General Governance**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
36.	Lead Attorney:					
37.	Practitioner(s):					
38.						
39.						
40.						

**Table 9: Practice Area – Forensic Investigation**

No	Name of Resource	Qualification(s)	City/ Town of residence	Years of relevant experience	Has a CV with all relevant information been provided? Yes/ No	Proposed Hourly Rate ZAR (Excl. VAT)
41.	Lead Attorney:					
42.	Practitioner(s):					
43.						
44.						
45.						

## COMPULSORY CV TEMPLATE

Proposed role in the project: .....

- 1. Surname .....
- 2. First names: .....
- 3. Date of birth: .....
- 4. Nationality .....
- 5. Education

Institution	Date obtained	Degree(s) or Diploma(s) obtained

- 6. Membership of professional bodies .....
- 7. Present position: .....
- 8. Years within the organisation: .....

9. Professional experience

Date (From – To) (mm/yy)	
Organisation	
Location	
Position	
Description of duties	

Date (From – To) (mm/yy)	
Organisation	
Location	
Position	
Description of duties	

- 10. Other relevant information (e.g. Publications) .....
- 11. References .....

Bid No: SAHPRA/2024/RFB 005/PANEL OF LEGAL EXPERTS

Section B 5: Pricing Schedule

.....  
Bidder Representative Signature

Title: .....

Name: .....

Date: .....

Approved for use!