



**Terms of Reference - TOR 023 - 2025**

**REQUEST QUOTATIONS: APPOINTMENT OF A SERVICE PROVIDER TO REVIEW AND FINALISE DRAFT LIFE PARTNERSHIP POLICY.**

**Closing date and time:**

**Date: 30 January 2026**

**Time: 11:00 AM**

**Venue: Department of Home Affairs, Hallmark Building, 230 Johannes Ramokhoase Street, Pretoria**

**All proposals must be dropped at the Silver Quotation Box at the reception area of the building. Late proposals will not be accepted.**

**DISCLAIMER**

The Department of Home Affairs (DHA)'s bid documents and tender processes are free of charge. DHA will not call or send any official to demand payment for tender services.

Be advised that all tender notices, bids received, and awards are published on [www.dha.gov.za](http://www.dha.gov.za).

The Department requests all suppliers and the business communities out there to be vigilant around matters of procurement and if in doubt, do not hesitate to contact the contact persons on the relevant procurement document or the department.

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## **SPECIFICATIONS / TERMS OF REFERENCE**

### **1. Objectives**

1.1 The objectives (aim) of this tender are:

To invite bids from suitable service provider(s) to assist the Department of Home Affairs (DHA) to:

- a. Conduct Legal Research on Life Partnership Policy and produce a report.
- b. Review the draft Life Partnership Policy in line with the Legal Research Report finding and relevant literature.
- c. Facilitate Government stakeholder engagement sessions and produce reports.
- d. Produce a final SEIAS Report for the Life Partnership Policy.

### **2. Background**

2.1 South Africa does not have a dedicated legislation that specifically regulates life partnerships. Previous interventions such as the Domestic Partnership Bill of 2008, which was aimed at addressing this policy gap, have failed. This is despite section 9 of the Constitution of the Republic of South Africa, 1996 stating that everyone is equal before the law and has the right to equal protection and benefit of the law; and section 9(3), in particular, prohibiting discrimination on the grounds of marital status and sexual orientation.

2.2 In March 2022, Cabinet approved the White Paper on Marriages in South Africa as the official policy of Government. The approved White Paper on Marriages in South Africa, and the Marriages Bill emanating from this White Paper do not reflect the Life Partnerships narrative. The exclusion of Life Partnerships means that millions of people that engage in this kind of relationships in South Africa, shall continue to have less legal coverage than that which is accorded to those in other forms of unions such as marriages.

2.3 To address these policy and legal gaps which deprive legal protections to partners in life partnerships, and to introduce a legal framework that will regulate the recognition of life partnerships, protection of spouses, and termination of life partnership; the Department of Home Affairs has developed a Draft Life Partnership Policy. In this regard, the service provider will be required to consider work already done by the DHA including the Domestic Partnership Bill and the Draft Life Partnership Policy.

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2.4 Additional Literature including critical reports from variously key stakeholders will also have to be analysed as part of the process. The service provider will be expected to ensure synergy in the Life Partnership Policy and the White Paper on Marriages in South Africa.

### **3. Scope and Extent of the Tender**

This assumes the successful service provider will be appointed by 16 February 2026. The successful bidder(s) will be expected to execute and conduct the deliverables and milestones that are not negotiable:

#### **PART A: DELIVERABLES IN RELATION TO THE REVIEW AND FINALISE DRAFT LIFE PARTNERSHIP POLICY**

**3.1 February 2026: Inception report with project plan and timeline** outlining review, research and drafting activities within one week of contract signing.

**3.2 February 2026: Produce a Legal Research Report on Life Partnerships**

Whilst life partnerships are not legislated, the Judiciary have occasionally weighed in on life partnership matters, with some notable court cases that have set precedents in these matters. Any policy produced by the DHA has to take this into consideration to ensure that that policy is in line with common law. There is a need to clearly understand the parameters that have been set by the courts to date, in relation to life partnerships. A Legal Research report including the analysis of such cases is critical.

**3.3 March 2026: Review the existing Draft Life Partnership Policy Paper, incorporating legal research report findings and relevant literature**

The current draft Life Partnership Policy will be reviewed taking into account the results of the Legal Research conducted, international best practices and the South African Marriage regime in general. The reviewed Life Partnership Policy must be in line with Constitutional principles of equality and non-discrimination. All the necessary documents produced by the DHA will be made available to a successful service provider. Useful documentation produced by other critical key stakeholders will also be shared with the service provider.

**3.4 March 2026: Facilitate Government stakeholder engagement sessions and produce reports.**

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Following the approval of the Policy by DHA, affected government departments and entities will be consulted to make their inputs and recommendations on the paper. This shall include an interdepartmental workshop, and bilateral engagements with specified departments.

**3.5 March 2026: Produce a final SEIAS Report for the Life Partnership Policy.**

A SEIAS Phase 2 report is shall be produced to enable the DHA to take the Policy document through specified FOSAD Clusters and their Sub-Committees prior to presentation in Cabinet.

#### **4. Special Conditions of Contract**

##### **4.1. To achieve the above the successful bidder will be required to meet the following requirements:**

- The service provider(s) may not recruit or shall attempt to recruit an employee of the Department of Home Affairs for the purposes of preparation of bid or the duration of the execution of this contract or any part thereof.
- The service provider must be in good standing in all respects including ethically, professionally and should provide proof of registration where required in respect of professional registration.

#### **Remuneration**

- (a) The service provider will be remunerated in South African Rands, on a fixed price for the service rendered.
- (b) Payment will be made within 30 days of receipt of the approved invoice according to an agreed payment schedule.
- (c) Payment will be against the five (5) deliverables as set out in section 3 above, provided professional-level quality standards have been met. Disputes as to what constitutes a reasonable standard will be referred to an agreed provider of arbitration services.
- (d) The service provider will be paid only if original receipts are provided against a list of expenses that are agreed upon in advance of the costs being incurred.

#### **The Department's management of the service provider**

- (a) The successful service provider will be reporting to the Director- Policy Development, Ms. Diketso Ratau.
- (b) The service provider is required to sign a non-disclosure agreement, which will be in force during and after the termination of the Service Level Agreement.
- (c) The service provider is required to sign a confidentiality agreement.

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### **Rules of Bidding**

- (a) DHA will only appoint and enter into a contractual agreement with one entity for the services required, which could be an independent contractor or a company. The appointed entity will be held fully accountable for the delivery against the full terms of the contractual agreement with the DHA. The DHA under no circumstances will avail provision for sub-contracting in the contract. Any additional individuals acquired by the entity must be contracted by the entity.
- (b) The DHA reserves the right to terminate this appointment or temporarily defer the work, or any part thereof, should it deem necessary. Should the contract between the DHA and the service provider be terminated by either party due to reasons not attributable to the service provider. The service provider will be remunerated for the appropriate portion of work completed up to a maximum amount of not more than the total fee quoted by the service provider for the appropriate phase of the project during which the appointment was terminated.
- (c) The person/s assigned for professional work shall remain on the team unless permission is granted by the DHA to change the individual/s. Such permission will only be granted in exceptional circumstances.
- (d) No material or information derived from the provision of the services under the contract may be used for any purposes except where authorised in writing to do so. Copyright of all documents and electronic aids, software programmes prepared or developed in terms of this appointment shall vest in the government of the Republic of South Africa in its DHA.
- (e) The costs of preparing proposals and of negotiating the contract are not reimbursable. The DHA is not bound to accept any of the proposals submitted and reserves the right to negotiate price with the preferred service provider. Service providers may request clarification on this Terms of Reference only during the advertised period. The DHA will not accept any late submissions.
- (f) Prospective service providers may not contact the DHA or any other participant on any matter pertaining to their quotation from the time when quotations are submitted to the time the contract is awarded. Any effort by a service provider to influence evaluation, RFQ comparisons or award decisions in any manner, may result in rejection of the quotation concerned.

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**N.B The service provider will perform the required duties as and when needed and will only be remunerated for work completed. The DHA has a prerogative to withdraw any of the items listed on paragraph 3 (Scope and Extent of the Tender).**

## 5. Tender Deliverables / Outputs and Timeframes

### 5.1. The primary deliverables to be achieved

The following deliverables and milestones are not negotiable. This assumes the service provider will be appointed by 15 February 2026.

1. **February 2026: Inception report with project plan and timeline.**
2. **February 2026: Legal Research report on Life Partnership Policy.**
3. **March 2026: Revised draft Life Partnership Policy.**
4. **March 2026: Stakeholder Engagement Reports.**
5. **March 2026: Final SEIAS Report for the Life Partnership Policy.**

## 6. Logistics and Timing

### 6.1 Project location(s):

Department of Home Affairs  
**Hallmark Building, 230 Johannes Ramokhoase Street**  
 Pretoria

### 6.2 Expected commencement date:

From date of award.

### 6.3 Project period:

From date of award until 31 March 2026.

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#### 6.4 Bid proposal

Proposals must be submitted **by 11H00, 16 January 2026** in a clearly marked / labelled and sealed envelope and must include the following:

- 6.4.1 Technical Proposal: One (1) original plus one (1) copy of the original technical proposal on a USB must be submitted; and
- 6.4.2 Financial Proposal: One (1) original plus one (1) copy of the original financial proposal on a USB must be submitted as indicated below.

**NB: Failure to submit in accordance to the instructions as per 6.4 may result in the service provider being disqualified.**

#### 6.5 Fee structure

SBD 3

#### 6.6 Briefing (pre-bid) session

Not applicable

### 7. EVALUATION CRITERIA

*(Indicate how the evaluation will be done)*

The following evaluation process will be followed to evaluate the bids received:

<b>Stage</b>	<b>Description</b>	<b>Applicable for this bid (Yes / No)</b>
Stage 1A	Briefing session	No
Stage 1B	Initial screening process / compliance with bid requirements	Yes
Stage 2	Pre-qualification criteria evaluation	No
Stage 3	Mandatory requirements evaluation	No

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<b>Stage</b>	<b>Description</b>	<b>Applicable for this bid (Yes / No)</b>
Stage 4	Functionality requirements evaluation	Yes
Stage 5	Price / Specific goals evaluation	Yes

**First stage:**

- Verification of bidder's compliance with bid requirements.

<b>No.</b>	<b>Compliance Checklist</b>	<b>Yes / No</b>
1.	The bidder is registered on the National Treasury Central Suppliers Database (CSD).	
2.	The bidder is in business (as indicated on CSD).	
3.	The bidder is not a restricted supplier/ or does not have a restricted director(s) (as indicated on CSD).	
4.	The bidder is Tax Compliant (as indicated on CSD) or verified through SARS.	
5.	The bidder is not a government employee (as indicated on CSD).	
6.	The bidder completed SBD 1 Form in full together with the letter of authority.	
7.	The bidder completed SBD 4 Form in full and did not reveal any information or past practices that prohibits the supplier from conducting business with the state.	
8.	The bidder completed SBD 6.1 Form in full and must indicate claimed points for each preference point system and attach evidence as per Table 1.	

**Second stage:**

- Compliance with pre-qualification requirements. Bidders who fail to meet the pre-qualification requirements will be disqualified.

Not applicable
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**Third Stage:**

- Compliance with the mandatory requirements. Bidders who fail to meet the mandatory requirements will be disqualified.

Not applicable

**Fourth Stage:**

- Bids will be evaluated in accordance with the prescripts of the Preferential Procurement Policy Framework Act (PPPFA) and the associated Preferential Procurement Regulations of 2022, which stipulate a 80/20 point split for requirements with a Rand value equal to or below R 50 000 000, inclusive of all applicable taxes.
- The Technical proposal will be evaluated out of 100 points with a threshold of 65 (**Indicate the minimum points**) points. Bidders that score less than minimum of 65 (**Indicate the minimum points**) points will be disqualified.

Bidders must score a minimum of 65 (**Indicate the minimum points**) point on functionality to qualify for further evaluation on price and preference points.

Each panel member will rate each criterion on the score sheet using either the points allocated.

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<b>Phase 1</b>			
<b>No.</b>	<b>Category</b>	<b>Weight</b>	<b>Total</b>
	<b>Align with above if to be changed</b>		
	<p><b><u>Qualifications</u></b></p> <p>A minimum of an NQF Level 7 qualification in at least two (2) of the following areas:</p> <p><b>Mandatory</b></p> <p>(a) Public Policy/ Social Science</p> <p>the profile(s)/CV(s) and copies of the qualifications of the service provider's capacity/team to deliver on the scope of the project must be included.</p> <p><b>Failure to comply with the mandatory requirements will disqualify the service provider. The DHA reserves the right to conduct a security check and/ or clearance on any / all prospective service providers.</b></p>		
2.	<p><b>Qualification in Social Sciences or Public Policy</b></p> <p>National Diploma = 0</p> <p>Bachelor's Degree = 10</p> <p>Honours Degree = 20</p> <p>Master's Degree = 25</p> <p>Doctoral Degree = 30</p>	30	
3.	<p><b>Research/ consultation experience</b></p> <p><b>A minimum of 3-5 years' research or consultation experience.</b> It is required that a portfolio of evidence be provided.</p> <p>0 year = 0</p> <p>1-2 years = 5</p> <p>3-5 year = 10</p> <p>4-6 years = 15</p> <p>7 - 9 years = 20</p> <p>10 years+ = 25</p>	25	

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4	<b>Policy Development experience</b> <b>A minimum of 3-5 years' experience in developing policies.</b> It is required that a portfolio of evidence be provided. 0 - 2 years = 0 2-3 year = 5 4-5 years = 15 6-7 years = 20 8- 9 years = 25 10 years+ = 30	30	
5	<b>Methodology</b> - Project Plan including time frames (5). - Consultation and report writing Plan (5) - Drafting plan for the Life Partnership Policy for a period not exceeding 6 weeks (5)	15	
	<b>SUB-TOTAL</b>	<b>100</b>	
	<b>FINAL SCORE AS A % = (Subtotal 100)</b>		

- As bids are only invited for requirements with a Rand value equal to or below R 50 000 000 inclusive of all applicable taxes, the 80/20 system shall be applicable and will be calculated as follows:

SN	COMPONENT	POINTS
1.	<b>Price:</b>	80
2.	<b>Preferential points:</b> Specific goals	20
	<b>TOTAL:</b>	<b>100</b>

#### Specific goals

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

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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)	Evidence	Number of points claimed (80/20 system) (To be completed by the tenderer)
<p>The company owned / director/s / shareholders by people who are Black.</p> <ul style="list-style-type: none"> <li>• 100% company owned by people who are Black = <b>7 points</b></li> <li>• <math>\geq 51\%</math> and <math>&lt;100\%</math> company owned by people who are Black = <b>5 points</b></li> <li>• <math>&gt;0\%</math> and <math>&lt;51\%</math> company owned by people who are Black = <b>2 points</b></li> <li>• 0% company owned by people who are Black = <b>0 points</b></li> </ul>	7	<p>Proof of claim as declared on SBD 6.1 in verifying the tenderer's status.</p> <p>The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals:</p> <ul style="list-style-type: none"> <li>• Company Registration Certification as issued by the Companies and Intellectual Property Commission (CIPC).</li> <li>• Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust</li> </ul>	
<p>The company owned / director/s / shareholders by people who are Women.</p> <ul style="list-style-type: none"> <li>• 100% company owned by people who are Women = <b>10 points</b></li> <li>• <math>\geq 51\%</math> and <math>&lt;100\%</math> company owned by people who are Women = <b>5 points</b></li> <li>• <math>&gt;0\%</math> and <math>&lt;51\%</math> company owned by people who are Women = <b>2 points</b></li> <li>• 0% company owned by people who are Women = <b>0 points</b></li> </ul>	10	<p>Proof of claim as declared on SBD 6.1 in verifying the tenderer's status.</p> <p>The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals:</p> <ul style="list-style-type: none"> <li>• Company Registration Certification as issued by the Companies and Intellectual Property Commission (CIPC).</li> <li>• Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust</li> </ul>	
The company owned / director/s / shareholders by people who are Disabled.	3	Proof of claim as declared on SBD 6.1 in verifying the tenderer's status.	

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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)	Evidence	Number of points claimed (80/20 system) (To be completed by the tenderer)
<ul style="list-style-type: none"> <li>• 100% company owned by people who are Disabled = <b>3 points</b></li> <li>• <math>\geq 51\%</math> and <math>&lt;100\%</math> company owned by people who are Disabled = <b>2 points</b></li> <li>• <math>&gt;0\%</math> and <math>&lt;51\%</math> company owned by people who are Disabled = <b>1 points</b></li> <li>• 0% company owned by people who are Disabled = <b>0 points</b></li> </ul>		<p>The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals:</p> <ul style="list-style-type: none"> <li>• Company Registration Certification as issued by the Companies and Intellectual Property Commission (CIPC).</li> <li>• Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust.</li> </ul>	

**\*NB: Points will be allocated based on % ownership to the Company (main tendering entity). Please attach proof/ required documents.**

## 8. Minimum requirements

Suppliers must ensure that the following documents are fully completed, signed:

- (i) Price Proposal
- (ii) SBD 1: Invitation to Bid
- (iii) SBD 4 form: Bidders Disclosure
- (iv) SBD 6.1 form: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022;  
**(Note to tenderers: The tenderer must indicate how they claim points for each preference point system).**
- (v) A valid SANAS B-BBEE Status Level Verification certificate or a B-BBEE certificate issued by the Companies and Intellectual Property Commission, with the exception of EME's and QSE's who are required to submit sworn affidavit in terms of Code of Good Practice. The sworn affidavit must be signed by the EME representative and attested by a Commissioner of Oath.
- (vi) Ownership Certificates issued by the Companies and Intellectual Property Commission (CIPC).

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(vii) Tax compliance status pin issued by SARS.

## 9. Enquiries

Direct all technical questions to:

<b>Name:</b> Ms. Diketso Ratau	<b>Name:</b> Ms. Modiehi Mofokeng
<b>Tel:</b> 012 406 2712	<b>Tel:</b> 012 406 4355
<b>Email:</b> <a href="mailto:Diketso.Ratau@dha.gov.za">Diketso.Ratau@dha.gov.za</a>	<b>Email:</b> <a href="mailto:Modiehi.Mofokeng@dha.gov.za">Modiehi.Mofokeng@dha.gov.za</a>

Direct all Supply Chain Management questions to:

Name: Valencia Ndhlovu

Tel: 012 406 2771

Email: [Valencia.Ndhlovu@dha.gov.za](mailto:Valencia.Ndhlovu@dha.gov.za)

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SBD 1

**PART A**  
**INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF HOME AFFAIRS</b>					
BID NUMBER:	TOR 023/2025	CLOSING DATE:	30 January 2026	CLOSING TIME:	11:00 AM
DESCRIPTION	REQUEST FOR QUOTATIONS: APPOINTMENT OF A SERVICE PROVIDER TO REVIEW AND FINALISE DRAFT LIFE PARTNERSHIP POLICY.				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
Department of Home Affairs					
230 Hallmark building					
Cnr of Thabo Sehume and Johannes Ramokhoase Street					
Pretoria central					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Valencia Ndhlovu		CONTACT PERSON	Ms. Modiehi Mofokeng	
TELEPHONE NUMBER	012 406 2771		TELEPHONE NUMBER	012 406 4355	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:Valencia.ndhlovu@dha.gov.za">Valencia.ndhlovu@dha.gov.za</a>		E-MAIL ADDRESS	<a href="mailto:Modiehi.Mofokeng@dha.gov.za">Modiehi.Mofokeng@dha.gov.za</a>	
<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		OR	CENTRAL SUPPLIER	MAAA

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

## 2.1 PART B

### 2.2 TERMS AND CONDITIONS FOR BIDDING

#### 1. BID SUBMISSION:

- 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, 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).**

#### 2. TAX COMPLIANCE REQUIREMENTS

- 2.3. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.4. BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED

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BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.

2.5 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.

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

2.7 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

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

2.9 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: .....

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**SBD 4**

**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

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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:

.....  
.....

### **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

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

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**SBD 6.1**

## **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, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

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### **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.

b) The **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:**

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The maximum points for this tender are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>SPECIFIC GOALS (B-BBEE)</b>	20
<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 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

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### 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:

$$\begin{array}{ccc}
 80/20 & \text{or} & 90/10 \\
 \mathbf{Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or} } & & \mathbf{Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) }
 \end{array}$$

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:

$$\begin{array}{ccc}
 80/20 & \text{or} & 90/10 \\
 \mathbf{Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or} } & & \mathbf{Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) }
 \end{array}$$

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

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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.**

***80/20 preference point system is applicable, corresponding points must also be indicated as such.***

<i>Note to tenderers: The tenderer must indicate how they claim points for each preference point system. The specific goals allocated points in terms of this tender</i>	<b>Number of points allocated (80/20 system) (To be completed by the organ of state)</b>	<b>Evidence</b>	<b>Number of points claimed (80/20 system) (To be completed by the tenderer)</b>
The company owned / director/s / shareholders by people who are Black.	7	Proof of claim as declared on SBD 6.1 in verifying the tenderer's status.	

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<b>Note to tenderers: The tenderer must indicate how they claim points for each preference point system. The specific goals allocated points in terms of this tender</b>	<b>Number of points allocated (80/20 system) (To be completed by the organ of state)</b>	<b>Evidence</b>	<b>Number of points claimed (80/20 system) (To be completed by the tenderer)</b>
<ul style="list-style-type: none"> <li>• 100% company owned by people who are Black = <b>7 points</b></li> <li>• ≥51% and &lt;100% company owned by people who are Black = <b>5 points</b></li> <li>• &gt;0% and &lt;51% company owned by people who are Black = <b>2 points</b></li> <li>• 0% company owned by people who are Black = <b>0 points</b></li> </ul>		<p>The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals:</p> <ul style="list-style-type: none"> <li>• Company Registration Certification as issued by the Companies and Intellectual Property Commission (CIPC).</li> <li>• Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust.</li> </ul>	
<p>The company owned / director/s / shareholders by people who are Women.</p> <ul style="list-style-type: none"> <li>• 100% company owned by people who are Women = <b>10 points</b></li> <li>• ≥51% and &lt;100% company owned by people who are Women = <b>5 points</b></li> </ul>	10	<p>Proof of claim as declared on SBD 6.1 in verifying the tenderer's status.</p> <p>The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals:</p>	

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<b>Note to tenderers: The tenderer must indicate how they claim points for each preference point system. The specific goals allocated points in terms of this tender</b>	<b>Number of points allocated (80/20 system) (To be completed by the organ of state)</b>	<b>Evidence</b>	<b>Number of points claimed (80/20 system) (To be completed by the tenderer)</b>
<ul style="list-style-type: none"> <li>• &gt;0% and &lt;51% company owned by people who are Women = <b>2 points</b></li> <li>• 0% company owned by people who are Women = <b>0 points</b></li> </ul>		<ul style="list-style-type: none"> <li>• Company Registration Certification as issued by the Companies and Intellectual Property Commission (CIPC).</li> <li>• Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust.</li> </ul>	
<p>The company owned / director/s / shareholders by people who are Disabled.</p> <ul style="list-style-type: none"> <li>• 100% company owned by people who are Disabled = <b>3 points</b></li> <li>• <math>\geq 51\%</math> and <math>&lt;100\%</math> company owned by people who are Disabled = <b>2 points</b></li> <li>• &gt;0% and &lt;51% company owned by people who are Disabled = <b>1 points</b></li> </ul>	3	<p>Proof of claim as declared on SBD 6.1 in verifying the tenderer's status.</p> <p>The following must be submitted as proof of claim as declared on SBD 6.1 for the specific goals:</p> <ul style="list-style-type: none"> <li>• Company Registration Certification as issued by the Companies and Intellectual Property Commission (CIPC).</li> </ul>	

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<b>Note to tenderers: The tenderer must indicate how they claim points for each preference point system. The specific goals allocated points in terms of this tender</b>	<b>Number of points allocated (80/20 system) (To be completed by the organ of state)</b>	<b>Evidence</b>	<b>Number of points claimed (80/20 system) (To be completed by the tenderer)</b>
• 0% company owned by people who are Disabled = <b>0 points</b>		• Sworn Affidavit or valid B-BBEE Certificate or Consolidated B-BBEE certificate for Consortium, Joint Venture, or Trust.	

#### **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 property
- 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,

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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.

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

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**SBD 3.3**

**PRICING SCHEDULE**

**(Professional Services)**

**NAME OF BIDDER:** ..... **BID NO:** TOR 023-2025

**CLOSING TIME:** 11h00

**CLOSING DATE:** 30 January 2026

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION **(ALL APPLICABLE TAXES INCLUDED)	BID PRICE IN RSA CURRENCY
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1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.  
R.....
3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)
4. PERSON AND POSITION HOURLY RATE DAILY RATE

-----	R-----	R-----

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5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN- DAYS TO BE SPENT

----- R----- days  
 ----- R----- days  
 ----- R----- days  
 ----- R----- days

5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	AMOUNT
-----	-----	R.....
-----	-----	R.....
-----	-----	R .....
-----	-----	R .....

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

5.2 Other expenses, for example accommodation (specify, eg. Three-star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

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DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	AMOUNT
-----	-----	R .....
-----	-----	R.....
-----	-----	R.....
-----	-----	R.....
TOTAL: R.....		

6. Period required for commencement with project after acceptance of bid .....
7. Estimated man-days for completion of project .....
8. Are the rates quoted firm for the full period of contract? \*YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index. .....

**\*[Delete if not applicable]**