



merSETA

MANUFACTURING, ENGINEERING
AND RELATED SERVICES SETA

TENDER APPLICATION FORM

BIDDERS FULL NAME:

RFP NUMBER:

TENDER TITLE:

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Review: CFO		Approved: CEO	

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2. Purpose

The purpose of this document is to ensure that:

Standardization exists with the applications received from potential providers

Applicants supply all the relevant information required by the MERSETA

Clear guidelines are given to the applicants on the process which the MERSETA will follow, when receiving a tender application.

Supply the applicants with all the relevant information (MERSETA code of tendering), as far as the internal mechanism is concerned.

Ensure that all applications received are open, fair and that every entity had an equal opportunity, in the tender process

3. Submissions

Bidders are hereby requested to submit tender documents in the following format:

1 x ORIGINAL tender document - (document storage) and

2 x COPY OF tender document - (for evaluation by members of the tender committee) of which

1 x Non Bound COPY OF tender document

Each tender must be submitted in a separate, sealed envelope. The back of the envelope must contain the

a) Name of the Bidder and

b) The tender number.

As a rule, no late submissions will be accepted.

All tender documents must be placed in the tender box located in the reception area of the Metropolitan Office Park 8 Hillside Road; 3rd floor Park Town.

4. Conditions:

Tax Clearance Certificate

It is an absolute requirement that the taxes of the successful Bidder **MUST** be in order, or that suitable arrangements must have been made with SARS to satisfy them.

The application for a Tax Clearance Certificate (in respect of tenders), must be Completed by the Bidder in all respects and submitted to SARS where the Bidder is registered for income tax purposes. SARS will then issue the Bidder with a Tax Clearance Certificate that will be valid for one year from date of issue. This Original Tax Clearance Certificate must be included in the original tender application, before the closing time and date of the tender. Failure to submit an original and valid Tax Clearance Certificate may invalidate your tender.

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Each party to a Consortium / Sub-contractors must complete a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificate are available at any SARS' office.

Instructions

Please follow the under mentioned instructions. They are designed so that you will give certain important information in a specific manner to meet the requirements of the Service MERSETA Tender Committee and the requirements set by the Compliance department of the Services MERSETA.

Additional Information

Supply any extra information on the enclosed questionnaire or separate sheets of paper if the space provided is insufficient.

Steps to follow when filling in tender forms:

Check the numbers of the pages in the tender document and make sure that none are missing or duplicated.

Warning: - You are responsible for submitting the tender document correctly. Ensure that all attached forms are completed in full. State whether prices and delivery periods will remain firm for the whole period of the contract.

Note: - The Tender Committee prefers firm prices and delivery periods. Submit your tender on the correct forms and deliver before the closing time or post it as specified in the tender document in good time to ensure that it reaches the address indicated in the tender document before the closing time. As a rule tenders submitted after the closing date WILL NOT be accepted.

Warning: - Do not submit your tender by telegram, facsimile, e-mail or other similar apparatus.

All the conditions stated above and contained elsewhere in the documents form part of the tender. If you do not comply with any of the conditions, your tender may be declared not valid. Any natural or legal person (that is a person capable of contracting) may make an offer or offers in terms of this tender invitation. This includes: persons employed by the MERSETA persons who act on behalf of the MERSETA; and Persons having a kinship with persons employed by the SERVICES MERSETA, including a blood relationship

Applicants must ensure that:

- All documents are signed, where it is required
- All documents are completed according to the attached forms and specifications. If applicants do not carry out the requirements of the MERSETA, their tender may be declared invalid.

They do not qualify their tender with their own conditions of tender.

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Acceptance

By signing the tender document you, the applicant, acknowledge and accept the terms and conditions set out herein at the prices contained herein and you declare your interest as stated in the above questionnaire and also confirms that:

Their tender is correct.

The price(s) and rate(s) quoted cover all the work/items specified in the tender documents.

The price(s) and rate(s) quoted cover all my/our obligations under a resulting contract.

They accept that any error regarding price(s) and calculations will be at their own risk.

They as Principal(s) accept full responsibility for the proper execution and fulfillment of all obligations and conditions as stipulated in the tender

Their tender price(s) is/are set out in the relevant form attached

4.7 Submission Documents,

(Please note that these documents must be completed in conjunction with the scope of supply and the tender application document)

- 4.7.1 Original Tax Clearance Certificate
- 4.7.2 The price fluctuation and costing Schedules
- 4.7.3 Filled in task directive / Proposal proposal
- 4.7.4 Preference Point claim form in terms of the preferential procurement Regulations 2001
- 4.7.5 Declaration of Interest
- 4.7.6 Declaration of Proposals past supply chain management practices

4.8 General Definitions

- 4.8.1 **“Acceptable Proposal”** means any Proposal which, in all respects, complies with the specifications and conditions of Proposal as set out in the Proposal document.
- 4.8.2 **“Proposal”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods, works or services.
- 4.8.3 **“Comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration.
- 4.8.4 **“Consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.

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- 4.8.5 “Contract”** means the agreement that results from the acceptance of a Proposal by an organ of state.
- 4.8.6 “Specific contract participation goals”** means the goals as stipulated in the Preferential Procurement Regulations 2001.
- 4.8.7 “Control”** means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- 4.8.8 “Disability”** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.
- 4.8.9 “Equity Ownership”** means the percentage ownership and control, exercised by individuals within an enterprise.
- 4.8.10 “Historically Disadvantaged Individual (HDI)”** means a South African citizen who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act No 200 of 1993) (“the interim Constitution”); and/or
- a) who is a female; and / or
 - b) who has a disability
 - c) provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be a HDI
- 4.8.11 “Management”** means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- 4.8.12 “Owned”** means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- 4.8.13 “Person”** includes reference to a juristic person.
- 4.8.14 “Rand value”** means the total estimated value of a contract in Rand denomination that is calculated at the time of Proposal invitations and includes all applicable taxes and excise duties.

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4.8.15 “Small, Medium and Micro Enterprises (SMMEs) bears the same meaning assigned to this expression in the National Small Business Act, 1996 (No 102 of 1996).

4.8.16 “Sub-contracting” means the primary contractor’s assigning or leasing or making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.

4.8.17 “Trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.

4.8.18 “Trustee” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

4.9 ESTABLISHMENT OF HDI EQUITY OWNERSHIP IN AN ENTERPRISE

4.9.1 Equity ownership shall be equated to the percentage of an enterprise which is owned by individuals classified as HDIs, or in the case of a company, the percentage shares that are owned by individuals classified as HDIs, who are actively involved in the management and daily business operations of the enterprise and exercise control over the enterprise, commensurate with their degree of ownership.

4.9.2 Where individuals are not actively involved in the management and daily business operations and do not exercise control over the enterprise commensurate with their degree of ownership, equity ownership may not be claimed.

4.10 ADJUDICATION USING A POINT SYSTEM

4.10.1 The Bidder obtaining the highest number of points and who meets the criteria as per the tender committee will be awarded the Contract.

4.10.2 Preference points shall be calculated after prices have been brought to a comparative basis.

4.10.3 Points scored will be rounded off to 2 decimal places.

4.10.4 In the event of equal points scored, the Proposal will be awarded to the bidder scoring the highest number of points for specified goals.

5. The following preference point systems are applicable to all Proposals:

- the 80/20 system for requirements with a Rand value of up to R500 000; and
- the 90/10 system for requirements with a Rand value above R500 000.
- The value of this Proposal is estimated to exceed/not exceed R500 000 and therefore the **90/10** system shall be applicable.

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5.1 Preference points for this Proposal shall be awarded for:

- (a) Price; and
- (b) Specific contract participation goals, as specified in the attached forms.

5.2 The points for this Proposal are allocated as follows:

	POINTS
5.2 PRICE / FUNCTIONALITY	90
5.3 SPECIFIC CONTRACT PARTICIPATION GOALS	10
(a) Historically Disadvantaged Individuals:	
(i) who had no franchise in national elections before the 1983 and 1993 Constitutions	(2.5)
(ii) who is a female	(2.5)
(iii) who has a disability	(2.5)
(b) Other specific goals (goals of the RDP- plus local manufacture)(5)	
(l) Contracting to SMME's	(2.5)
Total points for Price, HDIs and other RDP-goals must not exceed	100

6 POINTS AWARDED FOR PRICE

6.1 THE 90/10 PREFERENCE POINT SYSTEMS

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

90/10

$$P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of Proposal under consideration

P_t = Rand value of Proposal under consideration

P_{\min} = Rand value of lowest acceptable Proposal

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6.2 Points awarded for historically disadvantaged individuals

6.3 In terms of Regulation 13 (2) preference points for HDI's are calculated on their percentage shareholding in a business, provided that they are actively involved in and exercise control over the enterprise. The following formula is prescribed in Regulation 13 (5) (c):

$$NEP = NOP \times \frac{EP}{100}$$

Where

NEP = Points awarded for equity ownership by an HDI

NOP = The maximum number of points awarded for equity ownership by an HDI in that specific category

EP = The percentage of equity ownership by an HDI within the enterprise or business, determined in accordance with the definition of HDI's.

6.4 Equity claims for a trust will only be allowed in respect of those persons who are both trustees and beneficiaries and who are actively involved in the management of the trust.

6.5 Documentation to substantiate the validity of the credentials of the trustees contemplated above must be submitted.

6.6 Listed companies and tertiary institutions do not qualify for HDI preference points.

6.7 A consortium or joint venture may, based on the percentage of the contract value managed or executed by their HDI-members, be entitled to preference points in respect of an HDI.

6.8 A person awarded a contract as a result of preference for contracting with, or providing equity ownership to an HDI, may not subcontract more than 25% of the value of the contract to a person who is not an HDI or does not qualify for the same number or more preference for equity ownership.

7. PROPOSAL DECLARATION

7.1 Proposalders who claim points in respect of equity ownership must complete the Proposal Declaration at the end of this form.

8. **EQUITY OWNERSHIP CLAIMED IN TERMS OF PARAGRAPH 2.10 ABOVE. POINTS TO BE CALCULATED FROM INFORMATION FURNISHED IN PARAGRAPH 9.8.**

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Ownership	Percentage owned	Points claimed
8.1.1 Equity ownership by persons who had no franchise in the national elections	%
8.1.2 Equity ownership by women	%
8.1.3 Equity ownership by disabled persons*	%

*If points are claimed for disabled persons, indicate nature of impairment
(see paragraph 2.8 above)

.....

9 DECLARATION WITH REGARD TO EQUITY

- 9.1 Name of firm :
- 9.2 VAT registration number :
- 9.3 Company registration number :

9.4 TYPE OF FIRM

- Partnership
- One person business/sole trader
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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9.7 TOTAL NUMBER OF YEARS THE FIRM HAS BEEN IN BUSINESS?

9.8 List all Shareholders by Name, Position, Identity Number, Citizenship, HDI status and ownership, as relevant. Information to be used to calculate the points claimed in paragraph 8. (COMPULSARY TO BE COMPLETED)

Name	Date/Position occupied in Enterprise	ID Number	Date RSA Citizenship obtained	* HDI Status			% of business / enterprise owned
				No franchise prior to elections	Women	Disabled	

*

9.9 Consortium / Joint Venture

9.9.1 In the event that preference points are claimed for HDI members by consortia / joint ventures, the following information must be furnished in order to be entitled to the points claimed in respect of the HDI member:

Name of HDI member (to be consistent with paragraph 9.8)	Percentage (%) of the contract value managed or executed by the HDI member

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DECLARATION OF INTEREST

1. Any legal person, including persons employed by the principal, or persons having a kinship with persons employed by the principal, including a blood relationship, may make an offer or offers in terms of this invitation to Proposal. In view of possible allegations of favouritism, should the resulting Proposal, or part thereof, be awarded to persons employed by the principal, or to persons connected with or related to them, it is required that the Proposalders or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest, where:

- the Proposalders are employed by the principal; and/or
- the Proposalders are a board member / council member
- the legal person on whose behalf the Proposalding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the Proposal(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the Proposal.

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

2.1 Are you or any person connected with the Proposalders, YES/NO
employed by the principal?

2.1.2 If so, state particulars.

.....
.....

2.2 Do you, or any person connected with the Proposal, have YES/NO
any relationship (family, friend, other) with a person
employed by the principal and who may be involved with the
evaluation and or adjudication of this Proposal?

2.2.1 If so, state particulars

.....
.....

2.3 Are you, or any person connected with the Proposal, aware YES/NO
of any relationship (family, friend, other) between the
Proposal and any person employed by the principal who may
be involved with the evaluation and or adjudication of this
Proposal?

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2.3.1 If so, state particulars

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

DECLARATION

I, THE UNDERSIGNED (NAME)

.....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPH 2.1 TO 2.3.1 ABOVE IS CORRECT. I ACCEPT THAT THE PRINCIPAL MAY ACT AGAINST ME IN TERMS OF THE SERVICES MERSETA'S GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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DECLARATION OF PROPOSALDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the Proposal.

Item	Question	Yes	No
3.1	Is the Proposalder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.1.1	If so, furnish particulars:		
3.2	Is the Proposalder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access the Register enter the National Treasury's website, www.treasury.gov.za click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number 012-3265445.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.2.1	If so, furnish particulars:		
3.3	Was the Proposalder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.3.1	If so, furnish particulars:		
3.4	Was any contract between the Proposalder and any organ of state terminated during the past five years on account of	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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TENDER/PROJECT INFORMATION

Name of Bidder

Company Name

Validity of quotation

Persons who will be involved in the project

Project Manager

Project Team

NOTE: Please attach abbreviated CV's of the project members as an annexure to your proposal outlining position in organization and area of expertise.

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Phases and deliverable of the project (add as attachment or part of tender proposal)
--

1. Please attach the outlines to which the project will be completed, cost per phase and man-days to be spent.

NOTE: The list of duties referred to in the SCOPE OF WORK is not exhaustive; please detail below any other phase which you deem necessary to complete the project)

2. Please attach other expenses to be incurred e.g. Travel , accommodation , etc
Proof of expenses incurred accompanied by certified invoices will need to be submitted.
3. Please indicate the period required for commencement of project after acceptance of tender _____
4. What is estimated time for completion of the project?

5. Are the rates quoted firm for the full period of the contract?
YES NO

NOTE: The Tender Committee prefers firm prices and delivery periods

6. Services Merseta payment terms is 30 days of receipts of invoice, provided that all supporting documentation are in order, do you agree.
YES NO
7. No payment will be made if an order was not issued by SMERSETA and which should displayed on the invoice.

NOTE: if your Tender is accepted by the SERVICES MERSETA, the MERSETA reserves the right to include a penalty clause on the final contract for non-performance and non-delivery on the period stated above.

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Additional cost (if applicable)				
Travel				
Accommodation				
Venue Hire				
Other Costs:				
Total Cost inclusive				

ADDITIONAL COMPANY INFORMATION

1. Are you registered in terms of section 23(1) or 23(3) of the Value Added Tax Act (Act No 89 of 1991) YES NO
2. Are you registered in terms of Section 28 of the Unemployment Insurance Act of 1966? YES NO
3. Are you registered in terms of Section 80 of the Compensation for Occupational Injuries and Diseases Act, 1993? YES NO
4. Type of company (Partnership, One person business/sole trader, Close Corporation, Company, (Pty) Limited

5. Describe principle business activities

6. Total number of years the firm has been in business _____

7. Do you have an Employment Equity Plan in place? _____

NOTE: If YES, please supply a SUMMARIZED copy of your Employment Equity Plan to the MERSETA Tender Board. YES NO
If NO, please detail the objectives of the firm to align itself with Employment Equity practices and regulations

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8. Please provide at least 3 references

Company

Contact person

Contact number

a)

b)

c)

DECLARATION

I/we, the undersigned, who warrants that he/she is duly authorized to do so on behalf of the firm, certify that the item(s) mentioned in part of the foregoing certificate qualifies/qualify for the preference(s) shown and acknowledge(s) that:

- The information furnished is true and correct
- This tender document does not in any way bind the MERSETA to engage the services of the BIDDER.
- This tender document is entirely an invitation to the BIDDER to express its interest in providing management services as detailed in the Scope of Work.

This tender document is intended only as a basis for evaluation and in no way constitutes an offer of assignment and/or warranty of success for the applicant BIDDER.

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Name: _____

Capacity _____

Identification No: _____

Trade Name: _____

Postal Address: _____

Physical Address: _____

Company / CC
 Registration No: _____

Income Tax Ref No: _____

VAT Registration No: _____
 PAYE employer'
 registration No _____

Signature(s) of
 Bidder _____

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Signature(s) of Bidder	_____
Date	20 _ / _ / _____
Contact Details (tel)	() _____
(fax)	() _____
E-mail address	_____

Signed for and on behalf of
BIDDER(S)

Witness

Name: _____

Name: _____

Date: _____

Date: _____

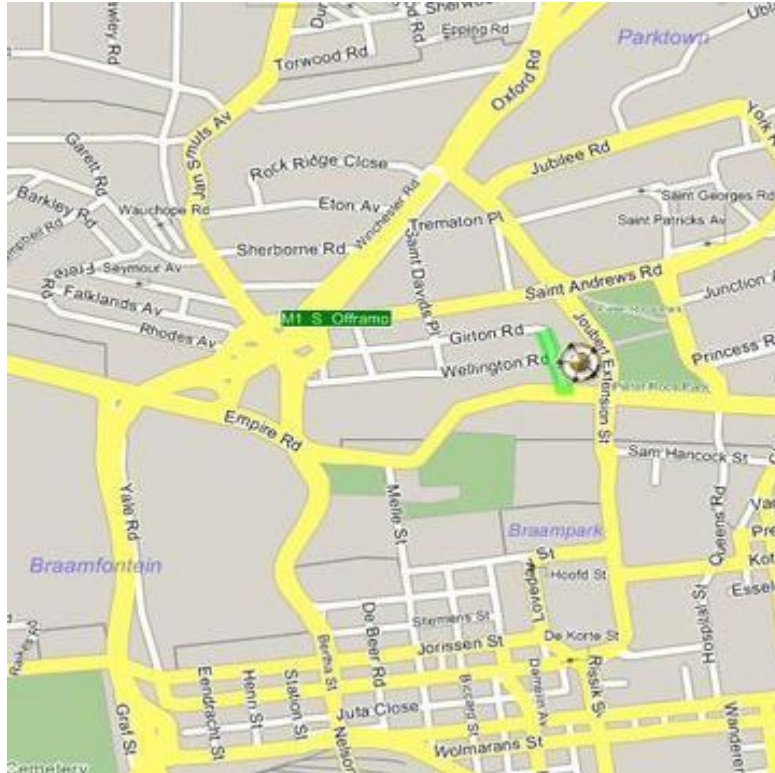
Address: _____

Address: _____

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Merseta Map

Metropolitan park Building
3rd Floor, Block B
8 Hillside Road
Parktown



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