

Composition of Tender documents

By Werner van Rooyen, Director of HowToTender (Pty) Ltd which specializes in tender consulting and tender training.

I had the privilege to respond to a Request for Proposal document last week. The Request for Proposal was for a State-Owned Company. One thing that has bothered me often is how bad Tender and Request for Proposal documents are compiled. This Request for Proposal that I did last week was no exception.

I sometimes get the idea that the people (or person) that compiles these tender documents do not know exactly how to do it. Sometimes it seems like they had copy and paste an earlier document that is more or less the same as their tender. The reason I am saying this is because there are forms in the Tender document that is not at all applicable to the Tender that you must respond to. This is confusing for the Responder. You as the Responder to the Tender is already nervous and unsure, and putting unnecessary forms into the tender document are not helping ones' cause.

Another obvious mistake that I have come across is where the Organ of State request normal BEE information and not B-BBEE information. What is the difference you ask? It is where they ask the Responder to state the Equity Ownership of the Enterprise that is responding to the tender. They also neglect to ask for your B-BBEE certificate. In 2007 the new Broad-Based Black Economic Empowerment Act came into effect whereby an Enterprise is measured according its B-BBEE scorecard. Before the B-BBEE Act, Enterprises were measured on their Equity Ownership – the more equity black people had in an Enterprise, the more likely it was to win a tender. Because of the unfairness of this the Government changed Black Economic Empowerment to Broad-Based Black Economic Empowerment.

If you respond to a tender and you get these types of tender documents that are not compiled correctly, I suggest the following:

- Where you must respond to forms that are not applicable to your business or to the product that you are bidding for, just draw a line through the document and say NOT APPLICABLE. A good example of this is the Standard Bidding Document 5 which deals with the National Industrial Participation Programme. The chances are little that your SMME is going to have to comply with this form.
- When you respond to a Tender or Request for Proposal you always attach your current B-BBEE certificate or your EME Letter from your Auditor. If the Tender Document requests any Equity figures I suggest you draw a line through it and refer the reader to your B-BBEE certificate.

To learn more about this and many other tender conditions attend our “Become a Tender Expert” 2-Day workshops presented in Johannesburg, Pretoria, Durban, Port Elizabeth, and Cape Town. Book and pay online at <https://howtotender.co.za/tender-expert-form/>

Contact us at estelle@howtotender.co.za should you need more information.