



Independent Communications Authority of South Africa

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Questions Bidder

Questions	Answers
<p>1. Treatment of VAT for foreign entities</p> <p>We understand that where a foreign entity acts as lead contractor/invoicing party, ICASA is required to pay VAT to SARS on the entire contract value. In this scenario, how should the VAT to be paid to SARS directly by ICASA be reflected in the financial proposal (SBD 3.1) which requires the quotation to be inclusive of VAT?</p>	<p>In terms of the Value-Added Tax Act, 1991 (Act No. 89 of 1991), only suppliers that are registered or required to be registered as VAT vendors in South Africa may charge VAT. Foreign entities that are not VAT-registered may not charge VAT.</p> <p>Accordingly, bidders must complete SBD 3.1 as follows:</p> <ul style="list-style-type: none"> - VAT-registered bidders must quote prices inclusive of VAT. - Non-VAT-registered bidders (including foreign entities) must quote VAT at 0%. - ICASA will not make VAT payments to SARS on behalf of non-VAT-registered suppliers.
<p>2. ICASA vetting and review process</p> <p>Section 7.2 of “Terms-of-Ref-Annexure-A” refers to an approximately six-week period for committee adoption, legal vetting, and Council approval prior to publication in the Government Gazette. Please clarify whether this six-week period applies to all project deliverables (as listed in the same</p>	<p>The six week period will apply for the deliverables which will be published for public consultation, i.e publication of IM, ITA, etc including any letters to be send to the bidders/licensees.</p>

section), or only to specific outputs (such as publication of IM, ITA, letters of award, or spectrum licences)	
<p>3. Processes for early termination</p> <p>If the licensing process is halted (court action or policy shift), how are partially completed deliverables treated for payment and close-out?</p>	<p>The successful bidder will be working together with the Council committee and payments will be done per deliverables adopted by the committee.</p> <p>In case there is a halt on the licensing process in the middle of a deliverable, the Authority and the SP will enter into negotiation of payment for the halted deliverable.</p>
<p>4 Completion of SBD 1 for a consortium</p> <p>How should SBD 1 (Invitation to Bid) (e.g. the Supplier Information section) be completed for a consortium with multiple members?</p>	<p>Where a bid is submitted by a consortium or joint venture, SBD 1 must be completed by the lead partner. The lead partner's details must appear in the Supplier Information section.</p> <p>Each consortium member must submit all required statutory and compliance documents. A signed consortium or joint-venture agreement indicating the roles, shareholding and responsibilities of each party must be submitted with the bid.</p>
<p>5 Allocation of points for specific goals</p> <p>Section 4 of SBD 6.1 (Page 40 of Annexure-J-Bid-Documents-13-2025) appears internally inconsistent. For example, "Black Owned" is listed as having 3 points in the first line of the table cell, while the in the second line it is stated that 51–100% black ownership scores 6 points. Could you please clarify the number of points for each specific goal?</p>	<p>SBD 6.1 is updated to align with Annexure J</p>