



## REQUEST FOR PROPOSAL

Bid Number	Description of Bid	Compulsory Briefing Session	Closing Date & Time	Enquiry Details
RFP/2018-024	REQUEST FOR PROPOSAL FOR THE PROVISION OF HYGIENE SERVICES AT THE EASTERN CAPE OFFICE BASED IN EAST LONDON	N/A	04 July 2018 @ 11h00 am	All enquiries should be in writing and may be directed to <a href="mailto:Thobile@nlcsa.org.za">Thobile@nlcsa.org.za</a> for the attention of Mr. Njabulo Mavuma Tel: (012) 432 1302

Bidders are requested to download the bid documents on the NLC website at [www.nlcsa.org.za/current-tenders/](http://www.nlcsa.org.za/current-tenders/) or can be obtained by sending an e-mail to [thobile@nlcsa.org.za](mailto:thobile@nlcsa.org.za)

**Bid Submission:** Bid documents must be deposited into the bid box at the Main Entrance (Reception) of the **National Lotteries Commission, Phase 4A, Waverley Office Park, Phillip Frame Road, Chiselhurst, East London**

**RFP/2018-024**

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**REQUEST FOR PROPOSAL FOR THE PROVISION OF  
HYGIENE SERVICES AT THE EASTERN CAPE OFFICE  
BASED IN EAST LONDON.**

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**CLOSING DATE: 04 July 2018**  
**CLOSING TIME: 11h00 (South African Standard Time)**

The Supply Chain Management Office, National Lotteries Commission, Block D, 333  
Grosvenor Street, Hatfield, Pretoria, 0083

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

Contact Details: \_\_\_\_\_

B-BBEE Status Level Contribution: \_\_\_\_\_

B-BBEE Expiry Date: \_\_\_\_\_



1. Assignment:	REQUEST FOR PROPOSAL FOR APPOINTMENT OF A SUITABLE SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF TOILET HYGIENE/SANITARY EQUIPMENT FOR THE EASTERN CAPE OFFICE IN EAST LONDON.
2. Name of the responsible office:	SCM & Facilities Department
3. Telephone:	012 432 1300
4. Email:	<a href="mailto:Thobile@nlcsa.org.za">Thobile@nlcsa.org.za</a>
5. Attention:	Mr. Njabulo Mavuma
6. Description of Service:	Hygiene Services
7. Bid No:	REQUEST FOR PROPOSAL FOR APPOINTMENT OF A SUITABLE SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF TOILET HYGIENE/SANITARY EQUIPMENT FOR THE EASTERN CAPE OFFICE IN EAST LONDON.
8. Proposal Submission:	National Lotteries Commission Phase 4A. Waverly Office Park, Phillip Frame Road. Chiselhurst East London 5200
9. Enquiries:	All enquiries must be forwarded in writing via email to Njabulo Mavuma ( <a href="mailto:Thobile@nlcsa.co.za">Thobile@nlcsa.co.za</a> ) by not later than 29 June 2018. Enquiries received after this date will not be responded to.
10. Closing Date:	04 July 2018
11. Closing Time:	11:00 A.M

## NATIONAL LOTTERIES COMMISSION

**BID NUMBER: RFP/2018-024**

**BID DESCRIPTION: REQUEST FOR PROPOSAL FOR APPOINTMENT OF A SUITABLE SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF TOILET HYGIENE/SANITARY EQUIPMENT FOR THE EASTERN CAPE OFFICE IN EAST LONDON.**

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Cnr Hilda & Arcadia Street  
Hatfield Gardens  
Hatfield | Pretoria  
(T) +27 12 432 1300  
(F) +27 12 432 1404



## **SECTION A: GENERAL CONDITIONS OF BID**

## 1. Proprietary Information

National Lotteries Commission (NLC) considers this Request for Proposal (RFP) and all related information, either written or verbal, which is provided to the respondent, to be proprietary to NLC. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this RFP or related information to any third party without the prior written consent of NLC.

## 2. Enquiries

2.1. Telephonic request for clarification will not be considered. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference or any other aspects concerning the bid is to be requested in writing (letter, facsimile or e-mail) from the following contact persons. The bid reference number should be mentioned in all correspondence.

2.2. Inquiries can be made to the following :

### 1. Bid Enquiries

Name and Surname: Njabulo Mavuma

E-mail: [Thobile@nlcsa.org.za](mailto:Thobile@nlcsa.org.za)

Tel: 012 432 1302.

### 2. Technical Enquiries

Name and Surname: Simon Fete

E-mail: [Simon@nlcsa.org.za](mailto:Simon@nlcsa.org.za)

Tel: 012 432 1515.

2.3. Enquiries in relation to this RFP will not be entertained after 16h00 on 29 June 2018.

2.4. Enquiries received will be responded to within two (2) working days of receiving the enquiry.

- 2.5.** The NLC may respond to any enquiry in its absolute discretion and the bidder acknowledges that it will have no claim against the NLC on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.

### **3. Bid Validity Period**

Responses to this RFP received from bidders will be valid for a period of 60 days counted from the bid closing date.

### **4. Instructions on submission of Bids**

- 4.1.** Phase 4A. Waverly Office Park Phillip Frame Road. Chiselhurst East Landon 5200. Not later than 11:00 am on 04 July 2018.
- 4.2.** Bids must be submitted in the prescribed response format, herein reflected as Response Format.
- 4.3.** Bids received late shall not be considered. A bid will be considered late if it arrived one second after 11:00am or any time thereafter. The tender (bid) box shall be locked at exactly 11:00am and bids arriving late will not be considered under any circumstances. Bidders are therefore strongly advised to ensure that bids are dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.
- 4.4.** The bid closing date, bidder name and the return address must also be endorsed on the envelope.
- 4.5.** If a courier service company is being used for delivery of the bid response, the bid description must be endorsed on the delivery note/courier packaging and the courier must ensure that documents are placed / deposited into the bid box.  
The NLC will not be held responsible for any delays where bid documents are handed to the NLC Receptionist.
- 4.6.** No bid response received by telegram, telex, email, facsimile or similar medium will be considered.

- 4.7. Where a bid response is not in the bid box at the time of the bid closing, such a bid document will be regarded as a late bid. It is the NLC's policy not to consider late bids for tender evaluation.
- 4.8. Amended bids may be sent in an envelope marked "Amendment to bid" and should be placed in the bid box before the closing time.

## 5. Preparation of Bid Response

- 5.1. The bid should be **hand delivered to the address specified in 4.1** in two (2) sets **each**. One original plus one (1) copy of the proposal (i.e. two (2) sets in total) should be clearly marked:

Please note that the Technical and Financial proposals should be submitted in two (2) separate sealed envelopes.

The submission of proposals should be as follows:

<b>Technical</b>	<b>Financial</b>
One (1) original	One (1) original
One (1) copy	One (1) copy
Total submission of copies including original = Four (4)	

Bidders are requested to indicate on the cover of each document whether it is the original document or a copy.

### Take note of the following:

- No costs have been prescribed for the Bidding Document;
- All proposals **must** be costed in South African Rand, inclusive of VAT;
- If the bid does not include all the information required, or is incomplete, this will mean non-compliance and therefore invalidate the bid;
- Any submission received after the deadline will not be considered; and



The costing must remain valid and open for evaluation for a period of at least one (1) month from the time of submission.

- 5.2. All the documentation submitted in response to this RFP must be in English.
- 5.3. The bidder is responsible for all the costs that it shall incur related to the preparation and submission of the bid document.
- 5.4. Bids submitted by bidders which are, or are comprised of companies must be signed by a person or persons duly authorised thereto by a resolution of the applicable Board of Directors, a copy of which Resolution, duly certified, must be submitted with the bid.
- 5.5. The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated. No liability will be accepted by NLC in regard to anything arising from the fact that pages of a bid are missing or duplicated.
- 5.6. A valid tax clearance certificate must be included in the bid response, or proof of application endorsed by SARS in this regard.

## 6. Supplier Performance Management

Supplier Performance Management is viewed by the NLC as a critical component in ensuring value for money acquisition and good supplier relations between the NLC and all its suppliers.

The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the NLC, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier performance and ensure effective delivery of service, quality and value-add to NLC's business.

Successful bidders will be required to comply with the above condition, and also provide a scorecard on how their product / service offering is being measured to achieve the objectives of this condition.

## 7. NLC's Rights

**7.1.** The NLC is entitled to amend any bid conditions, bid validity period, RFP specifications, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued and where the NLC have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the NLC's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

**7.2.** The NLC reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the NLC.

**7.3.** The NLC reserves the right to award this bid as a whole or in part.

**7.4.** The NLC reserves the right to conduct site visits at bidder's corporate offices and / or at client sites if so required.

**7.5.** The NLC reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the National Treasury Instruction 01 of 2013/2014: Cost Containment Measures, where relevant.

**7.6.** The NLC reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the NLC to conduct background checks, including FICA verification, on the bidding entity and any of its directors / trustees / shareholders / members.

**7.7.** The NLC reserves the right, at its sole discretion, to appoint any number of vendors to be part of this panel of service providers.

## **8. Supplier Development**

The NLC promotes enterprise development. In this regard, successful bidders may be required to mentor SMMEs and/ or Youth-Owned businesses. The implications of such arrangement will be subject to negotiations between the NLC and the successful bidder.

## **9. Undertakings by the Bidder**

- 9.1. By submitting a bid in response to the RFP, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the NLC on the terms and conditions and in accordance with the specifications stipulated in this RFP document.
- 9.2. The bidder shall prepare for a possible presentation should NLC require such and the bidder will be required to make such presentation within five (5) days from the date the bidder is notified of the presentation. Such presentation may include a practical demonstration of products or services as called for in this RFP.
- 9.3. The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the NLC during the bid validity period indicated in the RFP and calculated from the bid closing hour and date such offer and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.
- 9.4. The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFP; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- 9.5. The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with NLC, as the principal(s) liable for the due fulfilment of such contract.
- 9.6. The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become NLC property unless otherwise stated by the bidder/s at the time of submission.

## 10. Local Production and Content

The NLC promotes Local Production and Content. In the case of designated sectors, only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered. NLC reserves the right at its sole discretion to set minimum thresholds for sectors which may not have been declared as designated sectors by the Dti in an effort to stimulate local production and content where relevant.

### 11. Response Format (Returnable Schedules)

Bidders shall submit their bid responses in accordance with the response format specified below (each schedule must be clearly marked):

Item	Content	Description
1	<b>Cover Page</b>	The cover page must clearly indicate the RFP reference number, bid description and the bidder's name.
2	<b>Schedule 1</b>	1. Executive Summary (explaining how you understand the requirements of this RFP and the summary of your proposed solution) 2. Annexure 1 of this RFP document (duly completed and signed)
3	<b>Schedule 2</b>	1. Valid Tax Clearance Certificate(s) (TCC) and /or proof of application as endorsed by SARS and / or SARS issued tax verification pin code; 2. Originally certified copies of bidder's CIPC company registration documents listing all members with percentages, in case of a CC. 3. Originally certified copy of ID document for the Company Representative 4. SBD 1 of this RFP document (duly completed and signed); 5. SBD 2 of this RFP document (duly completed and signed) 6. B-BBEE verification certificate indicating the contribution level of the bidding entity.

		7. Copy of Joint Venture/ Consortium/ Subcontracting Agreement duly signed by all parties (if applicable)
<b>4</b>	<b>Schedule 3</b>	1. Proposal/ Response to the TOR of this document, in line with the format indicated in this RFP document.

**12. Other Conditions:**

- Bidders are further requested to provide separate financial and technical proposals.
- Bidders are requested to provide a clear agreement regarding joint venture/consortia. The percentage involvement of each company in the joint venture agreement should be indicated on the agreement. A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification Certificate for every separate bid.
- Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their B-BBEE rating claims.
- A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.
- Fraudulent practices shall result in immediate disqualification
- NLC is under no obligation to accept any bid and reserves its right not to proceed with the appointment of any service provider that responded to the invitation to submit proposals, for whatever reasons it may consider appropriate.

## **SECTION B: FUNCTIONAL REQUIREMENTS SPECIFICATION**

### **1. BACKGROUND AND DISCUSSION**

The national lotteries commission seeks to appoint a qualified service provider to take care of the following specialized duties in the NLC office in East London:

1.1. Fumigation/ Pest Control floor area 600m<sup>2</sup> ;

- 1.2. Carpet Deep Cleaning floor area 250m<sup>2</sup>
- 1.3. Collection of SHE Bins

## 2. TECHNICAL SPECIFICATION FOR HYGIENE/SANITARY AND OTHER CONSUMABLES AND SERVICES

Note: It is a requirement that the goods and Consumables supplied should meet the following standard:

- South African Bureau of Standards (SABS)
- International Standards Organization (ISO)

### **2A. SUPPLY OF CONSUMABLES**

Description of Goods	Quantity Required
Toilet Paper (2 ply Baby Soft)	48's x 6
Hand Cream,	3 x 5liters
Hand Soap,	18 units
Hand Sanitizer,	24 units
Paper Towels Rolls,	4 packs of 6
Toilet Seat Disinfectant,	36 units
Air Freshener's	48 cans

### **2.1. FUMIGATION**

- Fumigation of the building once every year

### **2.2. CARPET DEEP CLEANING**

- Annually

### 2.3. **SHE BINS CLEANING**

- Weekly collection, cleaning and disposal of SHE Bins

#### 2.3.1. **Project Plan/Methodology**

- Weekly and monthly schedule
- Project plan with final outputs and identified timeframes.

### 3. **EXPECTED OUTCOMES AND DELIVERABLES**

- 3.1. All materials and equipment should be provided by the service provider. NLC reserves the right to approve cleaning materials, pesticides and chemicals prior to the use thereof.
- 3.2. Pest control and SHE Bins services will be rendered during working hours from Monday to Friday excluding weekends and public holidays unless where otherwise specified from 07:30 am – 16:30pm.
- 3.3. Fumigation and Carpet deep cleaning of the building will be done over weekends and must be executed under full supervision.
- 3.4. The successful service provider shall not be entitled to store or leave goods or articles on the floors and offices, for example in the entrance hall, corridors, hallways or the steps other than in the lock up facility.
- 3.5. The service provider and staff may use the facilities on the property e.g. toilets, rest rooms, electrical plugs, lighting and water for the purpose of this contract subject to the rules and policy of NLC and land lord as applicable.
- 3.6. NLC would not be held responsible in any way for the damages, losses, theft of equipment or any valuables of the contractor or injury of his/her while on site or in the execution of their duties. The service provider will be held responsible for damages of items caused by them at NLC' offices.



3.7. The contract would be entered into subject to the signing of the Service Level Agreement by both parties.

#### 4. **DUTIES**

- Empty the SHE bins weekly
- Treating of rodents (rats, mice and crawling insects) as and when required. The pesticides must be odourless and SABS approved and not harmful to humans.
- Pest control
- Deep cleaning of carpets
- Fumigation

#### 5. **DURATION OF THE PROJECT**

The duration of the project is 24 months after the signing of a contract.

#### 6. **EVALUATION CRITERIA**

The NLC will evaluate all proposals in terms of the Preferential Procurement Policy Framework Act. No.5 of 2000 (PPPFA). A 3 phase evaluation criteria will be considered in evaluating the bid, being:

##### 6.1 **Phase 1: Pre-Qualification Criteria (Mandatory Requirements)**

Bidders must submit all the below mentioned requirements:

- Original signed standard bidding documents (SBD Forms).
- BBBEE sworn affidavit.
- Tax Clearance Certificate.
- Proof of Address (Targeting service providers from Eastern Cape only).
- Bidders must be an EME or QSE; and
- Bidders must have a minimum B-BBEE contributor status of level 1.
- The NLC will only consider a bid if the relevant bidder meets these pre-qualification criteria. Where a bidder fails to meet these pre-qualification criteria, the bid will be considered an unacceptable bid and will be disqualified from further evaluation.

## 6.2 Phase 2: Functional/technical Evaluation

Only bidders that have met the pre-qualification criteria will be evaluated for functional evaluation. In this phase the evaluation will be based on the bidders' responses in respect of the bid proposal (evaluated on the minimum functional specifications). Prospective bidders who score a minimum of 70 points or more will be considered for the next phase 3 (Price and B-BBEE status level contributor).

The functionality criteria are listed below, and will be rated as follows:

Values: 0=Poor 1=Below Average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

EVALUATION CRITERIA	SUB-WEIGHT	WEIGHT
<b>1. Delivery</b>		
Delivery of services within 7 days from PO = 20points		20%
Delivery of service within 14 days from purchase order = 10points		
Delivery of service within 30 of purchase order = 5points		
<b>3. Company Experience</b>		
Service provider must demonstrate capability to deliver service, at least one year's experience is required and a proof that they have performed similar services, accompanied by correspondence from references providing that such projects, were executed as well as their contactable references. Provide three reference letters in company letter heads		40%
<b>4. Project Plan / Methodology</b>		
Clear Project plan with Daily, Weekly and monthly schedule		40%
Project plan with final outputs and identified timeframes.		
<b>TOTAL</b>		<b>100%</b>

### Phase 3: The 80/20 Principle based on Price and BBEE status level contributor.

In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (80/20 system)</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

## 7. PAYMENT TERMS

The NLC undertakes to pay valid tax invoices in full within thirty (30) days of receipt of invoice after rendering of the required service.

## 8. Timeline of the Bid Process

<b>STAGE</b>	<b>DESCRIPTION OF STAGE</b>	<b>ESTIMATED COMPLETION DATE</b>
1.	Advertisement of bid on Government e-tender portal / print media / Tender Bulletin	26 June 2018
2.	Questions relating to bid from bidder(s)	29 June 2018
3.	Bid closing date	04 July 2018
4.	Bid Evaluation: Bid Evaluation Committee	05-06 July 2018
5.	Site Inspection	Discretionary
6.	Bid Adjudication: Bid Adjudication Committee	2018

8.1 All dates and times in this bid are South African Standard Time.

**8.2** Any time or date in this bid is subject to change at the NLC's discretion. The establishment of a time or date in this bid does not create an obligation on the part of the NLC to take any action, or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if the NLC extends the deadline for bid submission (the Closing Date) for any reason, the requirements of this bid otherwise apply equally to the extended deadline.



## Annexure 1: Supplier Ownership Form

Name of the supplier.....

Reference number: .....

Please furnish the National Lotteries Commission (NLC) with the following details:

Details of ownership	Please provide with the details
1. Percentage (%) of ownership by women	
2. Percentage (%) of ownership by youth (age 18 – 35)	
3. Percentage (%) of ownership by black people with disabilities	
4. Percentage (%) of ownership by black people who are military veterans	
5. Is the company a Cooperative owned by black people? <i>Yes/No</i>	
6. Is your company located in urban or rural area? <i>Please indicate</i>	
7. Kindly describe the nature of the area i.e. city/town/township/village	
8. Please provide full address of the city/town/ township/village	

\*\*NLC will refer to the Central Supplier Database (CSD) to verify the details provided.





The supplier hereby declare that the information provided above is true and correct.

.....

**Signature**

.....

**Position**

.....

**Date**



# INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/PUBLIC ENTITY)

BID NUMBER: ..... CLOSING DATE: ..... CLOSING TIME: 11:00

DESCRIPTION.....

**The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).**

BID DOCUMENTS MAY BE POSTED TO:.....

OR

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)  
.....  
.....

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THE FOLLOWING PARTICULARS MUST BE FURNISHED  
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER .....

POSTAL ADDRESS .....

STREET ADDRESS .....

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER .....

FACSIMILE NUMBER CODE .....NUMBER.....

E-MAIL ADDRESS .....

VAT REGISTRATION NUMBER .....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2) YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1) YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); OR.....

A REGISTERED AUDITOR .....

[TICK APPLICABLE BOX]

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)**

ARE YOU THE ACCREDITED REPRESENTATIVE  
IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?  
NO

YES or

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER .....

DATE .....

CAPACITY UNDER WHICH THIS BID IS SIGNED .....

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED .....

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**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

Department: .....

Contact Person: .....

Tel: .....

Fax: .....

E-mail address:.....

**ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:**

Contact Person: .....

Tel: .....

Fax: .....

E-mail address:.....



**SBD 4**

**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(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 bid.

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

2.1 Full Name of bidder or his or her representative: .....

2.2 Identity Number:.....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>, member):  
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:  
.....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

<sup>1</sup>"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over

the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....

Name of state institution at which you or the person connected to the bidder is employed : .....

Position occupied in the state institution: .....

Any other particulars:  
.....  
.....  
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attach proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

2.8.1 If so, furnish particulars:  
.....  
.....  
.....

2.9 Do you, or any person connected with the bidder, have YES / NO

any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

YES/NO

2.10.1 If so, furnish particulars.

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

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:

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





**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2017**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**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

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- b) The 80/20 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

## 2. DEFINITIONS

- (a) “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) “**B-BBEE status level of contributor**” means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) “**bid**” 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 or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) “**EME**” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) “**functionality**” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) “**prices**” includes all applicable taxes less all unconditional discounts;
- (h) “**proof of B-BBEE status level of contributor**” means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) “**QSE**” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

## 3. POINTS AWARDED FOR PRICE

### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

## 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5. BID DECLARATION**

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>

Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name \_\_\_\_\_ of  
company/firm:.....

8.2 VAT \_\_\_\_\_ registration  
number:.....

8.3 Company \_\_\_\_\_ registration  
number:.....

**8.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

**8.6 COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in  
business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the  
company/firm, certify that the points claimed, based on the B-BBE status level of  
contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies  
the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES
1. ....
2. ....

..... SIGNATURE(S) OF BIDDERS(S)
DATE: .....
ADDRESS .....
.....
.....

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It 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.
- 3 The bid of any bidder may be disregarded if that bidder, 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.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? <b>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</b></p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder 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)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder 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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**SBD 8**

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION  
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,  
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION  
PROVE TO BE FALSE.**

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

## **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

## SBD 9

6. 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.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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.

<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.

## SBD 9

10. 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.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

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