



an agency of the  
Department of Arts and Culture

## INVITATION TO BID (READVERTISEMENT)

### YOU ARE HEREBY INVITED TO BID FOR THE REQUIREMENT OF SOUTH AFRICAN STATE THEATRE

BID NUMBER:	SAST/2021-08/SECURITY SERVICES
DESCRIPTION:	The appointment of a suitably qualified service provider to provide security services at the South African State Theatre for a period of twenty four (24) months
PUBLISH DATE:	02 August 2021
BID VALIDITY PERIOD:	90 Days from the closing date
COMPULSORY BRIEFING SESSION DATE & TIME	None
CLOSING DATE	24 August 2021 @ 11:00 am
DELIVERY ADDRESS	BID DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:  320 Pretorius Street PRETORIA (at reception, on the lower ground)
ENQUIRIES:	Ms. Lerato Mmatloa Email : <a href="mailto:scm@statetheatre.co.za">scm@statetheatre.co.za</a> Tel : 012 392 4000
NB: Bidders must ensure that they sign the register at the reception when delivering their bids	

BIDDER NAME:

**THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATION, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITION OF CONTRACT.**

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## Table of contents

### SECTION 1

#### **1. Introduction**

1.1 Objective

1.2 SAST Premises

#### **1.3 Scope of work and Special bid conditions**

1.4 Standard specification

1.5 Pricing Schedule

### SECTION 2

#### **2. Instruction to Bidders**

2.1 General

2.2 Bidder information

2.3 Consortium

2.4 Sub-contracting

2.5 SAST Bidding rights

2.6 Bidding process

2.7 Bid Submission requirements

2.8 Evaluation process

### SECTION 3

#### **3. Returnable documents checklist**

3.1 Mandatory Documents

3.2 Price

3.3 Compliance Documents

4. Bidder information

5. Annexures (SBD Documents)

## SECTION 1

### 1. Introduction

THE RENAISSANCE THEATRE, trading as THE SOUTH AFRICAN STATE THEATRE, a cultural institution in terms of the provisions of section 3(1) of the Cultural Institutions Act, 1998, also a Schedule 3A Public entity under the Public Finance Management Act, 1999 (the "SAST"), is a statutory agency tasked with the development, promotion and mainstreaming of Arts, Culture and Heritage programmes to contribute to the economic development of the sector and to foster social cohesion in Tshwane, greater Gauteng and all the citizens of our Society.

#### 1.1 Objective

The SAST seeks to appoint a security service provider to provide 24 hour /7 days a week physical security services at its buildings/premises in Tshwane, for a period of Twenty Four (24) months.

#### 1.2 SAST HAS THE FOLLOWING BUILDINGS/PREMISES IN TSHWANE

Main Building

FH Ondendaal Building, 320 Pretorius Street, Pretoria, 0001

Parking (main building)

##### **Kilnerton office**

74 Pitts Avenue

Weavind Park, Pretoria

#### 1.3 SCOPE OF WORK

<u>OFFICE</u>	<u>SERVICES REQUIRED</u>
Main Building	Guarding and Armed response
Parking	Guarding and Armed response
Kilnerton	Guarding and Armed response

#### Special bid conditions

The service provider must have capacity to provide ad-hoc security at SAST event as and when required by the SAST

The service provider must install guard monitoring system the parking pay points for parking and inside the building and a guard patrol system for the fence at Kilnerton

Bid No.: .....

Name of Bidder:

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The service provider must use hand held scanners for access control.

Provide standard security aids like handcuffs, batons and registers.

The service provider will be required to provide armed response, proof of firm arm licenses.

The appointed service provider will be subjected to security screening.

Security officers must be vetted, SAST will require a clearance certificate.

**The appointed service provider must provide security officers with uniform with their company logo bi-annually.**

**Bidder must act as authorized officer in terms of the Control of Access to public Premises and Vehicles Act 53 of 1985 as amended, which entail requesting a person who require entry to premises to:**

- Furnish his/her name, address and any related information required by the authorized officer
- Produce proof of his/her identity to the satisfaction of the authorized officer
- Declare whether he/she has a firm has a dangerous object and weapon in his/her possession
- Declare whether he/she has a fire arm in his/her possession
- Subject him/herself and anything which he/she has in possession or custody or under his/her control to an examination by electronic or other apparatus in order to determine the presence of any dangerous object
- Hand over to an authorized officer the fire arm, dangerous weapon and object which he/she has in his/her possession or custody or under his/her control for examination or custody until he/she leaves the premises.

**Perform access control duties which entails:**

Recording visitors particulars in a visitors register and booking them out on departure

Recording details of SAST staff members visiting the premises after normal working hours in an after-hours register

Recording all events/incidents in the prescribed occurrence book

Advising the SAST security managers or any nominated personnel of all access control implications, deficiencies or imminent or perceived security crime risks occurring at the entrance gate or its vicinity

Ensuring that traffic congestion does not occur at the entrance gate during peak hours by directing incoming visitors vehicle's into the empty parking bays where access control can be completed

Perform other duties as may be instructed from time to time

**Patrol duties shall entail**

Patrolling the SAST premises according to schedule day and night

Provision of a patrol monitoring equipment which shall be used as a patrol for security officers after hours.

Protection of SAST staff members' and customers against injuries, death or any other offence including schedule 1 offence of the criminal Procedure ACT 51 of 1977 amended

Bid No.: .....

Name of Bidder:

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Protect the property of SAST against theft, vandalism or any other criminal activity

Ensure that all strategic installations, vulnerable points or key areas are frequently checked to maintain their safety and security against intrusion for any unauthorized purpose

### Events Security

Assist SAST to coordinate and render event security as may be required from time to time

The service provider must have Public liability Insurance

The service provider should be able to provide VIP protection as and when required, on a pay as you go basis.

The service provider must make provision of events security on an AD-HOC basis.

### GENERAL REQUIREMENTS FOR SECURITY PERSONNEL

Security officers must always present an acceptable image and appearance which implies that, they may not smoke, eat, drink or be under the influence of drugs, substances or alcohol while attending to clients:

- They may at all times present a professional and dedicated attitude/approach, which shall imply amongst other things that there shall be no unnecessary argument with visitors/staff or bad behavior towards them.
- They must be physically and mentally fit and capable to execute their security duties
- Security officers must not be under the age of 18 years old
- The service provider or its security officers shall under NO circumstances divulge, furnish or disclose any sensitive information concerning the SAST or any other stakeholder's activities to the public, media or any other third party.
- Service provider must adhere to a penalty clause, list of transgressions, i.e. measures if security guard is found sleeping on duty

### INSPECTION BY SUPERVISORS/MANAGEMENT STAFF

Supervisors or managerial staff of the service provider must inspect the security officers at least once a day i.e. inspection during day and night shifts.

### NUMBER OF SECURITY GUARDS

Office/Site	ADDRESS	Quantity		Grade	Days
Pretoria Central	320 Pretorius Street Pretoria	DAY 17	NIGHT 12	C	Monday-Sunday
Parking		10	8	C	

Bid No.: .....

Name of Bidder:

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		1 Supervisor	1 Supervisor	B	
Kilnerton	74 Pitts Avenue Weavind Park Pretoria 0184	4 1 armed  3-unarmed	4 1-Armed  3-unarmed	C	Monday-Sunday

## SHIFTS

Day shift-06:00 to 18:00 Monday to Sunday including Public Holidays)

Night Shift 18:00 to 06:00 (Monday to Sunday including Public holidays)

## SECURITY EQUIPMENT, AIDS AND FACILITIES

- Two way radio per guard
- Connection to SAST control room
- Patrol control points (clocking points) for Kilnerton and Head office. The patrol clocking points are installed by the service provider.
- Batons per guard
- OB book and occurrence book
- Access control book, visitor registers, after hours register
- Flash Lights per night guard
- Body Scanner/handheld scanner
- Trained Guard dog-Provide training certificate
- Stationery-pocket books, pens, pencil
- Handcuffs
- 2 Wheeler Scooter(Battery Operated)

## 1.4 STANDARD SPECIFICATION

General standard specifications, Codes of Practice, Acts, Regulations and by-laws. Although not bound in or issued with this document, the latest editions of the following form part of this contract:

Basic conditions of employment Act of 1997

Occupational Health and Safety Act No 85 of 1993

Private Security Industry Regulatory Authority (PSIRA Act of 2001)

Firearm Control Act 60 Of 2000 (fire arm license for business use)

Bid No.: .....

Name of Bidder:

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### 1.5 PRICING SCHEDULE

	PRODUCT	QUANTITY	AMOUNT
1	Grade B-Guards	2-Main Building	
2	Grade C-Guards	27 Day Shift –Main Building 20 Night Shift-Main Building 4-Day Shift-Kilnerton 4-Night Shift -Kilnerton	
3	Uniform	BI-ANNUALLY PER SECURITY GUARD	
4	Stationery	-Occurrence books (replace when full) -Visitors Registers (with the tear off slip) -After hours Registers -Pocket books each security officer	
5	Dog	01	
6	Fire Arm	01	
7	2 Wheeler Scooter(Battery operated)	01	
8	Handcuffs	Main Building x 10 per shift Kilnerton x 4 per shift	
9	Batons	Main Building x 10 per shift Kilnerton x 4 per shift	
10	Trained Dog Handle	01	
	Any other disbursements (please specify):		
	<b>TOTAL AMOUNT (Vat inclusive)</b>		

**NB: Bidders can also attach their own detailed quotation, based on the above items**

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## SECTION 2

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### 2. INSTRUCTIONS TO BIDDERS

#### 2.1 General

Bidders must familiarize themselves with and comply with the mandatory requirements and ensure their availability for site visits and presentations, as required, on the appropriate dates.

#### 2.2 Bidder Information

The required information on the bidder must be completed as stipulated in **paragraph 4 below**.

The successful bidder shall demonstrate to SAST that adequate pre-employment screening, including security screening was performed on the employees/sub-contractors (staff).

2.2.1 The pre-employment screening shall as a minimum be:

2.2.1.1 Authenticate that staff are who they claim to be;

2.2.1.2 Confirm that staff have a right to work in the RSA;

2.2.1.3 Obtain written declaration from staff of any criminal record; and

2.2.1.4 Confirm that staff possesses the relevant qualifications to undertake the duties effectively and safety.

2.2.2 The successful bidder shall deploy competent staff, supervision and labour who are:

2.2.2.1 Appropriately experienced and trained for the work they are to undertake.

2.2.3 SAST and its representatives may seek formal assurance to this effect (including a formal (audit) at any time during the contract period.

#### 2.3 Consortium

2.3.1 Bidders forming part of a Consortium must submit with their bid a copy of their Consortium agreement in a separate attachment. This must clearly indicate:

2.3.1.1 The form of agreement;

2.3.1.2 The respective roles and responsibilities of the members;

2.3.1.3 The identity of the lead company which will have overall responsibility;

2.3.1.4 The name and address of the officer acting as a single point of contact for

2.3.1.5 Communications between SAST and the tenderers. He shall be fully empowered to act on behalf of all members; and

2.3.1.6 The member's agreement to be jointly and severally liable to SAST for the performance of the contract.



Bid No.: .....

Name of Bidder:

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## 2.4 Sub-contracting

- 2.4.1 Bidders must detail any work to be sub-contracted, the proposed sub-contractor(s) to be used,
- 2.4.2 SAST reserves the right to reject the use of any of the bidder's proposed subcontractors and any subcontractor proposed during the contract term.
- 2.4.3 Bidders are advised that SAST will not respond any direct approach from potential sub-contractors for details in respect of any particular item in this bid.

## 2.5 SAST Bidding rights

- 2.5.1 SAST reserves the right to:
  - 2.5.1.1 extend the closing date;
  - 2.5.1.2 verify any information contained in a proposal;
  - 2.5.1.3 Request documentary proof regarding any bid issue;
  - 2.5.1.4 Give preference to locally manufactured goods or locally sourced services;
  - 2.5.1.5 Issue follow-up or supplementary questions during the response period or after receipt of tenders;
  - 2.5.1.6 Make known to all bidders any questions submitted by a bidder including commercial and technical clarifications, together with answers given to any individual bidder, if it is considered to be relevant to the tender; and
  - 2.5.1.7 Cancel or withdraw this request for tender as a whole or in part.
- 2.5.2 Evaluating Authorities' (BEC) of the evaluation process SAST may require bidders to arrange and/or participate in one or more of the following:
  - 2.5.2.1 Interviews with, or written references from nominated references;
  - 2.5.2.2 Reference site visits to the location(s) of nominated reference;
  - 2.5.2.3 Interviews with bidder personnel who would be involved in the contract execution (day-to-day operations of the site);
- 2.5.3 Negotiations with the bidders.
- 2.5.4 Appoint one bidder or more than one bidder where necessary.

## 2.6 Bidding process

- 2.6.1 **Bidders must familiarize themselves with and comply with the procurement time table and ensure their availability for the site visit and presentations, as required, on the appropriate dates.**
- 2.6.2 Bidders are required to:
  - 2.6.2.1 respond in the English language;
  - 2.6.2.2 A cover letter on the bidders company letterhead with clear reference to the bid of interest should accompany both the technical and pricing proposals;
  - 2.6.2.3 **All copies of the tender response must be signed on each page.;**

Bid No.: .....

Name of Bidder:

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- 2.6.2.4 Ensure that all document attachments are clearly marked and bound in a clear, logical and well-marked format with a table on context ensuring ease of finding individual documents or sections; and
- 2.6.2.5 The original document must be signed in black ink by an authorized person, agent or representative and each and every page of the bidding documents shall contain the initials of the same signatory.
- 2.6.3 All costing and information must be typed and signed by the bidder, no hand written costing/pricing will be accepted.

## **2.7 Bid submission requirements**

### **2.7.1 Bidders must submit their responses and all supporting documents in properly labelled and sealed envelopes**

This is a two-envelope tender process. Bidders are to submit one (1) pack of original proposals, marked "ORIGINAL" in a separate envelope and two (2) packs of copies, marked "COPY" in a second envelope.

Financial or pricing details must ONLY be included in the pack marked "ORIGINAL".

Bids must be submitted in sealed envelopes clearly labelled to reflect the **bid number, Category,** name, submission date and closing time.

Bids must be bound, indexed and set out in a tabulated format. Unbound or loose papers will be rejected.

**NB: Failure to submit 1 original pack with financial/pricing details and 2 packs of copies (without financial/pricing details), will result in your bid being disqualified.**

## **2.8 EVALUATION PROCESS**

### **2.8.1 Evaluation criteria**

Bidders who fully completed, and supplied all the mandatory compliance documents, listed on the tender document will be evaluated in two stages, which includes technical/functionality criteria (Stage 1) and Pricing and B-BBEE Status (Stage 2). Technical/functionality stage will include presentation at SAST offices

### **2.8.2 Compliance with minimum requirements**

All bids duly lodged will be examined to determine compliance with bidding requirements, and conditions (completion and attachment of compulsory documents).

### **2.8.3 Elimination of proposals on grounds of functionality**

Bid No.: .....

Name of Bidder:

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Bidders that score less than **80** points out of 100, for functionality, including site visits evaluation will be disqualified from further participation in the Bid Evaluation process (Stage 2).

#### 2.8.4 Functionality Evaluation:

All proposals will be evaluated on the following criteria indicated below:

No	Criteria	Points Allocation	Weight
1	<b>Track Record of the Company in carrying similar security duties in the past 3 years.</b> <ul style="list-style-type: none"> <li>History/Background(Company profile including CVs of Key Personnel)</li> <li>Years established</li> <li>Financial stability/sustainability (include audited or Financial statements signed by an accountant for the latest financial year and bank rating)</li> </ul>	Matrix  0 – 1 year = 3 More 1–2 years = 5 more than 3 years = 10  3 years or more = 5 Less than 3 years = 0  3 years or more = 5 Less than 3 years = 0	20
2	<b>Technical Competency</b> <b>Compliance with the scope of work</b> Bidders must submit a detailed proposal indicate how they will comply with the scope of work <b>Please indicate and provide proof of the following:</b> Tshwane based 24 hour manned control room with the following : <ul style="list-style-type: none"> <li>Fully Functional 24 hour manned control room (To reflect the training plan)</li> <li>Telephone, Fax, Photocopier and emails to facilitate communication with the client.</li> <li>Radio connection</li> </ul>	Compliance with scope  Fully complied = 15 Fairly complied = 10 Did not comply = 0  10 10 5	50

Bid No.: .....

Name of Bidder:

	<ul style="list-style-type: none"> <li>24 hour response personnel with vehicle(Proof of vehicle registration and police clearance)</li> </ul> <p>NB: The vehicle registration must be registered in the directors name</p> <p>Failure to complete or submit proof will result in loss of points</p>	10	
3	<p><b>Verifiable References</b></p> <p>Submit at least five (5) written reference letters on a company letter head from contactable references of similar contracts in the past five years.</p> <p>Letters of suppliers of Uniform and radio communication</p> <p>The reference letters need to reflect numbers and grade of guards and the annual contract value and period.</p> <p><b>NB:List reference will not be considered</b></p>	<p><b>Matrix</b></p> <p>5 refer letters = 10</p> <p>3 refer letters = 5</p> <p>1-2 refer letters = 3</p> <p>0 refer letters = 0</p>	10
	<b>TOTAL</b>		80
	<p><b>NOTE: BIDDERS WHO SCORE 65 OR MORE POINTS OUT OF 80 WILL FURTHER BE EVALUATED ON SITE VISIT. <u>SITE EVALUATION</u></b></p>		
4	<p><b>Site Visit</b></p> <p>Infrastructure-whether their infrastructure will be able to provide the seamless/uninterrupted service to SAST. This must outline the contingency plan, resolution and methodology</p> <p>Geographical area-Bidder should have an office in Gauteng, Bidder should demonstrate their presence nationally (<b>Submit Municipal Account, Lease agreement with office address</b>)</p>	<p>10</p> <p>10</p>	20
	<b>OVERALL TOTAL</b>		<b>100</b>

NOTE: BIDDERS WHO SCORE 15 POINTS OUT OF 20 WILL FURTHER BE EVALUATED ON PRICE & B-BEE

**BIDDERS WHO SCORE AN OVERALL TOTAL POINTS OF 80 OR MORE, WILL BE FURTHER EVALUATED ON PRICE AND BEE POINTS**

Bid No.: .....

Name of Bidder:

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### SECTION 3

#### 3. RETURNABLE DOCUMENTS CHECKLIST

Please indicate that all mandatory documents are included in this bid by ticking the boxes in the checklist below. Responses received without all required and fully signed documents will be considered invalid. Please also indicate where additional documents have been submitted to the main tender response.

##### 3.1 Mandatory Compliance Documents

		Yes	No
3.1.1	Bidders information (paragraph 4 below)		
3.1.2	Valid SARS Tax Pin		
3.1.3	If a consortium, Joint venture or Sub-contractor, <b>valid tax Pin for</b> each member		
3.1.4	CSD (Central Supplier Database) detail report		
3.1.5	<b>Certified</b> Company Registration certificate. <b>Certified copies of ID</b> documents for all Directors, Shareholders, Share Certificate,		
3.1.6	PSiRA Certificate for the company of good standing Guards PSiRA certificate		
3.1.7	Letter of Good standing from Department of Labour (COID)		
3.1.8	Municipal Account or Lease Agreement for offices		
3.1.9			

##### 3.2 RETURNABLE DOCUMENTS CHECKLIST

No.	COMPLIANCE	YES	NO
3.2.1	SBD 1 Invitation to Bid		
3.2.2	SBD 3.3 Pricing Schedule – Professional services		
3.2.3	SBD 4 Declaration of Interest		
3.2.4	SBD 6.1 Preference points claim form i.t.o PPR 2017		
3.2.5	SBD 8 Declaration of Bidder's Past Supply Chain Management Practices		
3.2.6	SBD 9 Certificate of Independent Bid Determination		
3.2.7	GCC (General Conditions of a contract)		

Bid No.: .....

Name of Bidder:

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### 3.3. Additional requirement, if applicable

No.	Requirement	YES	NO
3.3.1	If a consortium, Joint Venture or Sub-contractor, valid B-BBEE Certificate (Sworn affidavit for SMEs and QSEs) SANAS approved, for each member		

## 4. BIDDER INFORMATION

The following particulars must be furnished (failure to do so shall result in your bid being disqualified)

Indicate the type of Bidding structure by marking with an 'X':

Individual bidder	
Joint venture	
Consortium	
Using Subcontractors	
Other	

### If individual bidder, indicate the following:

Name of bidder	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

### If Joint Venture or Consortium, indicate the following:

Name of prime contractor	
Registration number	
VAT registration number	
Contact person	
Telephone number	

Bid No.: .....

Name of Bidder:

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Fax number	
E-mail address	
<b>If Joint Venture or Consortium, indicate the</b>	
<b>If using subcontractors, indicate the following: (To</b>	
<b>be completed for each subcontract)</b>	
Name of subcontractor	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

## ANNEXURE (SBD DOCUMENTS)

### 1. ANNEXURES: STANDARD BIDDING DOCUMENTS

#### PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>			
BID NUMBER:		CLOSING DATE:	
DESCRIPTION			
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>			
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>		<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>	
CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS		E-MAIL ADDRESS	
<b>SUPPLIER INFORMATION</b>			
NAME OF BIDDER			
POSTAL ADDRESS			

Bid No.: .....

Name of Bidder:

STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]
<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>				

## PART B

### TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED--(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.



Bid No.: .....

Name of Bidder:

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- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 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: .....

**SBD 3.3**

**PRICING SCHEDULE**  
**(Professional Services)**

NAME OF BIDDER: ..... BID NO.: .....

CLOSING TIME 11:00 ..... CLOSING DATE.....

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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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.

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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-----

-----

-----

R-----

-----

-----

R-----

-----

-----

R-----

-----

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 airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED  
AMOUNT

RATE

QUANTITY

-----

.....

.....

R.....

-----

.....

.....

R.....

-----

.....

.....

R.....

-----

.....

.....

R.....

TOTAL: R.....

\*\* "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance 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.

DESCRIPTION OF EXPENSE TO BE INCURRED  
AMOUNT

RATE

QUANTITY

-----

.....

.....

R.....

Bid No.: .....

Name of Bidder:

.....  
.....

-----	.....	.....	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]**

---

Any enquiries regarding bidding procedures may be directed to the –  
(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

Bid No.: .....

Name of Bidder:

.....  
.....

**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 a price quotation, advertised competitive bid, limited bid or proposal). 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>): .....

2.4 Company Registration Number: .....

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

Bid No.: .....

Name of Bidder:

(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 attached 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**

Bid No.: .....

Name of Bidder:

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have 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?

YES / NO

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:

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

**3 Full details of directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Reference Number	Tax	State Number	Employee / Persal Number

Bid No.: .....

Name of Bidder:

.....  
.....


#### 4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.  
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF  
PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION  
PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

May 2011

**SBD 6.1**

**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 **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for 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:

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



Bid No.: .....

Name of Bidder:

- 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) | level certificate issued by an authorized body or person; | B-BBEE               | Status |
| 2) | prescribed by the B-BBEE Codes of Good Practice;          | A sworn affidavit as |        |
| 3) | requirement prescribed in terms of the B-BBEE Act;        | Any                  | other  |
- (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:

**80/20 or 90/10**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

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

Bid No.: .....

Name of Bidder:

## 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		NO	
-----	--	----	--

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		NO	
-----	--	----	--

- 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		
Black people who are youth		
Black people who are women		
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		
OR		
Any EME		
Any QSE		

Bid No.: .....

Name of Bidder:

.....  
.....

---

**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;

Bid No.: .....

Name of Bidder:

.....  
.....

- 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 .....

.....  
.....

Bid No.: .....

Name of Bidder:

.....

SBD 8

**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?</p> <p><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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <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)?</p> <p><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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

.....

4.2.1	If so, furnish particulars:		
4.3	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?	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**

[illegible]

Js365bW

Bid No.: .....

Name of Bidder:

.....  
.....

**SBD 9**

**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.



Bid No.: .....

Name of Bidder:

.....  
.....

<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.

**SBD 9**

### **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;

Bid No.: .....

Name of 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.

Bid No.: .....

Name of Bidder:

.....  
.....

<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.

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

Js914w 2