

PART A (SBD 1)
INVITATION TO BID INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	E10/2022/2023		CLOSING DATE:	20 JANUARY 2023	
			CLOSING TIME:	11:00	
DESCRIPTION:	SUPPLY, DELIVERY AND INSTALLATION OF OUTDOOR EQUIPMENT TO PUBLIC SCHOOLS WITH GRADE R FACILITIES				
PERIOD:	THREE YEARS FROM DATE OF APPROVAL				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BID DOCUMENTS MAY BE COURIER TO OR DEPOSITED IN THE BID BOX SITUATED AT:					
N8 Gateway Office Park					
Plot 22					
C/O Rudolf Greyling & AW Louw Avenue					
Estoire, BLOEMFONTEIN, 9301					
THE BID BOX IS ON THE OUTSIDE AND LEFT FROM THE DOORS AT ENTRANCE 3					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	K Rampai		CONTACT PERSON	AH Oosthuizen	
TELEPHONE NUMBER	051-4041873		TELEPHONE NUMBER	051-4044336/082 485 2211	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	K.Rampai@fseducation.gov.za		E-MAIL ADDRESS	AH.Oosthuizen@fseducation.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
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:		AND	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	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
1. 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]		2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
*BBBE CERTIFICATE MUST BE VALID AT TIME WHEN BID CLOSE.					

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

Please note that there are two types of sworn affidavits namely these for:

- 1) EME suppliers (where the total annual revenue for the latest financial year was R10 million or less) AND
- 2) QSE suppliers (where the total annual revenue for the latest financial year is between R10 million and R50 million)

Please ensure that you complete and submit the correct sworn affidavit according to your total annual revenue. The department will not take responsibility if information was wrongly declared. See paragraph 20 of the Standard Conditions for consequences on false information.

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
- IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO
- 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

PART B (SBD 1) TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 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. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 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 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:

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

STANDARD BID CONDITIONS

1. PRICES SBD 3.1/ PRICING SCHEDULE

- 1.1 Bid prices **must** be all inclusive and no additional and hidden cost will be paid for e.g. delivery, VAT, etc.
- 1.2 The pricing schedule **must** be completed in pen ink. **Failure to do so will invalidate your offer.**
- 1.3 Service provider must ensure correct calculations as the department will not take responsibility for incorrect prices.

2. COMPLETION AND SUBMITTING OF BID DOCUMENT

A. STANDARD BID DOCUMENTATION FORMS (SBD) TO BE COMPLETED AND SIGNED

- 2.1 **SBD 1:**
The **SBD 1** (Bid Invitation Form) to be completed in full and signed.
- 2.2 **SBD 4:**
The declaration of interest form (SBD 4) to be completed at all times (if applicable or not) and signed by the bidder. The service providers must declare any relationship with any person employed by the Department as contemplated in the National Treasury Practice Note no 7 of 2009/2010 (SCM – Declaration of Interest). Failure to complete and sign the SBD 4 may disqualify your offer.
- 2.3 **SBD 5:**
The National Industrial Participation Programme (SBD 5) should be completed in cases where it is applicable.
- 2.4 **SBD 6.1:**
The Preference Point Claim form in terms of the Preferential Procurement Regulations 2017: Should be completed and signed by service provider if points are claimed.
- 2.5 **SBD 6.2:**
The Declaration certificate for Local Production and content for designated sectors should be completed and signed if the content of this bid fall in the designated group of local production as identified by National Treasury.

B. CORRECTION FLUID AND CORRECTIONS TO SBD FORMS

- 2.6 Correction fluid (e.g. Tippex) must not be used in bid documents in order to correct mistakes. **Uses of correction fluid (tippex) in the bid document and on the prices are not acceptable and will invalidate your bid.**
- 2.7 Where a bidder wishes to correct a mistake, a single line must be drawn through it and the bidder must place his/her signature and date next to the correction, so that the original entry is still visible and legible.
- 2.8 In the case of alterations/corrections a full signature must be attached above, next to or below the said alteration or correction

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

C. BID FORMS

- 2.9 The bid forms should not be retyped or redrafted.
- 2.10 Only the bid documents issued by the Department of Education Free State must be used.
- 2.11 Bid documents to be completed in full.
- 2.12 Bidders shall check the numbers of the pages and satisfy themselves that none are missing, duplicated or misprinted. No liability shall be accepted in regard to claims arising from the fact that pages are missing, duplicated or misprinted.

D. SUBMITTING OF BID DOCUMENTATION

- 2.13 Unless specifically provided for in the bid document, no bid transmitted by telegram, telex, facsimile or similar apparatus shall be considered.
- 2.14 The bid must be submitted in a **sealed envelope** before the closing date and time and deposited in the bid-box at:

**Department of Education
Acquisition Management Sub-Directorate
N8 Gateway Office Park
Plot 22
C/O Rudolf Greyling & AW Louw Avenue
Estoire
BLOEMFONTEIN
9301**

THE BID BOX IS ON THE OUTSIDE AND LEFT FROM THE DOORS IN ENTRANCE 3

The bid number and closing date must be clearly indicated on the sealed envelope.

- 2.15 Bidders must ensure that bids are delivered timeously to the **correct address**.
- 2.16 Companies must ensure that their bid documentation is thoroughly binded. The Department cannot be held responsible for missing pages if your document is not binded.
- 2.18 **LATE BIDS**
Bids received after the closing date and time, at the address indicated in the bid document, will not be accepted for consideration and where practicable, be returned unopened to the bidder.

3. **FORMS TO CLAIM POINTS FOR B-BBEE (SBD 6.1 FORM)**

- 3.1 Where points are claimed for B-BBEE Status Level of Contribution the SBD 6.1 form, to be completed in full and signed by the bidder. A **VALID AND ORIGINAL/ORIGINAL CERTIFIED BBBEE** Status Level Verification Certificate should be attached.
- 3.2 BBBEE Status Level Verification Certificates should be issued by the agencies as stipulated in Par 6.4 of the Standard Conditions.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

- 3.4 A **trust, consortium or joint venture** will qualify for points for their B-BBEE status level as an Unincorporated entity, provided that the entity submits their **consolidated B-BBEE status level certificate** as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

4. **NON-COMPULSORY BRIEFING SESSION WILL BE CONDUCTED**

Details:

TOWN	VENUE	DATE	TIME
Bloemfontein	Conference Room 1 (Entrance 1) N8 Gateway Office Park C/O Rudolf Greyling & AW Louw Avenue	8/12/2022	14:00

5. **EVALUATION CRITERIA**

5.1 **PHASE ONE OF EVALUATION: PRE-QUALIFYING CRITERIA FOR PREFERENTIAL PROCUREMENT**

BID PRE-QUALIFICATION CRITERIA FOR PREFERENTIAL PROCUREMENT (DEFINED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017):

➤ **B-BBEE STATUS LEVEL CONTRIBUTION (LEVEL 1-4)**

Only bidders with BBBEE status level of Contribution 1-4 will qualify.

- Bidders are required to submit proof of B-BBEE status level of contributor. Proof includes a valid B-BBEE status level verification certificate or a valid sworn affidavit signed by the EME/QSE representative and attested by Commissioner of oaths.
- A trust, consortium or joint venture must submit a consolidated B-BBEE status level verification certificate.
- A bidder who fails to meet the pre-qualifying criteria stipulated above is an acceptable bid and will be disqualified and not evaluated further.

5.2 **PHASE TWO OF EVALUATION:**

Paragraph 9 (1) of the Preferential Procurement Regulations, 2017 stipulates that if it is feasible to subcontract for a contract above R30 million, an organ of state must apply subcontracting to advance designated groups.

➤ **COMPULSORY SUB-CONTRACTING**

A compulsory minimum of 30% of the total value of contract will be required to be subcontracted to EME's/QSE's contractors/suppliers registered on CSD for a minimum of 51% Black ownership.

Conditions of sub-contracting:

- First preference for sub-contracting to be given to EME's or QSE's that is registered and have presence in the Free State.
- The sub-contractor/s must be registered on CSD.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

- The prime contractor must at time of submitting the bid complete the Sub-Contracting Annexure (Annexure A) in the bid document and provide requesting documentation of subcontractor/s i.e. CSD print out report and BBBEE report. (compulsory)
- Final and signed Sub-contractor agreements that clearly divines the scope of work to be sub contracted should be submitted by the successful bidder before signing of contract.
- The subcontractor must not be a restricted supplier/individual and the director/owner/member should not be an employee of the state.
- The Prime contractor directors or shareholders must not be directors or shareholders of the SMMEs being subcontracted.

PLEASE TAKE NOTE:

- The responsibility to sub-contract with competent and capable subcontractor/s rests with the main contractor.
- The contract will be concluded between the main contractor and the institution therefore, the main contractor and not the subcontractor would be held liable for performance in terms of its contractual obligations.
- Main contractors are discouraged from subcontracting with their subsidiary companies as this may be interpreted as subcontracting with yourself and/or using their subsidiaries for fronting

5.3 PHASE THREE OF EVALUATION:

➤ **LOCAL CONTENT AND PRODUCTION**

The stipulated minimum threshold for local production and content on designated sectors are compulsory.

Conditions for Local Content:

- Bidders must ensure that the Local Content (SBD 6.2) form AND accompanying Annexure C are submitted with the bid document. The forms should be completed in full and signed.
- Failure to:
 - ✓ Complete and sign the SBD 6.2 form and Annexure C
 - ✓ Achieve the stipulated minimum threshold as indicated in the bid document will disqualify your offer.

will disqualify your offer.

5.4 PHASE FOUR OF EVALUATION:

➤ **SPECIAL CONDITIONS**

See paragraph 4 of special conditions in the specification for full details.

Submit:

- Test and Compliance report
- Brochure/pamphlet/photo's

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

- Physical address of the manufacturer
- Agreement letter from manufacturer/supplier

See paragraph 1-3 of special conditions in the specification for full details.

- Compliance with specification.

5.5 PHASE FIVE OF EVALUATION:

- **FUNCTIONALITY EVALUATION (SEPARATE FROM PRICE): 50 POINTS**
Detailed functionality points allocations is contained in the bid document.
The bidder must score at least **35 out of 50** or functionality to qualify for further evaluation.

5.6 PHASE SIX OF EVALUATION:

- **EVALUATION ON PRICE AND PREFERENCE**
(80/20 preference point system)

Bids will be evaluated on the **80/20** Preference Point System

Points for price: 80

Points for B-BBEE status level contribution: 20

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

ANNEXURE A: SUB-CONTRACTING ARRANGEMENTS (COMPULSORY TO COMPLETE – FAILURE TO COMPLETE WILL DISQUALIFY YOUR OFFER)

SUB-CONTRACTING DETAILS						
Nr.	Sub-contractor's name	% OF SUB-CONTRACTING	BBBEE Level of sub-contractor	CSD NR MAAA....	DETAILS OF WHAT COMPANY WILL DO AS SUB-CONTRACTOR	Address of sub-contractor/s

ATTACHED THE FOLLOWING DOCUMENTATION OF ALL SUB-CONTRACTOR/S TO YOUR BID DOCUMENT:

- 1) CSD PRINT OUT REPORT
- 2) BBBEE CERTIFICATE

Contractor	Witness 1	Witness 2	Dept of Education	Witness 1	Witness 2

5.6 PHASE 6: EVALUATION ON PRICE AND PREFERENCE (80/20 preference point system)

- 5.6.1 Bids will be evaluated in terms of the new Preferential Procurement Regulation, 2017 Regulation 3(a)(ii) "if it is unclear which preference point system will be applicable, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system.

The following formula will be used to calculate the points for price:

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

- 5.6.2 Points will be allocated to a Bidder for attaining their B-BBEE status level of contributor 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

- 5.6.3 Bidders are required to complete the preference claim form (SBD 6.1), and submit a valid **ORIGINAL/ORIGINAL CERTIFIED BBBEE** verification certificate issued by a verification agency accredited by the South African Accreditation System (SANAS) or a or a valid sworn affidavit (DTI format) signed by the EME/QSE representative and attested by a commissioner of oath or sworn affidavit issued by DTI .
- 5.6.4 Bidders must ensure that the B-BBEE status level verification certificates submitted are issued by the following agencies:
- (i) Tenderers other than EME/QSEs: Verification agencies accredited by SANAS, or
 - (ii) Tenderers who qualify as EME/QSEs: Sworn affidavit signed by the EME/QSE representative and attested by a Commissioner of oaths.
- 5.6.5 Verification agencies accredited by SANAS are identifiable by a SANAS logo and a unique BVA number.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



5.7 Certificates issued by IRBA and Accounting Officers have been discontinued and will not be considered.

5.8 Only Bidders who have completed and signed the declaration part of the preference claim form and who have submitted a B-BBEE verification certificate issued by a verification agency accredited by the South African Accreditation System (SANAS) or valid sworn affidavit signed by the EME/QSE representative and attested by a Commissioner of oath will be considered for preference points.

5.9 Failure on the part of the Bidder to comply with the above paragraphs will be deemed that preference points for B-BBEE status level of contribution are not claimed and will therefore be allocated a zero (0).

5.10 In the event that two or more bids have scored equal total points, the contract will be awarded to the Bidder scoring the highest number of preference points for B-BBEE.

5.11 However, when functionality is part of the evaluation process and two or more Bidders have scored equal points including equal preference points for B-BBEE, the contract will be awarded to the Bidder scoring the highest for functionality.
Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

5.12 A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

6. JOINT VENTURE AGREEMENT

6.1 Where an entity forms a Joint Venture or a Consortium with another entity and/or other entities, such parties must express in the bid proposal and a **joint venture agreement, witnessed by a registered Attorney at Law must be submitted with the bidding document.**

6.2 **Failure to submit a Joint Venture agreement that are signed by all the parties in the Joint Venture** will render the bid non-responsive and your offer will be **disqualified.**

6.3 Individual entity/ies must be registered on the CSD and after closing and before awarding, register a Joint Venture or a Consortium on the CSD.

6.4 It is expected that a joint venture/consortium should open a joint bank account (proof of the bank account should be submitted after awarding) within 30 days after the awarding of the contract.

7. PAYMENT TO SUPPLIERS

Payments will be handled as prescribed by the PFMA and will normally be effected within 30 days of receipt of all the required documentation, which should be correct in every respect.

8. LEGISLATION / LAWS

Bidders must comply with the provisions of Labour Legislation as well as any other relevant legislation or legal requirement.

9. VALIDITY PERIOD OF BID

The period for which offers are to remain valid and binding (in order for the Department to finalize it), is indicated in the bid documents **(120 DAYS)** and is calculated from the closing time on the understanding that offers are to remain in force and binding until the close of business on the last day of the period

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



calculated and if this day falls on a Saturday, Sunday or public holiday, the bid is to remain valid and binding until the close of business on the following working day.

10. QUANTITIES

Where quantities are specified in the bid documents the Department cannot guarantee that they will be ordered as such, as it depends on Departmental needs and availability of funds. The Department is not liable for any damages the contractor might suffer for not ordering specific quantities. Where quantities are specified, "as required" the quantities will be ordered as and when needed.

11. SPECIFICATION – BIDDERS RESPONSE

Where a specification provides for the bidders response to the different points of specification, the form must be properly completed. Where items deviate from the requirement, the deviation must be indicated.

12. QUALIFICATIONS OF BIDDERS

- 12.1 The Accounting Officer does not bind himself/herself to accept either the offer scoring the highest point or any bid and reserves the right to accept or cancel the bid which he/she deems to be in the best interest of the Department even if it implies a waiver by the Accounting Officer of certain bid requirements which the Accounting Officer considers to be of minor importance and not complied with by a bidder.
- 12.2 The department will disqualify any bid from a bidder whose name appears on the national list of restricted bidders/suppliers/persons.
- 12.3 The department may terminate the contract in whole or in part if the supplier and/or representatives of the department, in the judgement of the department, committed or have engaged in corrupt or fraudulent practices during the bidding process or the execution of that contract that benefited that supplier.
- 12.4 The Department reserves the right to allocate a bid to different service providers to ensure the empowering of as many companies as possible.

13. COMPLIANCE TO CONTRACT

- 13.1 The Department may monitor compliance to the contract after adjudication of the bid that include, but need not be limited to, site inspections and the request for documentary proof of compliance with the PFMA and relevant legislation.
- 13.2 Where services are rendered, which involves minimum wages for employees in terms of the sectoral wage determination, the Department reserves the right to request copies of payslips of employees during the period of the contract.

14. JOB CREATION

- 14.1 The bid aims to meet the needs of the Department, while also contributing to, amongst other, economic development and job creation.
 - 14.1.1 Indicate how many additional permanent staff members will be employed as a result of winning the bid:

 - 14.1.2 Indicate how many temporary staff members will be employed as a result of winning the bid:

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



14.1.3 Indicate whether the service of Free State Citizens will be utilized:

YES ☐ NO ☐ [TICK APPLICABLE BOX]

15. CENTRAL SUPPLIER DATABASE (COMPULSORY)

Please note that bidders should be registered on the Central Supplier Database.

PLEASE SUBMIT A PRINTOUT REPORT OF YOUR COMPANY'S DETAILS AS REFLECTED ON THE CENTRAL SUPPLIER DATABASE.

16. MAXIMUM DELIVERY PERIOD

As indicated in specification.

17. PENALTIES

If detected that a preference had been obtained on a fraudulent basis or any specified goals are not attained in the performance of the contract, an organ of state may:

- Recover all costs, losses or damages resulting from the above-mentioned contract.
- Cancel the contract and claim damages.
- Impose a financial penalty, more severe than the theoretical financial preference associated with the claim which was made.
- Restrict the contractor, its shareholders and directors from obtaining business from any organ of state for a period not exceeding 10 years.

18. SUCCESSFUL BIDDERS

- The successful bidder/s will be obliged to sign a contract with the Department.
- Companies that are awarded bids must ensure that the income tax number and VAT number (where applicable) are indicated on the Invoice.

**19. AWARDING CONTRACTS TO GOVERNMENT OFFICIALS IS NOT ALLOWED
A GOVERNMENT EMPLOYEE MAY NOT HAVE A BUSINESS INTEREST IN ANY ENTITY
CONDUCTING BUSINESS WITH THE PROVINCIAL GOVERNMENT.**

In accordance with Treasury Instruction Note 17 of 2012, an employee of the Free State Provincial Government or a provincial public entity may not have a business interest in any entity conducting business with the Provincial Government.

According to the Public Service Regulations, 2016, an employee may not do business with any organ of state.

The Provincial Government may not award any tender or enter into any contract with an employee in the employment of the State.

All bids received contrary to Treasury Instruction Note 17 of 2012 and the Public Service Regulations, 2016 (Regulation 13) shall be disqualified.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

20. VALID TAX MATTERS

It is a condition that the Tax matters of the successful bidder/s are in order.

Submit the following documentation:

Submit a **Centralized Supplier Database (CSD) report** which proof valid and compliant tax matters (in case of Joint Venture a CSD print out report for each party in the JV should be submitted).

21. SUPPLIER DUE DILIGENCE

The State reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period and this may include pre-announced/non announced site visits. During the due diligence process the information submitted by the bidder will be verified and any misrepresentation thereof may disqualify the bid in whole or parts thereof.

22. DECLARATIONS

A bidder must declare that:

- Information provided is true and correct.
- The signatory to the bid document is duly authorized.
- Documentary proof regarding any bid issue will, when required, be submitted to the satisfaction of the State.

23. THE BIDDER MUST COMPLETE THE FOLLOWING:

This is to certify that the above standard conditions have been read and the bidder undertakes to comply herewith for the full duration of the contract/bid. It is further accepted that any deviation from the bid conditions, requirements and specifications as well as false information provided on any form/document may result in the termination of contract prior to expiry.

I _____ in my capacity as _____ of
_____(Company), hereby certifies that I take note and accept the
above-mentioned Standard Conditions, Special Conditions of the Contract and the General
Conditions of a Contract. I further declare that the information submitted is correct.

SIGNATURE

Contact person of company: _____

Tel. of company: (____)_____

Fax of company: (____)_____

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



FUNCTIONALITY CRITERIA

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



EVALUATION / ADJUDICATION CRITERIA: E10/2022/2023

1. The bid will be evaluated as follows:
 - 1.1 Assessment on Functionality (**Separate from price**): **50** points
 - 1.2 Assessment on price: **80** points
 - 1.3 B-BBEE grading: **20** points
2. The value of this bid is estimated to be less than R50 000 000 and therefore the **80/20** system shall be applicable.

3. PRE-QUALIFICATION REQUIREMENTS/FUNCTIONALITY CRITERIA

All bids will be subject to **Pre-Qualification** and will be required to achieve a minimum of **score minimum of 35 points for functionality** in total to be further evaluated for price.

NB: Bidders who score below *35 Points out of 50 Points* in the assessment of functionality will not be considered.

All the necessary documentation must be submitted for the Evaluation Panel to make an informed evaluation. Evaluation of the Technical(Quality) Requirements will be based on the information provided by the bidder.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

BID NO. E10/2022/2023

Portion 1: Tender

Part T2.1: Returnable Documents



education

Department of
Education
FREE STATE PROVINCE

FUNCTIONAL CATEGORY	MAXIMUM POINTS TOTAL =20 POINTS	ALLOCATED POINTS/	DOCUMENTARY PROOF IN ORDER TO CLAIM POINTS	COMMENTS/CHECKLIST																															
CAPABILITY AND CAPACITY TO PROVIDE SIMILAR OUTDOOR EQUIPMENT	Total = 20 Points																																		
	<p><u>Signed Appointment letter/purchase order of any similar goods delivered: (Maximum 10 points)</u></p> <p>1 Letter which stipulate a value of supply, delivery and installation from at least R500 000.00 up to R1 million →2 points</p> <p>1 Letter which stipulate a value of supply, delivery and installation above R1 million to R 2 million →5 points</p> <p>1 Letter which stipulate a value of supply, delivery and installation above R2 million to R 3 million →8 points</p> <p>1 Letter which stipulate a value of supply, delivery and installation of more than R 3 million →10 points</p>		<p><u>ANNEXURE A 1</u></p> <p>Signed Appointment letter/proof of contractual agreements/purchase order in the name of the bidder for similar equipment delivered and supplied and management services</p> <p>The appointment letter/purchase order should:</p> <ul style="list-style-type: none"> • Be signed • Be on the letterhead of the department/company and in case of purchase order the department should be reflected • Should indicate the description/details • Have contact details <p>The following should reflect on the required documentation</p> <ul style="list-style-type: none"> • Date of appointment/date of order should be indicated • Value of contract/order • Contactable reference 	<p><u>APPOINTMENT LETTER/PURCHASE ORDER attached?</u></p> <table border="1"> <tr> <td>YES</td><td></td><td>NO</td><td></td></tr> </table> <p><u>IS FOLLOWING INDICATED?</u></p> <table border="1"> <tr> <td>Signed?</td><td>YES</td><td>NO</td></tr> <tr> <td>On letter head/indication of department/company ordered</td><td>YES</td><td>NO</td></tr> <tr> <td>Description and quantity of goods delivered/service rendered?</td><td>YES</td><td>NO</td></tr> <tr> <td>Contact details</td><td>YES</td><td>NO</td></tr> <tr> <td>Date indicated</td><td>YES</td><td>NO</td></tr> <tr> <td>Value of contract R</td><td>YES</td><td>NO</td></tr> <tr> <td>Contactable reference</td><td>YES</td><td>NO</td></tr> <tr> <td><u>Description:</u></td><td colspan="2"></td></tr> <tr> <td><u>POINTS SCORED out of 10</u></td><td colspan="2"></td></tr> </table>	YES		NO		Signed?	YES	NO	On letter head/indication of department/company ordered	YES	NO	Description and quantity of goods delivered/service rendered?	YES	NO	Contact details	YES	NO	Date indicated	YES	NO	Value of contract R	YES	NO	Contactable reference	YES	NO	<u>Description:</u>			<u>POINTS SCORED out of 10</u>		
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Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

BID NO. E10/2022/2023

Portion 1: Tender

Part T2.1: Returnable Documents



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Department of
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	<p>AND</p> <p>Signed reference letter which stipulate a minimum value of (Maximum 10 points):</p> <p>1 Letter which stipulate a value of supply, delivery and installation from at least R500 000.00 up to R1 million →2 points</p> <p>1 Letter which stipulate a value of supply, delivery and installation above R1 million to R 2 million →5 points</p> <p>1 Letter which stipulate a value of supply, delivery and installation above R2 million to R 3 million →8 points</p> <p>1 Letter which stipulate a value of supply, delivery and installation of more than R 3 million →10 points</p>		<p>ANNEXURE A 2</p> <p>Signed letter from referees (corresponded with the appointment letter) for similar equipment delivered and supplied</p> <p>Each letter must comply with all the under-mentioned criteria for points to be allocated:</p> <ul style="list-style-type: none"> ✓ Date of letter should not be older than 5 years ✓ Letter should be on official letterhead of institution to whom services were rendered/project was carried out. ✓ Quality of service must be stipulated ✓ Value of service must be stipulated <p>The reference letter should be addressed to the bidding company.</p>	<p>REFERENCE LETTER attached?</p> <table border="1"> <tr> <td>YES</td> <td></td> <td>NO</td> <td></td> </tr> </table> <table border="1"> <thead> <tr> <th></th> <th>YES</th> <th>NO</th> </tr> </thead> <tbody> <tr> <td>Does letter correspond with the appointment letter?</td> <td></td> <td></td> </tr> <tr> <td>DATE OF LETTER NOT older than 5 years Indicate date:</td> <td></td> <td></td> </tr> <tr> <td>Date of letter: _____</td> <td></td> <td></td> </tr> <tr> <td>Indicate value</td> <td></td> <td></td> </tr> <tr> <td>On OFFICIAL LETTERHEAD of institution to whom services were rendered? Indicate client:</td> <td></td> <td></td> </tr> <tr> <td>QUALITY Indicated?</td> <td></td> <td></td> </tr> <tr> <td>Description:</td> <td></td> <td></td> </tr> <tr> <td>POINTS SCORED out of 10</td> <td></td> <td></td> </tr> </tbody> </table>	YES		NO			YES	NO	Does letter correspond with the appointment letter?			DATE OF LETTER NOT older than 5 years Indicate date:			Date of letter: _____			Indicate value			On OFFICIAL LETTERHEAD of institution to whom services were rendered? Indicate client:			QUALITY Indicated?			Description:			POINTS SCORED out of 10		
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Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

BID NO. E10/2022/2023

Portion 1: Tender

Part T2.1: Returnable Documents



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FREE STATE PROVINCE

Detailed delivery strategy/ training plan → 20 points	<p align="center"><u>ANNEXURE B</u></p> <p>1) Detailed supply, delivery and installation plan that clearly demonstrates every aspect on how the supply and delivery will be conducted:</p> <p align="center"><u>ANNEXURE B 1</u></p> <p>Activities versus time frames:</p> <ul style="list-style-type: none"> ✓ Realistic time frames (4 points) ✓ Detail activities/deliverables (5 points) ✓ How the project will be managed and how the service provider will ensure uninterrupted service and timely delivery (3 points) ✓ Mode of delivery: Submit proof of mode of transport to be used and its capacity or an arrangement letter with a car hiring company for the vehicle to be used. (3 points) ✓ Job creation in specific area for specific project. Attach project plan setting out details regarding local labour to be utilised to create jobs. The plan should clearly stipulate the number of jobs to be created linked to the list of schools that need outdoor equipment. (5 points) 	<p align="center"><u>DETAILED DELIVERY STRATEGY attached?</u></p> <table border="1"> <tr> <td>YES</td> <td></td> <td></td> <td>NO</td> <td></td> </tr> </table>				YES			NO																														
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Contractor	Witness 1	Witness 2	

T2.1-18

BID NO. E10/2022/2023

Portion 1: Tender

Part T2.1: Returnable Documents



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Department of
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FREE STATE PROVINCE

PROOF OF SOUND FINANCIAL STABILITY TO DELIVER SERVICE	Total = 5 points											
	No Financial Statement	→ 0 points	<p align="center">ANNEXURE C</p> <p>ORIGINAL CERTIFIED Audited financial statement signed off by a registered Chartered accountant</p> <p align="center"><i>Or</i></p> <p>Audited financial statement signed by registered accountant <i>(The department reserves the right to verify the authenticity and credibility of the Financial Statement that are submitted with this Bid.)</i></p> <p align="center"><i>And / Or</i></p> <p>ORIGINALLY CERTIFIED Signed Agreement letter from credit provider stipulating the credit amount that can be accessible to <i>your</i> company. The credit provider should be registered with NCR.</p> <p align="center"><i>(The department reserves the right to verify the authenticity and credibility of the letter with any other person in the company.)</i></p>	<p>AUDITED FINANCIAL STATEMENTS attached? CIRCLE YES or NO.</p> <table border="1"> <tr> <td>YES</td> <td>NO</td> </tr> </table>	YES	NO						
	YES	NO										
Unsigned and Non-certified Financial Statement not prepared by a Qualified Accredited Accountant	→ 0 points		<p>DOES AUDITED FINANCIAL STATEMENTS COMPLY WITH THE FOLLOWING?</p> <table border="1"> <tr> <td>Signed?</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>Compiled by CA or accountant?</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>Is it originally certified?</td> <td>YES</td> <td>NO</td> </tr> </table>	Signed?	YES	NO	Compiled by CA or accountant?	YES	NO	Is it originally certified?	YES	NO
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Signed, sound and ORIGINALLY CERTIFIED Financial Statement prepared by a Qualified Accredited Accountant/signed agreement letter from credit provider	→ 5 points		<p align="center">OR</p> <table border="1"> <tr> <td>IS LETTER FROM CREDIT PROVIDER ATTACHED?</td> <td>YES</td> <td>NO</td> </tr> <tr> <td>IS IT ORIGINALLY CERTIFIED</td> <td>YES</td> <td>NO</td> </tr> </table> <p>DOES LETTER COMPLY WITH THE FOLLOWING?</p>	IS LETTER FROM CREDIT PROVIDER ATTACHED?	YES	NO	IS IT ORIGINALLY CERTIFIED	YES	NO			
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Contractor

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Witness 1

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Witness 2

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Dept of Education

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Witness 1

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Witness 2

BID NO. **E10/2022/2023**
 Portion 1: Tender
 Part T2.1: Returnable Documents



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				Is Credit amount stipulated	YES	NO
				POINTS SCORED	/5	

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

T2.1-20

BID NO. E10/2022/2023

Portion 1: Tender

Part T2.1: Returnable Documents



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FREE STATE PROVINCE

FUNCTIONAL CATEGORY	MAXIMUM POINTS	ALLOCATED POINTS/	DOCUMENTARY PROOF IN ORDER TO CLAIM POINTS	COMMENTS/CHECKLIST																																				
LOCALITY	TOTAL = 5 POINTS																																							
	Proof should be submitted that bidder/director/owner is Free State based (physical Address). (FREE STATE BASED COMPANIES)	→ 5 points	<p>ANNEXURE D</p> <p><u>Municipal/water/electricity account of the bidder's premises</u></p> <ul style="list-style-type: none"> The account must be in the bidder's name/Directors' name/s. The account should not be older than 3 months <p>Or</p> <p>ORIGINALLY CERTIFIED Lease agreement: In case of lease agreement originally certified copies of invoices/proof of payment by the tenant for the last three months as proof that the landlord has been paid by the tenant.</p>	<table border="1"> <tr> <td>Is Municipal/water/electricity account attached?</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td>Not older than 3 months Indicate date: _____</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td>Is it in bidder's name?</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td>Town/city in FS: Indicate town _____</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td colspan="2">POINTS SCORED OUT OF 5</td> <td></td> </tr> <tr> <td colspan="3" style="text-align: center;">or</td> </tr> <tr> <td>Is Lease agreement attached?</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td>Is lease agreement originally certified?</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td>Is CERTIFIED copies of invoices/proof of payment by tenant for the <u>last three months</u> attached?</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td>Is it in bidder's name?</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td>Town/city in FS: _____</td> <td><u>YES</u></td> <td><u>NO</u></td> </tr> <tr> <td colspan="2">POINTS SCORED OUT OF 5</td> <td></td> </tr> </table>	Is Municipal/water/electricity account attached?	<u>YES</u>	<u>NO</u>	Not older than 3 months Indicate date: _____	<u>YES</u>	<u>NO</u>	Is it in bidder's name?	<u>YES</u>	<u>NO</u>	Town/city in FS: Indicate town _____	<u>YES</u>	<u>NO</u>	POINTS SCORED OUT OF 5			or			Is Lease agreement attached?	<u>YES</u>	<u>NO</u>	Is lease agreement originally certified?	<u>YES</u>	<u>NO</u>	Is CERTIFIED copies of invoices/proof of payment by tenant for the <u>last three months</u> attached?	<u>YES</u>	<u>NO</u>	Is it in bidder's name?	<u>YES</u>	<u>NO</u>	Town/city in FS: _____	<u>YES</u>	<u>NO</u>	POINTS SCORED OUT OF 5		
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**POINTS SCORED
GRAND TOTAL**

/50

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

T2.1-21



SPECIFICATION

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

SPECIFICATIONS TO SUPPLY SCHOOLS WITH GRADE R OUTDOOR EQUIPMENT THE BIDDER'S OBLIGATION

The successful bidder must supply the following products:

STEEL PLAYGROUD EQUIPMENT PRODUCTS

The Playground Equipment bid shall be suitable for the Primary Schools. The following are the products:

- Item 1: Jungle Gym with slide
- Item 2: 4-Seater swing
- Item 3: Free Standing Monkey Bar

TECHNICAL SPECIFICATIONS

MATERIAL FINISH (Relates to all items)

Use the tables below to indicate whether the material finish complies with the following prescripts or not. If the bidder does not comply with the specification requirements, the bidder will be disqualified.

Description	Bidder's reply regarding compliance to specification	
	YES	NO
SABS approved steel structures for all items		
Steel round hollow tubing for main frames must be a minimum of 76 mm x 2.5 mm		
All bolt and nuts to be galvanized		
All open tops to be capped off with hollow steel balls or be covered or have dome heads		
All steel to be free from sharp edges, all welding to be smooth, steel sections to be deburred, only A graded steel to be used		
All joins of round hollow steel tube to include mid steel inner sleeve of minimum 2.5 thickness and a length of 150 mm		
All welding to be done by coded welders		
Re-enforced fibreglass slides must be a minimum of 2400 mm to 3000 mm long, UV resistant and carry a minimum weight of 120 kg.		
Steps must have a safety rail of steel round hollow tubing 32mm x 2,5 mm		
A frame steel swing with 4 seats (no steel seats) 2500mm height and 1900 mm wide		
Galvanized 6mm long link chain to support the swing seats. Open links to be welded closed to prevent theft		
Steel must be primed with an anti-corrosion coating and painted with a non-toxic paint		
All equipment must be fixed to the ground/platform		

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



Bidder's reply regarding compliance to specification	
YES	No (Indicate deviation)
EQUIPMENT GENERAL	
In loose fill the top of tapered concrete foundations at least 300 mm below ground surface	
The concrete foundations for the footings and fixing elements should be no less than 400 mm below the loose-fill surface	
Is equipment in good condition: ✓ Free from corrosion ✓ Cracking ✓ Sharp edges ✓ Splitting ✓ Broken welds ✓ Spiders ✓ Loose nails or protrusions ✓ Excessive wear etc.	
Is moving equipment free from potential wedging or crushing or shearing points?	

ITEM 1

Heavy duty implanted steel jungle gym with 3 m Polymer slide

Minimum requirements for the Jungle Gym

Features:

- ✓ Play deck with roof
- ✓ Step ladder
- ✓ Monkey bars
- ✓ Polymer Slide

Dimensions and specifications

Mainframe:

- Length – 2.4 m minimum outside dimensions which exclude the stepladder
- Width – 1.2 m minimum outside dimensions
- Main frame and support beams under the play deck: Steel round hollow tubing 76 mm x 2.5 mm thickness

Play deck

- Play deck to cover the 2.4 m x 1.2 m jungle gym
- Height of play deck must be a minimum of 1.5 m from the top of play deck vertical down to ground level once implanted
- Main frame and support beams under the play deck – 76 mm steel round hollow tubing
- Play deck to be Flatex 346 / 6320H – Wall thickness a minimum of 3 mm.
- Guard barriers and guard rails to meet safety specifications (SANS 51176 Part 1)

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



Step ladder

- Steel hollow tubing 50 mm with a minimum wall thickness of 2.5 mm
- Spacing of the rungs/steps to meet the minimum requirements to prevent entrapment, especially the gap between the first step and the ground surface
- Safety handrail of steel round hollow tubing 32 mm x 2.5 mm
- Handrails are a necessity to assist the user to balance. Meet grasp requirements.
- Handrails between 600 mm and 850 mm above the foot position
- Guardrails and barriers are a necessity to prevent users from falling and from passing beneath. Barriers shall not be a hazard for entrapment of the arms and legs.

Monkey bars

- Minimum of 8 rungs underneath the play deck which covers the full width and length of the jungle gym
- Tubing diameter of rungs: 50 mm x 2.5 mm
- Spacing of the rungs to meet the minimum requirements to prevent entrapment

Specific safety specifications

Handrails

- Between 600 mm and 850 mm above the foot position
- Meet grasp requirements

Guardrails and barriers

- Guardrails and barriers are a necessity to prevent users from falling and from passing beneath. Barriers shall not be a hazard for entrapment of the arms or legs.
- Equipment over 600 mm requires 600 mm to 850 mm barrier
- Guard barriers and rails to meet safety specifications (SANS 51176 Part 1)

Entrapment (head, neck, torso, finger and other)

- No bound openings between 89 mm and 230 mm
- No openings between 8 mm to 25mm (Exclude chains) mainly 1200 or more above ground (finger entrapment)
- No partially bound and V-shape openings with entrapment
- No rigid circular openings with an internal diameter of 100 mm to 230 mm

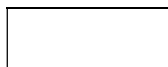
Polymer Slide (SANS 51176 – 3:2010)

Definition:

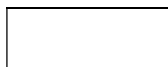
- **Attachment slide:** a slide that has access from other items (i.e. Platform)
- **Starting section:** the section where the child gets onto the slide
- **Sliding section:** where there is forced movement
- **Run-out section:** where the speed is reduced
- **Guarding section:** protection against falls from the starting section

Specific requirements

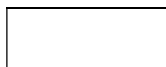
- UV Resistant, re-enforced fibre glass slides of 3 m long
- Slides to carry a minimum weight of 120 kg.
- Starting section at the top of each chute: length 350 mm minimum, zero to 5 degrees downwards at the centre line. Take note: this can be the platform for attachment slides



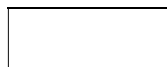
Contractor



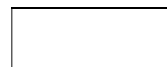
Witness 1



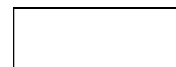
Witness 2



Dept of Education



Witness 1



Witness 2



- Barrier requirements are needed to the chute starting section if the starting section is over 400 mm long.
- From a platform, the opening to the slide is the same width as the starting point or guarding section.
- For attachment slides over 1 m free fall height there should be a guardrail across the entrance to the slide at a height of between 600 – 900 mm.

Sliding Section

- Maximum angle: 60° at any point and an average overall of 40°
- The width of open and straight slides over 1500 mm long should be less than 700 mm or greater than 950 mm
- One-piece slides are preferred

Run out

- Run out for 3 m slide must be equal or greater than 500 mm with radiused end of 50 mm
- Average angle of run-out: 10°
- Height of run-out: maximum 350 mm
- Chutes should have a side height of at least 150 mm minimum for a fall height between 1.2 – 2.5 m
- Maximum side angle from slide bed is 30°
- Tops of sides should be rounded or radiused to at least 3 mm

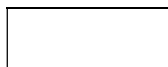
ITEM 2

Heavy duty implanted swings (SANS 51176 – 2:2010)

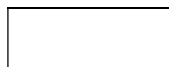
Dimensions and specifications

Swings

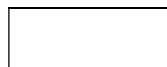
- A frame steel structure: round hollow tube 76 mm x 3mm, 2500 mm height and 1900mm wide
- Steel round hollow tube 50 mm x 3mm between the frame for support
- Top rail for swing, steel round hollow tube 76mm x 4 mm x 2500mm with hanging brackets for the swings
- Specialized hinge brackets are used to connect chain onto cross beam
- 6 mm long galvanized link chain. Open links to be welded closed to prevent theft
- Connecting links between chains must be less than 8.6 mm or over 12 mm
- Distance between seat and frame: 20% of swing suspension + 200 mm
- Distance between seats: 20% of the swing suspension + 300 mm
- Recycled conveyer belts for seats. Seats to have low impact attenuation
- No more than two seats per bay
- Minimum ground clearance of the seats at rest: 350 mm
- Marking: Swing shall be marked legibly and permanently with the basic level mark



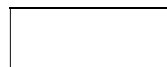
Contractor



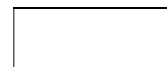
Witness 1



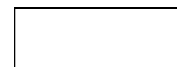
Witness 2



Dept of Education



Witness 1



Witness 2



ITEM 3

Heavy duty implanted MONKEY BARS

Dimensions and specifications

- Freestanding frame
- Main frame: Steel round hollow tubing 76 mm x 2.5 mm thickness
- Width of frame: no more than 1 m (outside measurement)
- Length of frame: minimum of 2.5 m
- Height of frame: no more than 1.8 m
- Rungs for grip between 16 – 45 mm
- Spacing of the rungs to meet the minimum requirements to prevent entrapment
- Structural integrity of such a nature that frame does not topple over.
- Anchoring is a must

Entrapment (head, neck, torso, finger and other)

- No bound openings between 89 mm and 230 mm
- No openings between 8 mm to 25 mm (exclude chains) mainly 1200 mm or more above ground (finger entrapment)
- No partially bound and V shape openings with entrapment
- No rigid circular openings with an internal diameter of 100 mm to 230 mm

GENERAL:

Marking of all Equipment

- The equipment shall be marked legibly, permanently and in a position from ground level mark in accordance with SANS 51176 – 1:2010, clause 7
- Equipment shall be marked legibly and permanently with the basic level mark
- Place identifying information about the play equipment, such as durable and prominently placed label showing:
 - Manufacturer and contact details
 - Equipment reference
 - Year of manufacture
 - Number and date of the applicable South Africa National Standard
 - Age appropriation
 - Safe load capacity
 - Maintenance – draw attention of the effect of:
 - Wear and tear on structural integrity
 - Weather deterioration

SPECIAL CONDITIONS

1. COMPLIANCE WITH THE SPECIFICATION

1.1 Compliance with the specification should be indicated on the specification.

1.2 PLEASE NOTE: Items should be durable, non – toxic, safe and age appropriate.

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Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

2. SOUTH AFRICA NATIONAL STANDARD (SANS) ACCREDITATION FOR PLAYGROUND EQUIPMENT

In 2010 a National Standard (SANS 51176) for playground equipment and surfacing was promulgated and is applicable for all equipment supplied. The standard of the equipment should comply with Occupational Safety Act No 85 of 1993. The aim of this bid is to ensure that all new playground equipment comply with the playground standard.

The Standard recognizes the developmental importance of play and risk. Children need to experience risk and the Standard is designed to prevent or minimize injuries with a disabling or fatal result or where a child may receive an injury in the event of an incorrect judgement on their part.

4. THE FOLLOWING REQUIREMENTS ARE CRUCIAL AND NON-SUBMISSION OF THE FOLLOWING WITH THE BID DOCUMENT WILL LEAD TO DISQUALIFICATION OF YOUR OFFER:

- **Requirement 1: Test and Compliance report**

A test and compliance report for all the items from a certification body for conformance with the National Standard

- **Requirement 2: Brochure/Pamphlet/Photo's**

Your bid documents must be accompanied by a brochure/pamphlet/photo of the manufactured products that you are bidding for. The product delivered must not deviate from the advertised product in the brochure/pamphlet/photo.

- **Requirement 3: Physical Address of the manufacturer**

Clear indication of Physical address/es where the equipment can be viewed or inspected and /or where it is manufactured should be submitted.

The Department have the right to conduct visits to the manufacturers sites to determine the quality of these equipment.

COMPLETE THE FOLLOWING		
Physical address for inspection of equipment	Tel number	Email

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

• **Requirement 4: Agreement letter from manufacturer/supplier**

In cases where the bidder is not the manufacturer, an original letter/s of agreement from the manufacturer/s/supplier/s should be submitted. Failure to submit this letter/s will disqualify the offer.

PLEASE COMPLETE THE FOLLOWING TABLE:

Are you the manufacturer of the equipment?		Or	Do you have a supplier/manufacturer for this equipment? (Circle the relevant answer)	
Yes	No		Yes	No
			Who is the supplier/s/manufacturer/s?	
			Is arrangement/commitment letter/s with the manufacturer/s/supplier/s attached?	
			Yes	No

5. CONDITIONS FOR SUCCESSFUL BIDDER

5.1 DELIVERY AT SCHOOLS

- 5.1.1 Equipment should be delivered and installed at each school and the successful bidder will be fully responsible for security of equipment and all materials to be provided to complete the scope of work irrespective of the area and conditions on the site.
- 5.1.2 No damages to buildings will be accepted during offload of equipment and the site must be visited before any delivery takes place in order to determine correctness of placement.

5.2 SITE VISITS AT SCHOOLS

The successful bidder in consultation with the principal is expected to advise the Free State Department of Education on the appropriate sites to install the outdoor equipment in all required public schools and therefore, site visits where this equipment will be installed should be conducted to ensure a proper layout of the playground.

5.3 PREPARATION OF THE SITES AT SCHOOLS

The successful bidder should prepare the site to all required public schools.

Only competent workmen under competent supervision will be allowed on site. All shavings, cutting and rubbish shall be cleaned out and be deposited away from the site as they accumulate during the working process. It is essential that the site must be closed to prevent the pre-school learners from entering the site.

The successful bidder is advised to take all measurements in connection with the identified site, as the bidder will be held solely responsible for the measurements of all the work. No claims in this regard will be entertained.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



5.4 GUARANTEE

The bidders should provide a guarantee for the equipment of at least two years.

5.5 CONDITIONS OF BID PRICING

5.5.1 Prices must be firm for the full duration of the period. Non-firm prices will not be considered.

5.5.2 The items of the outdoor equipment must be handled as a set and therefore, **bidders shall submit a total price per full set and not for part supply of the required items.** Details of the items must be included in the pricing schedule/specification list.

5.5.3 Prices per set must include the following:

- Supply, delivery and travelling to the site.
- The preparation of the site where the outdoor equipment will be installed.
- The supply, delivery and installation (including labour expenses) of outdoor equipment as specified at each school.
- Two-year guarantee.
- VAT

5.5.4 Note should be taken that the quantity per year is an estimate indication. **The Department has the right to reduce quantities depending on the availability of funds.**

For enquiries regarding supply of Outdoor Equipment contact DCES: GR R Management, Me. AH Oosthuizen (AH.Oosthuizen@fseducation.gov.za) during office hours: 051 404 4336 or 082 485 2211

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

SBD 3.1

PRICING SCHEDULE – FIRM PRICES

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder..... Bid number: **E10/2022/2023**
Closing Time **11H00 on 20 JANUARY 2023**

OFFER TO BE VALID FOR **120 DAYS** FROM THE CLOSING DATE OF BID.

BID NUMBER	DESCRIPTION
E 10/2022/2023	SUPPLY, DELIVERY AND INSTALLATION OF OUTDOOR EQUIPMENT TO PUBLIC SCHOOLS WITH GRADE R FACILITIES
PERIOD	THREE YEARS FROM DATE OF APPROVAL
PRICE	PLEASE COMPLETE ATTACHED PRICING SCHEDULE
QUANTITIES	As per pricing schedule. Please note that the quantities indicated is an estimate. The department has the right to reduce the quantities depending on the availability of funds.

Does offer comply with specification? ***YES/NO** (Make an x on your answer)

If not to specification, indicate deviation(s)
.....

Is price Firm for contract period ***YES/NO** (Make an x on your answer)
(Standard Conditions Par. 1.1)

Delivery basis (all delivery costs **must** be included in the bid price)

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

BID NO. **E10/2022/2023**
Portion 1: Tender
Part T2.1: Returnable Documents



PRICING SCHEDULE FOR THE PREPARATION OF SITE, SUPPLY, DELIVERY AND INSTALLATION OF OUTDOOR EQUIPMENT AT 285 PUBLIC SCHOOLS WITH GRADE R FACILITIES (COMPULSORY TO COMPLETE)
PERIOD: THREE YEARS FROM THE DATE OF APPROVAL

ITEM NR	DESCRIPTION OF ITEM	ESTIMATE QUANTITY Year one	PRICE PER EACH SET FOR YEAR ONE ALL INCLUSIVE	ESTIMATE QUANTITY Year two	PRICE PER EACH SET FOR YEAR TWO ALL INCLUSIVE	ESTIMATE QUANTITY Year three	PRICE PER EACH SET FOR YEAR THREE ALL INCLUSIVE
1	Jungle Gym with slide	90 PUBLIC SCHOOLS		95 PUBLIC SCHOOLS		100 PUBLIC SCHOOLS	
2	4-Seater swing						
3	Freestanding monkey bar stand						
			R		R		R
	TOTAL PER EACH SET (TOTAL FOR ITEMS 1 TO 3)						
	GRAND TOTAL PRICE PER YEAR (TOTAL FOR THE 3 ITEMS X QUANTITY PER SPECIFIC YEAR)		R		R		R
GRAND TOTAL FOR THREE YEARS				R			

Note the following:

- All prices should include supply, delivery, installation, and VAT.
- The FSDoE reserves the right to reduce the quantities depending on the availability of funds.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



SBD FORMS TO BE COMPLETED AND SIGNED:

- **SBD 1**
- **SBD 4**
- **SBD 5**
- **SBD 6.1**
- **SBD 6.2**

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES/NO

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

SBD 4

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name).....
in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide

² 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.

.....
Contractor

.....
Witness 1

.....
Witness 2

.....
Dept of Education

.....
Witness 1

.....
Witness 2



clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

SBD 5

This document must be signed and submitted together with your bid

THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

INTRODUCTION

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

1 PILLARS OF THE PROGRAMME

- 1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:
- (a) Any single contract with imported content exceeding US\$10 million.
or
 - (b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2 year period which in total exceeds US\$10 million.
or
 - (c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million.
or
 - (d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.
- 1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a *pro-rata* basis.
- 1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.
- 1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

2 REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY

2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of **R10 million** (ten million Rands), submit details of such a

contract to the DTI for reporting purposes.

2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.

3 BID SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF BIDDERS AND SUCCESSFUL BIDDERS (CONTRACTORS)

3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD 5)

together with the bid on the closing date and time.

3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works 2

or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1 (d) above and to enable the DTI in determining the NIP obligation, successful bidders (contractors) are required, immediately after being officially notified about any successful bid with a value in excess of R10 million (ten million Rands), to

contact and furnish the DTI with the following information:

- Bid / contract number.
- Description of the goods, works or services.
- Date on which the contract was accepted.
- Name, address and contact details of the government institution.
- Value of the contract.

- Imported content of the contract, if possible.

3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr Elias Malapane within five (5) working days after award of the contract. Mr Malapane may be contacted on telephone (012) 394 1401, facsimile (012) 394 2401 or e-mail at Elias@thedti.gov.za for further details about the programme.

4 PROCESS TO SATISFY THE NIP OBLIGATION

4.1 Once the successful bidder (contractor) has made contact with and furnished the

DTI with the information required, the following steps will be followed:

- a. the contractor and the DTI will determine the NIP obligation;

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



- b. the contractor and the DTI will sign the NIP obligation agreement;
- c. the contractor will submit a performance guarantee to the DTI;
- d. the contractor will submit a business concept for consideration and approval by the DTI;
- e. upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;
- f. the contractor will implement the business plans; and
- g. the contractor will submit bi-annual progress reports on approved plans to the DTI.

4.2 The NIP obligation agreement is between the DTI and the successful bidder (contractor) and, therefore, does not involve the purchasing institution.

Bid number Closing date:.....

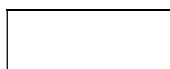
Name of bidder.....

Postal address

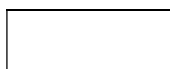
.....

Signature..... Name (in print).....

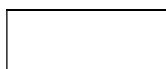
Date.....



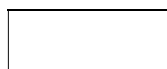
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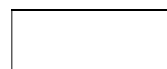
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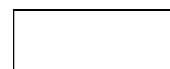
Witness 2



Dept of Education



Witness 1



Witness 2

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 not to exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) The 90/10 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:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



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) **“price”** 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. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

4. POINTS AWARDED FOR PRICE

4.1 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

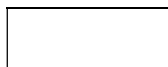
$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right) \text{ or } Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

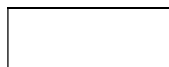
Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

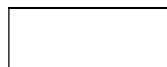
Pmin = Price of lowest acceptable bid



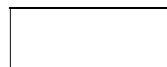
Contractor



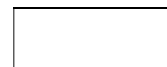
Witness 1



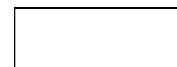
Witness 2



Dept of Education



Witness 1



Witness 2

4.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

4.3 POINTS AWARDED FOR PRICE

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

80/20

or

90/10

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{max} = Price of highest acceptable bid

5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

5.1 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

6. BID DECLARATION

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

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



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

7.1 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.

8. SUB-CONTRACTING

Will any portion of the contract be sub-contracted? **(A compulsory minimum of 30% of the total value of contract will be required to be subcontracted to EME's/QSE's contractors/suppliers registered on CSD for a minimum of 51% Black ownership.)**

8.1 **(Tick applicable box)**

YES		NO	
-----	--	----	--

8.1.1 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		

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Contractor

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Witness 1

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Witness 2

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Dept of Education

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Witness 1

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Witness 2



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

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

9.4 **TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

9.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

9.6 **COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

9.8 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

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>	<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>ADDRESS</p> <p>.....</p>
---	--

Contractor	Witness 1	Witness 2	Dept of Education	Witness 1	Witness 2



**PLEASE ENSURE THAT YOU
COMPLETE AND SIGN THE
ATTACHED SBD 6.2 AND
ANNEXURE C REGARDING
LOCAL CONTENT**

**LOCAL CONTENT FOR ALL
STIPULATED ITEMS ARE
COMPULSORY**

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1 General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

Content for Steel Conveyance pipes, pipe fittings and specials

Table 1: Steel Conveyance Pipes:

DESCRIPTION	STIPULATED MINIMUM THRESHOLD	TO BE COMPLETED BY SERVICE PROVIDER
		INDICATE % for local content of the product that you will use
Spiral submerged arc welding: 500mm-3500 mm (Bare)	100%	
Spiral submerged arc welding: 500mm-3500 mm (galvanized)	100%	
Spiral submerged arc welding: 500mm-3500 mm (lined and coated)	80%	
Spiral submerged arc welding: 500mm-3500 mm (galvanized, lined and coated)	80%	
Pipes, pipe fittings and Specials made from Ductile Iron MUST NOT be considered for public procurement		

Table 2: Steel Pipe Fittings and Specials:

DESCRIPTION	STIPULATED MINIMUM THRESHOLD	TO BE COMPLETED BY SERVICE PROVIDER
		INDICATE % for local content of the product that you will use
Bare	100%	
Galvanized	100%	
Galvanized and Coated	80%	
Galvanized, Lined and Coated	80%	
Forged fittings (Flanges)	100%	

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

YES		NO	
-----	--	----	--

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Contractor

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Witness 1

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Witness 2

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Dept of Education

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Witness 1

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Witness 2

- 3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.resbank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

.....
NB

- The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

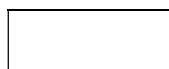
SIGNATURE: _____

WITNESS No. 1 _____

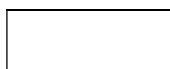
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WITNESS No. 2 _____

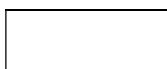
DATE: _____



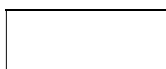
Contractor



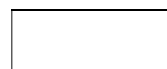
Witness 1



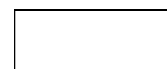
Witness 2



Dept of Education



Witness 1



Witness 2

ANNEXURE C

Local Content Declaration – Summary Schedule

Tender No.
Tender Description:
Designated product(s):
Tender Authority:
Tendering Entity name:
Tender Exchange Rate:
Specified local content %

(C1)

(C2)

(C3)

(C4)

(C5)

(C6)

Note: VAT to be excluded
from all calculations

Pula
EU

GBP

(C7)

Calculation of Local Content								Tender Summary			
Tender Item no's	List of Items	Tender price – each (excl. VAT)	Exempted Imported Value	Tender Value not of exempted imported content	Imported value	Local value	Local content % (per item)	Tender Quantity	Total tender value	Total exempted Imported content	Total imported content
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)	(C16)	(C17)	(C18)	(C19)

R

(C20) Total tender value

R

(C21) Total Exempt important content

R

(C22) Tender value net of exempt imported content

R

(C23) Total imported content

R

(C24) Total local content

(C25) Average local content % of tender

%

Signature of tenderer

Date:

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2

BID NO. **E10/2022/2023**
Portion 1: Tender
Part T2.1: Returnable Documents



education
Department of
Education
FREE STATE PROVINCE

Contractor

Witness 1

Witness 2

Dept of Education

Witness 1

Witness 2



ATTACH:

- **PROOF OF REGISTRATION ON CSD**

**PRINT OUT REPORT OF CSD
WITH PROOF OF COMPLIANT
TAX MATTERS**

- **TAX COMPLIANCE STATUS**

ATTACH:

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



1) CERTIFIED COPY OF **COMPANY REGISTRATION** **CERTIFICATE REFLECTING** **ACTIVE MEMBERS**

**(CK1/CK2)/TRUST DEED/PTY LTD MEMORANDUM OF
INCORPORATION/
CERTIFICATE OF INCORPORATION/ PARTNERSHIP AGREEMENT
ETC.**

2) ID DOCUMENTS OF **DIRECTORS**

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



IN CASE OF JOINT **VENTURE:**

ATTACH SIGNED JOINT VENTURE AGREEMENT (signed by both parties)

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



ATTACH VALID
AND ORIGINALLY
SIGNED/
ORIGINAL
CERTIFIED BBBEE
CERTIFICATE/
SWORN AFFIDAVIT

AND ENSURE THAT YOU COMPLETE AND SIGN THE SBD 6.1
FORM

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



FUNCTIONALITY

ATTACH:

ANNEXURE A1:

SIGNED APPOINTMENT LETTER/

PURCHASE ORDER

(Ensure that the letters comply with criteria)

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



FUNCTIONALITY

ATTACH:

ANNEXURE A2:

SIGNED REFERENCE LETTER

**(Ensure that the letter comply
with criteria)**

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



FUNCTIONALITY

ATTACH:

ANNEXURE B1:

Strategy/ methodology plan

- ✓ Realistic time frames versus detailed activities
- ✓ **How** the project will be managed and how the service provider will **ensure uninterrupted service** and **timely delivery**

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



FUNCTIONALITY

ATTACH:

ANNEXURE B2:

Transport arrangements:

Proof capacity to deliver the quantities

or

Arrangement letter to bidder from car hiring company/manufacturer/courier services indicating the capacity of vehicle that will be used

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



ATTACH:

ANNEXURE B3:

Job creation:

- Project plan with details regarding local labour to be utilized to create jobs. Stipulate the number of jobs linked to the list of schools that need outdoor.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



FUNCTIONALITY

ATTACH:

ANNEXURE C:

**ORIGINAL CERTIFIED SIGNED
AND SOUND AUDITED
FINANCIAL STATEMENTS/
AGREEMENT LETTER FROM
CREDIT PROVIDER**

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



FUNCTIONALITY

ATTACH:

ANNEXURE D:

MUNICIPAL ACCOUNT OR LEASE AGREEMENT

(In case of lease agreement **originally certified copies** of invoices/proof of payment by the tenant for the last three months as proof that the landlord has been paid by the tenant.)

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



ATTACH:

➤ TEST AND COMPLIANT REPORT

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



ATTACH:

➤ **Brochure/**

➤ **pamphlet/**

➤ **photo's**

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



ATTACH:

➤ Agreement letter

from

supplier/manufacturer

where bidder is not

the

supplier/manufacturer

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

CHECK LIST:			
SUMMARY OF FORMS TO BE COMPLETED AND REQUIREMENTS			
PLEASE ENSURE THAT YOU SIGN AND COMPLETE THE FOLLOWING DOCUMENTS:			
SBD FORM	DESCRIPTION	TO BE COMPLETED BY	COMMENTS ON COMPLIANCE BY SERVICE PROVIDER
STANDARDIZED BID FORMS			
SBD 1	Invitation to bid	To be completed and signed by the service provider.	
SBD 4	Declaration of interest	To be completed and signed by the service provider.	
SBD 5	THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME	To be completed and signed by the service provider	
SBD 6.1	Preference points claim form	To be completed and signed by the service provider in order to claim points	
SBD 6.2	Declaration certificate for local production and content for designated sectors	To be completed and signed by the service provider. Must comply with the stipulated minimum local content	
SBD 3.1	Pricing schedule	Service Provider must: <ul style="list-style-type: none"> • Indicate price • Indicate if offer comply with specification 	
PLEASE ENSURE/PROOF THAT TAX MATTERS ARE IN ORDER BY SUBMITTING THE FOLLOWING DOCUMENT:			
TAX MATTERS TO BE IN ORDER			
CSD PRINT OUT SARS PIN	Service provider must proof valid tax matters by providing: <ul style="list-style-type: none"> • Each party to a Consortium/Joint Venture must submit a separate valid Tax Clearance Certificate/CSD printout report with the bid. • CSD printout report with compliant tax matters. • Tax compliance status 		
PLEASE ENSURE THE SUBMITTING OF THE FOLLOWING DOCUMENT:			
JOINT VENTURE AGREEMENT (if applicable)			
Joint Venture agreement (Compulsory if applicable)	In the event that a joint venture bid is submitted a signed joint venture agreement, witnessed by a registered Attorney at Law must be submitted with the bidding document. Failure to submit a signed joint venture agreement (signed by all the parties) will lead to disqualification of the bid.		
PLEASE ENSURE THE FOLLOWING:			
SPECIFICATION, SPECIAL CONDITIONS AND FUNCTIONALITY CRITERIA			
<ul style="list-style-type: none"> • Please ensure that you attach ALL documents as requested in specification, special conditions and 			

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



functionality criteria.

ENSURE THAT YOU ATTACH AN ORIGINAL SIGNED/ORIGINAL CERTIFIED COPY OF YOUR BBBEE CERTIFICATE

Submit:

- Test and Compliance report
- Brochure/pamphlet/photo's
- Physical address of the manufacturer
- Agreement letter from manufacturer/supplier

GENERAL CONDITIONS OF CONTRACT IS APPLICABLE

www.treasury.gov.za

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract.pdf>

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2