

## **BID DOCUMENT**

<b>BID NUMBER:</b>	<b>FIC/RFB/CATERING PANEL/11/2023/24</b>
<b>CLOSING DATE FOR THE BID:</b>	<b>08 MARCH 2024</b>
<b>CLOSING TIME FOR THE BID:</b>	<b>11:00</b>
<b>DESCRIPTION FOR THE BID:</b>	<b>THE FINANCIAL INTELLIGENCE CENTRE (FIC) REQUESTS PROPOSALS FOR THE ESTABLISHMENT OF A PANEL OF CATERING SERVICE PROVIDERS FOR A PERIOD OF THREE (3) YEARS.</b>
<b>SUBMITTING BIDS:</b>	<p>One (1) original and an electronic copy of the RFB document must be handed in / delivered to:</p> <p><b>TENDER BOX</b> <b>FINANCIAL INTELLIGENCE CENTRE</b> <b>BYLSBRIDGE OFFICE PARK</b> <b>CNR JEAN AVENUE &amp;</b> <b>OLIVENHOUTBOSCH (13 CANDELA</b> <b>STREET, HIGHVELD EXT 73 CENTURION)</b> <b>HIGHVELD</b> <b>CENTURION</b></p> <p>Bidders are required to present their identity documents and/or valid driver's license at the main gate in order to gain entry within the FIC offices.</p>

**CSD NUMBER** .....

## **DOCUMENTS IN THIS BID DOCUMENT PACK**

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## PART A: SBD 1 INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL INTELLIGENCE CENTRE					
BID NUMBER:	FIC/RFB/CATERING PANEL/11/2023/24	CLOSING DATE:	08 MARCH 2024	CLOSING TIME:	11:00
DESCRIPTION	THE FINANCIAL INTELLIGENCE CENTRE (FIC) REQUESTS PROPOSALS FOR THE ESTABLISHMENT OF A PANEL OF CATERING SERVICE PROVIDERS FOR A PERIOD OF THREE (3) YEARS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
RECEPTION, FINANCIAL INTELLIGENCE CENTRE					
BYLS BRIDGE OFFICE PARK, CNR JEAN AVENUE & OLIEVENHOUTBOSCH (13 CANDELA STREET, HIGVELD EXT 73 CENTURION)					
HIGHVELD EXT 73					
CENTURION					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Keneilwe Masemene		CONTACT PERSON	Keneilwe Masemene	
TELEPHONE NUMBER	012 641 6145		TELEPHONE NUMBER	012 641 6145	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	<a href="mailto:Keneilwe.masemene@fic.gov.za">Keneilwe.masemene@fic.gov.za</a>		E-MAIL ADDRESS	<a href="mailto:Tenders@fic.gov.za">Tenders@fic.gov.za</a>	
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:		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]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>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.</p>					

## PART B: 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, 2022, 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 (SBD 7).**

### 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](http://WWW.SARS.GOV.ZA).
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

## **PART C: SPECIAL CONDITIONS OF CONTRACT**

In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.

The General Conditions of Contract (GCC) will form part of this BID documents and may not be amended.

Special Conditions of Contract (SCC) relevant to this BID, compiled separately for this BID (if applicable) will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

Copies of the GCC are available from the website

<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/general%20conditions%20of%20contract.pdf>

### **SPECIAL CONDITIONS THAT THE BIDDER NEEDS TO TAKE NOTE OF:**

#### **1 FRAUD AND CORRUPTION**

- 1.1 All service providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

#### **2 NEGOTIATION**

- 2.1 The Financial Intelligence Centre has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.
- 2.2 The Financial Intelligence Centre shall not be obliged to accept the lowest of any bid, offer or proposal in part or in whole.
- 2.3 All respondents will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties. The designated responsible person of the Financial Intelligence Centre is the Supply Chain Manager or his/her written authorised delegate.

### **3 REASONS FOR REJECTION**

- 3.1 The Financial Intelligence Centre shall reject a proposal for the award of a contract if the recommended bidder/tenderer has committed a proven corrupt or fraudulent act in competing for the particular contract.
- 3.2 The Financial Intelligence Centre may disregard the BID of any bidder/tenderer if that bidder/tenderer, or any of its directors:
  - 3.2.1 Have abused the SCM system of the Financial Intelligence Centre.
  - 3.2.2 Have committed proven fraud or any other improper conduct in relation to such a contract.
  - 3.2.3 Have failed to perform on any previous contract and the proof exists.
- 3.3 Such actions shall be communicated to the National Treasury.

### **4 PAYMENTS**

- The Financial Intelligence Centre (FIC) will pay the service provider the Fee as set out in the final contract. No additional amounts will be payable by the FIC to the Contractor.
- 4.1 The Contractor shall from time to time during the currency of the contract invoice The Financial Intelligence Centre for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of the VAT Act No 89 of 1991 has been submitted to the FIC.
  - 4.2 Payment shall be made into the bidder/tenderer's bank account normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this BID is awarded).
  - 4.3 The service provider shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other amounts of money required to be paid in terms of applicable law.

### **5 PRESENTATION / DEMONSTRATION**

The FIC reserves the right to request site visit/presentations/demonstrations from the short-listed bidder/tenderers if needed.

## **PART D: TERMS OF REFERENCE**

### **1. BACKGROUND OF THE FIC**

The Financial Intelligence Centre (FIC) was established in 2003, through the promulgation of the Financial Intelligence Centre Act, No. 38 of 2001 (FIC Act) as amended, with the purpose of identifying the proceeds of unlawful activities and combating money laundering and financing of terrorism.

The FIC is South Africa's national financial intelligence unit tasked to, amongst other functions; provide financial intelligence to stakeholders including law enforcement agencies, intelligence agencies and the South African Revenue Service. The FIC is also a member of the international standard-setting body, the Financial Action Task Force (FATF) which promotes effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system. In addition, the FIC is also a member of the Egmont Group, a united body of more than 150 Financial Intelligence Units (FIUs), which provides a platform for the secure exchange of expertise and financial intelligence to combat money laundering and terrorist financing (ML/TF).

In achieving its mandate, the FIC inter alia plays a key role in assessing trends and threats posed by criminal activities, which assist investigating and prosecuting authorities to combat crime.

### **2. BACKGROUND OF THE REQUIREMENTS/ PURPOSE**

The FIC is looking to appoint a suitably qualified and experienced panel of qualified caterers to be utilised on a rotational basis for a period of three (3) years to render catering services as and when it is required.

The service providers should be based in Gauteng (Tshwane area) and not more than 25km from the FIC offices in Centurion.

### **3. OBJECTIVES**

The objective is to establish a list of preferred service providers to supply catering services on a quotation basis. A panel of caterers that will provide catering services for all dietary preferences, including but not limited to vegetarian, kosher, halaal or other with valid certification from respective bodies.

#### **4. SCOPE OF WORK**

The scope of work entails the following:

The preferred service providers must be able to cater for all dietary preferences, including but not limited to religions, culture, vegetarian, kosher, halaal or other and must be clearly marked. The primary responsibility of the service provider is to:

- 4.1 Supply quotation as and when requested by the FIC as per the specification.
- 4.2 Prepare nutritional quality food in a hygienic environment
- 4.3 Supply catering services after receipt of an official purchase order from the FIC.
- 4.4 Supply Catering equipment
- 4.5 Delivery of equipment and setting up of food must be completed at least thirty (30) minutes before food is served.
- 4.7 Catering needs will vary according to the type of functions/meeting, for example:
  - General Meetings (staff meetings), where the FIC stakeholders are involved including external delegates.
  - Executive Committee Meetings, Quarterly Review Meeting, Management Meetings etc.
  - Exceptional catering needs (international and Directors): Service provider may be required to render catering services for other formal staff meetings, high profile meetings etc.
  - Any functions organised by the FIC.
- 4.8 The FIC will provide serving tables for all office-based meetings. For external meetings the caterer will be required to bring tables, braai stand etc.

#### **5. CATERING EQUIPMENT**

- 5.1 All food serving equipment
- 5.2 Tablecloths
- 5.3 Enough Crockery and cutlery
- 5.4 Serving tables where required
- 5.5 Braai equipment where required
- 5.6 Ability to provide professional presentation when required



## **6. EXPECTATIONS/ DELIVERABLES**

The following are the expected deliverables for the catering services to be provided when required:

- 6.1 The service provider may be required to attend to urgent RFQ's.
- 6.2 Supply wide choice of food that is varied regularly, fresh, and healthy food.
- 6.3 Bring own equipment and accessories for catering.
- 6.4 Tidying up the premises where catering was served.
- 6.5 The service provider will be expected to adhere to the delivery times as per the request.
- 6.6 Shortlisted caterers will be required to provide the FIC with food tasting opportunity where food samples will be delivered to the FIC offices as part of the evaluation process.
- 6.7 To be able to provide the service within twenty-four (24) hours of receiving the request.

## **7. REPORTING REQUIREMENTS**

The service provider will report to Supply Chain Management Business Unit for quotation and menu discussion and Facilities Business Unit regarding the venue arrangements.

## **8. DURATION OF THE PROJECT**

The established panel will be appointed for a period of three (3) years and the successful service providers will be required to sign a Service Level Agreement (SLA).

## PART E: EVALUATION PROCESS

### 9. EVALUATION

#### 9.1 Pre-Selection

No.	Item	Mandatory Requirement
1.	Central Supplier Database	Service providers must be registered on the Central Supplier Database (CSD) prior to submitting a quote.
2.	CSD Tax compliant status	CSD must reflect a tax compliant status before any appointment letter/ order is awarded
3.	Valid B-BBEE Certificate or Sworn Affidavit	Original or certified copy of a B-BBEE Certificate issued by SANAS Accredited BEE Verification Agencies OR a sworn affidavit as prescribed by the B-BBEE codes of good practice. Failure of a bidder to provide a valid BBEE certificate/sworn affidavit will forfeit points for specific goals.
4.	Standard Bidding Documents: SBD 1 and 4 Bidder's Disclosure	Standard Bidding Documents must be fully completed and duly signed where required and submitted with Bid.
5.	Standard Bidding Document 6.1	Failure of a bidder to provide a completed and signed SBD 6.1 will forfeit preference points.
6.	Location	25km and less to the FIC offices (Provide proof of address or valid lease agreement in the name of the service provider/company) not older than three (3) months
7.	Health certificate	The bidder must provide a valid certificate of accessibility signed and stamped by municipality.
8.	Sub-Contracting	Sub-contracting is prohibited, and food must be prepared only by the appointed caterer
9.	Annexure A (Pricing table)	Annexure A must be fully completed

#### **Note:**

- a) A bidder who fails to comply with mandatory requirements No. 1, 2, 4,6,7,8 and 9 will be disqualified from the evaluation process.
- b) A bidder who fails to comply with mandatory requirements No. 3 and 5 will forfeit preference points.

## **10. DETERMINATION OF POINTS FOR FUNCTIONALITY**

10.1 The bidder will be appointed on the panel if they score a minimum of 80 out of 100 points on technical/ functionality criteria (refer to paragraph 11).

10.2 Functionality will be evaluated as follows:

10.2.1 **Desktop Technical Evaluation** – Bidders will be evaluated out of 60 points and are required to achieve minimum threshold of 45 points out of 60 points. Only bidders that meet the minimum threshold of 45 points from the Desktop Technical evaluation will qualify to proceed to the Food Tasting & Presentation phase.

10.2.2 **Food Tasting & Presentation** –. Bidders will be evaluated out of 40 points and are required to achieve minimum threshold of 35 points out of the 40 points.

- The key points below will be the focus areas for the food tasting and presentation. The bidder must demonstrate their understanding of the requirements and how they plan to meet the requirements:
  - 1 All food serving equipment
  - 2 Clean and neat tablecloths
  - 3 Enough crockery and cutlery
  - 4 Food preparation according to the specification and presentation
  - 5 Waiters and waitresses to be presentable and neatly dressed in uniform
  - 6 Quality and taste of food
  - 7 Adherence to delivery time
  - 8 Presentation

## 11. TECHNICAL / FUNCTIONALITY

11.1 The criteria for the evaluation of technical requirements are as follows:

All proposals will be evaluated in terms of the evaluation criteria for technical/functionality requirements as stated below.

11.2 Bidders must meet a minimum threshold of 80% be appointed to the panel (refer to paragraphs 10.2.1 and 10.2.2 above).

Evaluation Criteria	Points Allocated
<b>Desktop Technical Evaluation</b>	
1. The company profile indicating a minimum of three (3) years relevant experience in catering services.	15
2. Bidders to provide a minimum of five (5) written contactable positive reference letters where catering services was provided in the last twenty-four (24) months indicating: <ul style="list-style-type: none"><li>• Company name</li><li>• Company letterhead</li><li>• Contact person and contact number</li><li>• Date/s when the catering was provided</li><li>• Signed and dated</li><li>• Type of catering (breakfast, finger lunch and full lunch)</li></ul>	45
<b>Food Tasting And Presentation</b>	
3. The bidder must demonstrate their understanding of the requirements and how they plan to meet the requirements. Refer to 10.2.2.	40
<b>TOTAL</b>	<b>100</b>

The table below explains the rating guideline for the evaluation:

Criteria No.	No response - 0	Poor - 1	Average - 2	Good - 3	Very Good - 4	Excellent - 5
1. A company profile indicating experience in the catering services.	No relevant experience	N/A	N/A	3-year's experience in the catering services	4 to 6 years' experience in the catering services	6 or more years' and above experience in the catering services
2. Bidders to provide a minimum of five (5) written contactable positive reference letters where catering services was provided in the last twenty-four (24 months).	No list of contactable references provided and/or No reference letter or did not provide the required information	N/A	N/A	5 references provided where catering services was provided catering services	6 contactable references provided where catering services was provided	7 or more contactable references provided where catering services was provided
3. The bidder must demonstrate their understanding of the requirements and how they plan to meet the requirements. Refer to 10.2.2	Bidder didn't meet at least 2 points under the presentation criteria	Bidder meets 3 points under the presentation criteria	Bidder meets 4 under the presentation criteria	Bidder meets 5 points under the presentation criteria	Bidder meets 6 points under the presentation criteria	Bidder meets all 7 points under the presentation criteria

The table below explains the rating guideline for the presentation and food tasting.

Compliance to the Presentation Criteria's	Yes/No
1. All food serving equipment	
2. Clean and neat tablecloths	
3. Enough crockery and cutlery	
4. Food preparation according to the specification and presentation	
5. Waitrons to be presentable and neatly dressed in uniform	
6. Quality and taste of food	
7. Adherence to delivery time	

### 13. CONDUCT OF WORK

Engagement with bidders will be conducted at the offices of the FIC at:

**Financial Intelligence Centre Byls Bridge Office Park, 13 Candela Street, Highveld Ext 73, Centurion.**

### 14. Price and BEE Evaluation

14.1 The following criteria 80/20 will be used for the evaluation of the proposals:

**Pricing:** 80 Points

**BBBEE:** 20 Points

14.2 A bidder who did not submit their B-BBEE certificate will forfeit preference points for B-BBEE.

### 15. ENGAGEMENT MODEL

15.1 When the need arises price quotations will be invited from the appointed panel members on a rotational basis.

15.2 The price quotation will be awarded to the panel member who meets the requirements and scores the highest points in terms of the 80/20 preference points system for price and B-BBEE level of contributor.

### 16 FINANCIAL PROPOSAL/PRICING SCHEDULE

16.1 The proposed prices must be provided in the format as per the table attached as annexure A below.

16.2 Service providers that are VAT registered must ensure each line item is VAT inclusive.

**17. SPECIAL CONDITIONS**

- 17.1 Prepare nutritional, quality food in a hygienic environment.
- 17.2 Supply catering equipment, cutlery and crockery during catering services.
- 17.3 Waitrons to be presentable and neat dressed in uniform.
- 17.4 Adherence to the delivery time as per the RFQ requirements
- 17.5 Sub-contracting is prohibited, and food must be prepared only in the designated kitchen indicated in the Health Certificate.

**18. VALIDITY PERIOD**

- 18.1 Validity period from date of closure is 90 days.
- 18.2 Service providers must hold their proposals valid for acceptance by the FIC at any time within the requested validity period after the closing date of the bid.

## ANNEXURE A

### PRICING SCHEDULE

1. The proposal prices must be provided in the format as per the table below:
2. Prices provided must include VAT and delivery costs. Failure to complete this section will result in your proposal being disqualified.

Description	Number Of People Per Platter 12 People
<b>PLATTERS</b>	
Sandwiches platter	R
Filled croissant breakfast platter	R
Open Sandwiches platter	R
Breakfast Platter – Scones with butter/ margarine, jam, cheese or cream Platter	R
Muffins platter	R
Hot pastry platter (Samoosas, cocktail quiches, spring rolls & sausage rolls)	R
Sweet pastry platter	R
Fruit platter	R
Cold meat platter	R
Meat platter (Meat balls, beef kebabs, chicken kebabs sausages, fish bites, rotisserie chicken pieces)	R
Chicken platter	R
Rissoles platter (cocktail rissoles, Prawn, tuna, chicken, beef & cheese)	R
Halaal	R
Kosher	R
Vegetarian	R
<b>HOT PLATED LUNCH (Buffet)</b>	
Hot lunch – 2 Starch, 2 meats, 2 vegies, 2 salads and a can of drink.	R
Braai - 3 meat, 2 starch, 2 salads and gravy and a can of drink	R
Halaal	R
Kosher	R
Vegetarian or other	R
Any other additional costs	R
Delivery	R



**PART F: SEE SBD DOCUMENTATION OVERLEAF**

## 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 interest<sup>1</sup> 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

2.2 Do you, or any person connected with the bidder, have a relationship

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<sup>1</sup> 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.

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 consortium<sup>2</sup> 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

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

institution in relation to this procurement process prior to and during the bidding process except to provide 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

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

### 1. GENERAL CONDITIONS

- 1.1 The following preference point system is applicable to invitations to this tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included);

### 1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.

- 1.3 Points for this shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

- 1.4 The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The FIC requires of a tenderer to substantiate any claim in regards to preferences, by submitting their current/valid B-BBEE certificate or a sworn affidavit as prescribed by the B-BBEE codes of good practice.

## 2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**Rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**The Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80/20 points is allocated for price on the following basis:

**80/20**

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

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations 2022, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below that shall be supported by proof / documentation as stated in the conditions of this tender:

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
The B-BBEE Certificate is used as a measurement instrument for FIC's specific goals:	20 Maximum	
B-BBEE Status level of contributor: 1	20	
B-BBEE Status level of contributor: 2	18	
B-BBEE Status level of contributor: 3	14	
B-BBEE Status level of contributor: 4	7	
B-BBEE Status level of contributor: 5	4	
B-BBEE Status level of contributor: 6	2	
B-BBEE Status level 7 – 8 and non-compliant contributors	0	

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.2. Name of company/firm.....

4.3. Company registration number: .....

4.4. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

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<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
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