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**REQUEST FOR QUOTATION (RFQ)**

RFQ	RFQ/LOG/2023/19
RFQ ISSUE DATE	08 MARCH 2023
NON-COMPULSORY SITE VISIT	14 MARCH 2023 @12:00 SABC BLOEMFONTEIN (FREE STATE) OFFICE 16 MARCH 2023 @12:00 SABC NORTHERN CAPE PROVINCE OFFICE ATTENTION: HLENGIWE NENE
RFQ DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER FOR THE SERVICE AND MAINTENANCE OF FIRE EQUIPMENT FOR A PERIOD OF FIVE (5) YEARS IN SABC FREE STATE AND NORTHERN CAPE
CLOSING DATE & TIME	23 MARCH 2023 @12:00

Submissions must be electronically emailed to [RFQSubmissions@sabc.co.za](mailto:RFQSubmissions@sabc.co.za) on or before the closing date of this RFQ.

The tenderer shall have a **CIDB Grading of minimum 1SF**. Tenderer shall provide a valid and active certificate at the time of closing and at the time of award.

PLEASE NOTE THAT AS FROM 01 JULY 2016 COMPANIES THAT ARE NOT REGISTERED WITH CSD SHALL NOT BE CONSIDERED.

For queries, please contact: **Masengana Tiny** via email: [Tenderqueries@sabc.co.za](mailto:Tenderqueries@sabc.co.za)

The SABC requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. Late and incomplete submissions will invalidate the quote submitted.

SUPPLIER NAME: \_\_\_\_\_

POSTAL ADDRESS: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

FAX NO. : \_\_\_\_\_

E MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_



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CELL NO: \_\_\_\_\_

SIGNATURE OF BIDDER: \_\_\_\_\_

## **NOTES ON QUOTATIONS AND PROPOSALS SUBMISSION**

1. All electronic submissions must be submitted in a **PDF** format that is protected from any modifications, deletions, or additions.
2. Financial/pricing information must be presented in a **separate** attachment from the Technical / Functional Response information.
3. The onus is on the Bidder to further ensure that all mandatory and required documents are included in the electronic submission.
4. All submissions should be prominently marked with the following details in the email subject line:
  - **RFQ and bidders' name.**
5. Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email
6. Tender submission emails received after submission date and time will be considered late bid submissions and will not be accepted for consideration by SABC.
7. SABC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:
  - receipt of incomplete bid
  - file size
  - delay in transmission receipt of the bid
  - failure of the Bidder to properly identify the bid
  - illegibility of the bid; or
  - Security of the bid data.

**NB: BIDDERS SHOULD ENSURE THAT LINKS FOR WE-TRANSFER OR GOOGLE DROP BOX EXPIRE 30 DAYS AFTER SUBMISSIONS INSTEAD OF SEVEN DAYS**

## **NOTES ON NON-COMPULSORY SITE VISIT**

1. Any bidder interested in attending the non-compulsory site inspections, which are set for **Friday, March 10, 2023**, at the **SABC Bloemfontein** - (Reception Area), and **Monday, March 13, 2023**, at the **SABC Northern cape Province** – (Reception Area), may do so at any time between **11H00** till **14H00**.
2. Report to Reception 15 Minutes before in order to make arrangements with the Protection Service to gain access to the Facility.

3. Personnel representing the bidders are advised to wear Personal Protective Equipment (safety shoes) and please bring along your Id or Driver's license to gain access to the **SABC Bloemfontein** and at the **SABC Northern cape Province** Facility and all bidders will be required to complete and sign the attendance register on the day of the compulsory site visit.

**FIRST PHASE – PREQUALIFICATION CRITERIA: MANDATORY DOCUMENTS**

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

MANDATORY REQUIREMENT		COMPLY/NOT COMPLY
1.	<b>SABS 1475 Certificate</b> (permit mark)	
2.	Written proof that the service and maintenance technicians are registered with <b>South African Qualification and Certification Committee for Fire Industry (SAQCC)</b> , valid proof to be submitted.	
3.	<b>CIDB 1SF</b> or higher	

**NON-SUBMISSION OF THE MANDATORY DOCUMENTS WILL RESULT IN AUTOMATIC DISQUALIFICATION****REQUIRED DOCUMENTS**

- 1.1 Submit proof CSD registration
- 1.2 Proof of Valid TV License Statement for the Company; all active Directors and Shareholder must have valid TV Licenses.  
(Verification will also be done by the SABC internally).
- 1.3 Valid Tax Clearance Certificate or SARS “Pin” to validate supplier’s tax matters
- 1.4 Certified copy of Company Registration Document that reflect Company Name, Registration number, date of registration and active Directors or Members.
- 1.5 Certified copy of Shareholders’ certificates.
- 1.6 Certified copy of ID documents of the Directors or Members.

**NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO’S TAX MATTERS ARE NOT IN ORDER.**

**NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO’S TV LICENCE STATEMENT ACCOUNT IS NOT VALID.**

## **DETAILED TECHNICAL SPECIFICATION**

### **1. BACKGROUND**

SABC Free state and Northern Cape Region is looking for a service provider to service SABC's firefighting equipment and also supply emergency equipment for a period of five years as a measure to achieve full compliance with the safety legislations and standards to ensure minimization of impact that fire may have on the SABC and or its resources.

In terms of the Occupational Health and Safety Act and its Regulations as well as the Municipal By-Laws, firefighting equipment should be serviced at least once every twelve months by a competent person who is accredited by an affiliation body. This intervention is applied to ensure that all employees, visitors, contractors and every person in the premises under the control of the SABC is safe or could be rescued should there be a fire.

The Free State Province properties are SABC owned and comprises of three detached buildings. The first building is located at Cnr Markgraaff and Kellner Street which is the main building. The second detached building is at Markgraaff and Zastron Street, the third detached building is at Zastron Street.

The Northern Cape Province properties one building in Kimberley office is leased and one property in Platfontein office is SABC owned.

No standing contract for both Province, the department used to follow the three quotation SCM processes to acquire service, which it comes with challenges. The buyer sometimes struggles to service provider in time to maintain the equipment.

The SABC has shown commitment to comply with this legal requirement by appointing the service provider to service its equipment.

### **2. Scope of Requirements services**

#### **2.1 Service requirement**

- Only a Competent Person (SAQCC Registered Technician) employed by a Permit holder service and maintain fire-fighting equipment according to Pressure Equipment Regulation 19.
- The service and maintenance of extinguishers, fire hose reels and hydrants shall be carried out annually with the additional requirement that powder, foam, water and water-based extinguishers be pressure tested.
- Provide a service report once a service / maintenance was conducted. All servicing / maintenance is done to the SABS 1475 specifications.

- Inspection and Provide numbering Register Systems.
- Refurbishment (Strip, Base Coat and Topcoat painting of Fire Equipment)
- Fire detection system must be serviced every 6 months.

### Number of equipment:

#### 2.2 Free State building:

3. Equipment	Quantity
Fire alarm panel	Two (2)
Smoke detectors	One hundred and seventy (170)
Magnetic emergency doors	Fourteen (14)
Service & refill fire extinguisher	Sixty-four (64)
Numbering of fire equipment	
Fire Register	
Fleet fire extinguisher	Seven (7)
Certificate of compliance	

#### 2.3 Northern Cape Kimberley building:

Equipment	Quantity
Fire alarm panel	One (1)
Service Magnetic emergency doors	Two (2)
Service fire equipment	Eleven (11)
Fire register	
Fleet fire extinguisher	Four (4)
Smoke detectors	Seventy (70)
Certificate of compliance	

#### 2.4 Platfontein Building:

Equipment	Quantity
Fire alarm panel	One (1)
Magnetic emergency doors	One (1)
Service & refill fire extinguisher	Three (3)
Smoke detectors	Fifteen (15)
Certificate of compliance	

## **2.5 Health and Safety**

The supplier will be required to provide health and safety file including insurance and proof of workers compensation letter (letter of good standing with DoL), workers educational certificates (i.e., trade tests, etc) and experience, risk assessment(s), and method statement(s), legal appointments, etc.

The work will be strictly executed OHS Act requirements, H&S regulations applicable to the Construction Industry, and SABC H&S requirements and specifications.

## **2.6 Un-Interrupted Work**

The Contractor is required to work continuously on the Contract Works throughout the duration of such works, based on a five-day working week. Permission may be obtained from the SABC representative to work weekends subject to SABC's approval.

All labour and any other cost incurred in connection with such weekend work will be for the Contractor's account.

One nominated SABC representative will give instructions for stop-page of noisy work only. In such instances, work will proceed on activities that will not disturb the environment. The instruction to stop noisy work will only be given by the authorized SABC appointee. The site supervisor will be responsible to schedule work accordingly. The stoppage will be recorded in the site book.

## **3. RFQ Response Information**

### **Effective Date of Bid**

Vendors should state in writing that their quotation to the SABC and all furnished information, including price, will remain valid and applicable for 90 days from the date the vendor quotation is received by the SABC.

## **4. Costing**

The quotation must be reflect a detailed cost breakdown, and any indirect costs with the rendering of the service.

## **5. Duration of the Contract**

The duration of the contract is five (5) years.



## 6. Evaluation criteria

### 6.1 BBBEE and Price

- The RFQ responses will be evaluated on the **80/20** points system

### 6.2 Technical Evaluation

- The tender submission will be technically evaluated out of **85**
- A minimum threshold of **47 out of a maximum of 85** has been set.
- Bidders achieving less than the set threshold will be declared non-responsive.

### 6.3 Objective Criteria

- The SABC further reserve the right not to award this tender to any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.
- Bidders who are blacklisted or have committed other acts of fraud and misrepresentation of facts e.g., tax compliance company, financials, etc. will be eliminated from the bid process.

## **SECOND PHASE EVALUATION CRITERIA: PAPER BASED**

Evaluation Area	Evaluation Criteria	Min Points	Max Points
1.Turnaround time	<p>Bidder to be within a 200km radius for quick response time:</p> <ul style="list-style-type: none"> <li>Up to 150km radius (5)</li> <li>Up to 180km radius (3)</li> <li>Up to 200km radius (1)</li> </ul> <p><b>Indicate the turnaround time for repairs:</b></p> <ul style="list-style-type: none"> <li>1 day (5)</li> <li>2 days (3)</li> <li>3 days (1)</li> <li>More than 4 days (0)</li> </ul>	<b>6</b>	<b>10</b>
2.Warranty on repairs	<p>Clearly indicate the warranty period</p> <ul style="list-style-type: none"> <li>No warranty (0)</li> <li>0-3 months (5) or</li> <li>4 months and above (10)</li> </ul>	<b>5</b>	<b>10</b>
3.Capacity to provide service	<p>Bidder to inform in detail on existing capacity of the following:</p> <ul style="list-style-type: none"> <li>Mobile workshop for services and repairs. (5)</li> <li>No mobile workshop for services and repairs (0)</li> </ul> <p><b>Availability of the following emergency responses:</b></p> <ul style="list-style-type: none"> <li>emergency call centre (3)</li> <li>no call centre (0)</li> <li>emergency contact number (2)</li> <li>no emergency contact number (0)</li> </ul>	<b>5</b>	<b>10</b>

Company Previous Experience	<p>Company must have a minimum of five (5) years and above experience in the field of Fire systems maintenance.</p> <p><b>Number of years in a company profile indicating multi-disciplinary related projects</b></p> <ul style="list-style-type: none"> <li>• Greater than 5 years (20)</li> <li>• 3-5 years (10)</li> <li>• Less than three (0)</li> </ul>	<b>10</b>	<b>20</b>
Company previous experience references	<p>Bidders to submit written reference letters of successfully completed projects from previous clients. The letter must be in a client's letterhead, (reflect nature of successful undertaken Fire systems maintenance, duly signed by authorized responsible person for the project, contactable (email address and telephone number). The letters must stipulate scope of work undertaken and contract duration. The reference letters should NOT be appointment or award letter/s</p> <ul style="list-style-type: none"> <li>▪ on a client's business letterhead</li> <li>▪ contact details (email address &amp; contact number)</li> <li>▪ contract duration (start and end date of the project to be mentioned)</li> <li>▪ duly signed by authorised person.</li> </ul> <p><b>Number of Letters</b></p> <ul style="list-style-type: none"> <li>• 4-5 reference letters (25)</li> <li>• 3 reference letters (15)</li> <li>• 2 reference letters (5)</li> <li>• Less than 2 reference letters (0)</li> </ul>	<b>15</b>	<b>25</b>
Safety File	<p>Bidder to provide a legal compliant safety file containing the following:</p> <ul style="list-style-type: none"> <li>• Letter of good standing (2)</li> <li>• Risk Assessments (2)</li> <li>• Proof of competency for all legal appointments (2)</li> <li>• Emergency plan (2)</li> <li>• Proof of health safety training (first aider, safety SHE reps and firefighter (2)</li> </ul>	<b>6</b>	<b>10</b>
<b>Total</b>		<b>47</b>	<b>85</b>

## 7 POINTS AWARDED FOR PRICE

The **80/20** preference point system

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

## 8 B-BBEE PREFERENTIAL POINTS WILL BE EVALUATED IN LINE WITH THE FOLLOWING

The SABC shall deal with Suppliers in accordance with the B-BBEE Codes of Good Practice and the Preferential Procurement Policy and Enterprise Development strategy of the SABC. The following will apply and will be adhered to when evaluating RFQ :

<b>SPECIFIC GOALS</b>	<b>80/20</b>
EME/SME 51% owned by Black people	<b>10</b>
51% owned by Black people;	<b>5</b>
51% owned by Black people who are women	<b>3</b>
Black Youth	<b>2</b>

**NB: All tenders will be issued to the market with all specific goals, and these will be scored in accordance with the evidence as submitted by the bidder. The bidder who does not meet the specific goals will not be disqualified but score zero.**

## 9 COMMUNICATION

Respondents are warned that a response will be disqualified should any attempt be made by a tenderer either directly or indirectly to canvass any officer(s) or employees of SABC in respect of a tender, between the closing date and the date of the award of the business.

All enquiries relating to this RFQ should be emailed three days before the closing date.

## 10 CONDITIONS TO BE OBSERVED WHEN TENDERING

- 10.1 The Corporation does not bind itself to accept the lowest or any tender, nor shall it be responsible for or pay any expenses or losses which may be incurred by the Tenderer in the preparation and delivery of his tender. The Corporation reserves the right to accept a separate tender or separate tenders for any one or more of the sections of a specification. The corporation also reserves the right to withdraw the tender at any stage.

10.2 No tender shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

10.3 The Corporation reserves the right to:

**Not evaluate and award submissions that do not comply strictly with his RFQ document.**

**Make a selection solely on the information received in the submissions and**

- Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this tender.
- Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders. During the evaluation process, no change in the content of the RFQ shall be sought, offered or permitted.
- Award a contract to one or more bidder(s).
- Accept any tender in part or full at its own discretion.
- Cancel this RFQ or any part thereof at any time.
- Should a bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the Corporation and not necessarily on the basis of the lowest costs & Preference Point system.

## **11 Cost of Bidding**

The Tenderer shall bear all costs and expenses associated with preparation and submission of its tender or RFQ, and the Corporation shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

## **12 PAYMENT TERMS**

SABC will effect payment sixty (60) days after the service provider has submitted an invoice.

**END OF RFQ DOCUMENT**

**Annexed to this document for completion and return with the document:**

- |            |   |   |
|------------|---|---|
| Annexure A | - | Declaration of Interest                                     |
| Annexure B | - | Consortiums, Joint Ventures and Sub-Contracting Regulations |
| Annexure C | - | Previous completed projects/Current Projects                |
| Annexure D | - | SBD 6.1 Form  |
| Annexure E | - | SBD 8 & 9 Forms   |

**ANNEXURE A****DECLARATION OF INTEREST**

1. Any legal or natural person, excluding any permanent employee of SABC, may make an offer or offers in terms of this tender invitation. In view of possible allegations of favouritism, should the resulting tender, or part thereof be awarded to-
  - (a) any person employed by the SABC in the capacity of Tenderer, consultant or service provider; or
  - (b) any person who acts on behalf of SABC; or
  - (c) any person having kinship, including a blood relationship, with a person employed by, or who acts on behalf of SABC; or
  - (d) any legal person which is in any way connected to any person contemplated in paragraph (a), (b) or (c),

it is required that:

The Tenderer or his/her authorised representative shall declare his/her position *vis-à-vis* SABC and/or take an oath declaring his/her interest, where it is known that any such relationship exists between the Tenderer and a person employed by SABC in any capacity.

Does such a relationship exist? [YES/NO]

If YES, state particulars of all such relationships (if necessary, please add additional pages containing the required information):

	[1]	[2]
NAME	:	.....
POSITION	:	.....
OFFICE WHERE EMPLOYED	:	.....
TELEPHONE NUMBER	:	.....
RELATIONSHIP	:	.....

2. Failure on the part of a Tenderer to fill in and/or sign this certificate may be interpreted to mean that an association as stipulated in paragraph 1, *supra*, exists.
3. In the event of a contract being awarded to a Tenderer with an association as stipulated in paragraph 1, *supra*, and it subsequently becomes known that false information was provided in response to the above question, SABC may, in addition to any other remedy it may have:
  - recover from the Tenderer all costs, losses or damages incurred or sustained by SABC as a result of the award of the contract; and/or
  - cancel the contract and claim any damages, which SABC may suffer by having to make less favourable arrangements after such cancellation.

\_\_\_\_\_  
SIGNATURE OF DECLARANT

\_\_\_\_\_  
TENDER NUMBER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
POSITION OF DECLARANT

\_\_\_\_\_  
NAME OF COMPANY OR TENDERER

**ANNEXURE B****CONSORTIUMS, JOINT VENTURES AND SUB-CONTRACTING REGULATIONS****1. CONSORTIUMS AND JOINT VENTURES**

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

**2 SUB-CONTRACTING**

- 2.1 A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- 2.2 A person awarded a contract in relation to a designated sector, may not subcontract 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.
- 2.3 A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

**3 DECLARATIONS OF SUB-CONTRACTING**

- 3.1 Will any portion of the contract be sub-contracted? YES / NO
- 3.2 If yes, indicate:
- 3.2.1 The percentage of the contract will be sub-contracted .....%
- 3.2.2 The name of the sub-contractor .....
- 3.2.3 The B-BBEE status level of the sub-contractor.....
- 3.2.4 whether the sub-contractor is an EME YES / NO

\_\_\_\_\_  
SIGNATURE OF DECLARANT\_\_\_\_\_  
TENDER NUMBER\_\_\_\_\_  
DATE\_\_\_\_\_  
POSITION OF DECLARANT\_\_\_\_\_  
NAME OF COMPANY OR TENDERER

**ANNEXURE “C”**

**Previous completed projects (preferably provide a detailed company profile, detailed the below mentioned information)**

<b>Project Descriptions</b>	<b>Client</b>	<b>Contact no</b>	<b>Contact person</b>	<b>Email address</b>	<b>Period of projects</b>	<b>Value of projects</b>	<b>Project Commence date</b>	<b>Completed date</b>

**Current projects (preferably provide a detailed company profile, detailed the below mentioned information)**

<b>Project Descriptions</b>	<b>Client</b>	<b>Contact no</b>	<b>Contact person</b>	<b>Email address</b>	<b>Period of projects</b>	<b>Value of projects</b>	<b>Project Commence date</b>	<b>Completion date</b>



**SBD 6.1****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 systems are applicable to invitations to tender:

- 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 To be completed by the organ of state**

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

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

**1.4 To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

SPECIFIC GOALS	80/20	90/10
EME/SME 51% owned by Black people	10	4
51% owned by Black people;	5	3
51% owned by Black people who are women	3	2
Black Youth	2	1

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 organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ

of state.

## 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) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“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 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \mathbf{Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)}
 \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest 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, 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 as may be supported by proof/documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or

(b) any other invitation for tender, 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,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**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 allocated (90/10 system) (To be completed by the organ of state)	Number of points claimed. (80/20 system) (To be completed by the tenderer)	Number of points claimed (90/10 system) (To be completed by the tenderer)
SMMEs (inclusive or QSEs and EMEs) 51% owned by Black people	10	4		
51% owned by Black people;	5	3		
51% owned by Black people who are women	3	2		
Black Youth	2	1		

*NB: All tenders will be issued to the market with all specific goals, and these will be scored in accordance with the evidence as submitted by the bidder. The bidder who does not meet the specific goals will not be disqualified but score zero*

**Source Documents to be submitted with the Bid or RFQ**

<b>Specific Goals</b>	<b>Acceptable Evidence</b>
B-BBEE	Valid BEE Certificate / Sworn Affidavit (in case of JV, a consolidated scorecard will be accepted)
Black Women Owned	Certified ID Documents of the Owners/shareholder
Black Youth owned	Certified ID Documents of the Owners
EME or QSE 51% Black Owned	Annual Financial/ Management Accounts/ B-BBEE Certificate / Affidavit/ Certified ID Documents of the Owners/shareholder
51% Black Owned	CIPC Documents / B-BBEE Certificate/ Affidavit/ Certified ID Documents of the Owners/shareholder
South African Enterprises	CIPC Documents

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. 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]

4.6. 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.

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

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

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

Js365bW



**SBD 9****CERTIFICATE OF INDEPENDENT BID DETERMINATION**

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

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

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

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

(Name of Bidder)

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

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

**<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill, and knowledge in an activity for the execution of a contract.**

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder