



**National  
Research  
Foundation**

## **QUALITY ASSURANCE: BID INVITATIONS**

**INVITATION TO SUBMIT AN APPLICATION FOR MEMBERSHIP OF:  
NRF'S QUALITY ASSURANCE PANEL**

**RFQ Number: NRF/SCM C1/2023-24**

### **BID DESCRIPTION**

**PANEL OF SERVICE PROVIDERS TO PROVIDE SPECIFICATION QUALITY ASSURANCE SERVICES ON  
DRAFT BID INVITATIONS ON A CALL OFF BASIS**

RFQ INVITATION (SBD 1 SECTION 1A)	
RFQ Number	NRF/SCM 1/2023-2024
Closing Date and Time (as per NRF systems)	8 May 2023 at 11:00: First round (Refer "Open status")
HIGH LEVEL CONTEXT, SCOPE AND CONTRACT TYPE	
<p><b>Summary</b></p> <p>A review of draft specifications employing both:</p> <ul style="list-style-type: none"> <li>NRF's living checklist, and</li> <li>The technical advisor's own professional specification experience.</li> </ul> <p><b>Scope of Work</b></p> <p>Two review and advisory/reporting stages are involved:</p> <ul style="list-style-type: none"> <li><b>Initial review:</b> Identification of areas of improvement in draft bid invitations, and communicating issues identified and advice to address same, and</li> <li><b>Final review:</b> Once the business unit has addressed the written advice it; the business unit provides an updated draft specification which is reviewed to extract and list advice not adopted by the business unit.</li> </ul> <p>Whereas the scope of work <i>includes</i> highlighting possible contradictions between the non-legal sections and legal sections of the Bid Invitation, the scope of work <i>excludes</i> a specialised review of the legal sections; which review is undertaken by a separate Legal Bid Invitation QA Panel.</p> <p><b>Context</b></p> <p>The NRF is a decentralised organisation in which bid invitations are generated and approved on a decentralised basis via a twofold advisory process, namely:</p> <ul style="list-style-type: none"> <li>Review and advice of the draft Bid Invitation after completion by the Bid Specification Committee prior to formal submission to the Bid Specifications Advisory Committee.</li> <li>Formal advice provided by the Bid Specification Advisory Committee (BSAC), a sub-committee of the Bid Adjudication Committee.</li> </ul> <p><b>Ceiling volume</b></p> <p>A ceiling volume of 50 bids is applicable in light of the ceiling price (R500 000) and the fixed price per bid (R10 000).</p> <p><b>Formats and style</b></p>	

Review comments are to be provided in a format that both highlight the problem (issue/risk) and the advice (recommended solution to address the issue/risk identified).

**Initial review:** A variety of styles which best suits preferences is allowed on condition that such communication indicates both problem and advice, including:

- Track changes in Word document combined with use of notes provided in the text and/or employing a “New comment” facility (Review tab)
- Details in a Word document (with or without the table in the Final review section)
- Details in an email with or without the table in the Final review section
- Any other format agreed to with the NRF.

**Final review:** The final review is to contain the advice which the business unit has chosen not to follow, in a brief table in the following format in a Word document, or other formats as permitted in writing from time to time.

Problem			Advice	Additional comments, if any
Page	Par.	Details		

### **Qualification**

In order to qualify for inclusion on the List of Qualified Service Providers (“panel”) to be allocated call offs, candidates are to meet minimum threshold levels detailed in the [Qualification \(eligibility criteria\)](#) table contained in the **Introduction, Interdependencies and Qualification** section below (after the Terms and Conditions section).

### **Contract type**

This is a single-stage, fixed fee, flexible volume open framework agreement. Work is priced and/or allocated as follows:

- **Single stage:** Acceptance to the panel combined with the fixed fee (next bullet) classifies this as a Single-stage Framework Agreement.
- **Fixed fee:** A fixed fee per review of R10 000 (including VAT) for each draft bid invitation reviewed as an objective criteria.
- **Variable quantity:** The quantity is dependent on the actual number of bids processes. During the year there are a number of additions and withdrawals from the Annual Procurement Plan. Furthermore, the allocation of bids to each panel member (call offs) will vary based on complexity, estimated value, expertise and technical expertise with *proportional* preference provided to bidders with a higher transformation level
- **Ceiling value:** The overall value of this contract is limited to the budget of R500 000.

**Open status**

The closing date and time is provided for administrative convenience to obtain a first-round list of service providers. The nature of an Open Framework Agreement is that potential service providers can apply to be added during the duration of the contract (which is not the case with a *closed* framework agreement). Service providers who therefore do not meet the closing date are not permanently disqualified, rather will merely be excluded during the first-round of evaluation.

**Contract Period**

This framework agreement expires at the earlier of:

- The budget of R500 000 being exhausted, or
- A secondment to fulfil this function

Furthermore, the framework agreement may expire upon the employment of a full-time SCM Specifications Manager at the sole discretion of the NRF.

**Induction**

Once appointed, panel members will be required to read the last three year's BSAC minutes, and quality assurance checklists in operation, as part of a non-chargeable induction process to obtain details of the nature of prior review comments and issues to be addressed.

**Turnaround times for review of draft specifications**

Preferably within one working day. A maximum of three working days unless written consent obtained to increase this period.

**RESPONSE DETAILS****ELECTRONIC SUBMISSION TO:**

[bids@nrf.ac.za](mailto:bids@nrf.ac.za)

Emailed PDF file name format is "Bid Number / Supplier Name" Refer **Annexure A** for guidance on electronic submissions.

**ONE ENVELOPE APPROACH:**

This is a One Envelope approach in light of this being a fixed fee contract.

**Procedural enquiries may be directed in writing to:****Technical enquiries may be directed in writing to:**

Section	Supply Chain Management	Section	Compliance and Reporting
Contact person	Vuyelwa Vabaza	Contact person	Lindiwe Nkwe
E-mail address	vl.vabaza@nrf.ac.za	E-mail address	pl.nkwe@nrf.ac.za



**National  
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SUPPLIER INFORMATION			
Name Of Bidder			
Postal Address			
Street Address			
Telephone Number			
Code		Number	
Cell Phone Number			
Code		Number	
Facsimile Number			
Code		Number	
E-Mail Address			
VAT Registration Number			

SUPPLIER INFORMATION			
<b>Tax Compliance Status</b>	Tax Compliance System PIN		Central Supplier Database No. MAAA
<b>B-BBEE Status Level Verification Certificate</b>	Tick Applicable Box. <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>B-BBEE Status Level Sworn Affidavit</b>	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]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>			
Is the entity a resident of the Republic of South Africa (RSA)?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the entity have a branch in the RSA?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the entity have a permanent establishment in the RSA?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Does the entity have any source of income in the RSA?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the entity liable in the RSA for any form of taxation?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
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.			

TERMS AND CONDITIONS FOR BIDDING (SBD 1 SECTION B)	
<b>1. BID SUBMISSION:</b>	
1.1	Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.
1.2	All bids must be submitted on the official forms provided–(not to be re-typed) or in the manner prescribed in the bid document. Bid pages are bound to minimise risk of lost pages.

TERMS AND CONDITIONS FOR BIDDING (SBD 1 SECTION B)		
1.3	This bid is subject to the Preferential Procurement Policy Framework Act, 2000, the General Conditions of Contract (GCC) with its special conditions of contract, and, if applicable, any other legislative requirements.	
1.4	The successful bidder will be required to fill in and sign a written contract form (SBD7.1).	
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 <a href="http://www.sars.gov.za">www.sars.gov.za</a> .	
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.	
3. TWO ENVELOPE SYSTEM		No
4. VALIDITY PERIOD FROM DATE OF CLOSURE		90 days
5. BRIEFING SESSION OR SITE VISIT DETAILS: N/A		
6. THE BIDDING SELECTION PROCESS		
<b><u>Stage 1 – Compliance to submission requirements</u></b>		
Bidders warrant that their proposal document has, as a minimum; the specified documents required for evaluating their proposals as set out in the Returnable Document List and conform to all the terms, conditions, and specifications as set out in this document.		
<b><u>Stage 2 – Evaluation of Bids against Qualification (Eligibility criteria)</u></b>		
Bidders achieving the transformation pre-qualification, statutory compliance and minimum qualification threshold enter the due diligence stage		

## TERMS AND CONDITIONS FOR BIDDING (SBD 1 SECTION B)

### **Stage 3 – Due Diligence**

The NRF reserves the right to request and interview references and/or to test the candidate's performance against prior advice provided and/or to interview the candidates and/or require presentations from candidates.

### **Stage 4 – Preference Evaluation**

It is an objective condition to distribute the work and to increase the proportion of work on the List of Qualified Service Providers ("panel") to Service Providers with a higher B-BBEE level. The List of Qualified Service Providers will be ranked on a point system as the price is fixed. In general, bidders who are ranked lower will be awarded a lower proportion and thus quantity of work *ceteris paribus*. This falls away should only one bidder qualify.

### **Stage 4 – Checking Tax Compliance**

#### **Stage 4 – Taxpayers Resident in South Africa**

The NRF notifies the recommended bidder in writing where their tax compliance check reflects that they are non-compliant and provides the recommended bidder seven (7) working days to submit written proof from SARS of their tax compliance status or proof that they have made an arrangement with SARS to meet their outstanding tax obligations. Failure to deliver such written evidence of compliance results in the rejection of that recommended bid.

### **Stage 5 – Award and Contract Signing**

The NRF nominates the bidders who meet the pre-qualification and qualification (eligibility criteria) for the contract award and appointment to the List of Qualified Service Providers ("panel") subject to the qualified bidders having supplied the relevant administrative documentation.

## **7. ACKNOWLEDGEMENT OF READING EACH PAGE**

The bidder warrants by signature in this document that the bidder has read and accepts the document in its entirety through reading each page.

## **8. CENTRAL SUPPLIER DATABASE REGISTRATION**

Bidders are requested to register on the Central Supplier Database and to include in their bid their Master Registration Number (Supplier Number) in order to enable the NRF to verify the supplier's tax status on the Central Supplier Database.

## **9. CLARIFICATION**



If the respondent wishes to clarify aspects of this request or the acquisition process, they contact the officials listed under the enquiries section above. The National Research Foundation does not provide the origin of the request to any party.

#### 10. RESPONSE PREPARATION COSTS

The NRF is not liable for any costs incurred by a bidder in the process of responding to this Bid Invitation, including on-site presentations.

#### 11. ONE ENVELOPE SYSTEM

A One Envelope system is employed.

#### 12. COLLUSION, FRAUD AND CORRUPTION

Any effort by Bidder/s to influence evaluation, comparisons, or award decisions in any manner will result in the rejection and disqualification of the bidder concerned.

#### 13. FRONTING

The NRF, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes where applicable, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in the bid documents. The onus is on the bidder to prove that fronting does not exist, should the National Research Foundation establish and notify the bidder of potential breaches of any of the fronting indicators as contained in the Department of Trade and Industry's "Guidelines on Complex Structures and Transactions and Fronting". Failure to do so within a period of 7 days from date of notification will invalidate the bid/contract and may also result in the restriction of the bidder to conduct business with the public sector for a period not exceeding 10 years, in addition to any other remedies the NRF may have against the bidder concerned.

#### 14. DISCLAIMERS

The NRF has produced this document in good faith. The NRF, its agents, and its employees and associates do not warrant its accuracy or completeness. The NRF makes no representation, warranty, assurance, guarantee or endorsements to any provider/bidder concerning the document, whether with regard to its accuracy, completeness or otherwise and the NRF shall have no liability towards the responding service providers or any other party in connection therewith.

#### 15. CANCELLATION OF THE RFQ PRIOR TO AWARD

**Procurement not required:** The NRF cancels the Bid Invitation prior to making an award if due to changed circumstances there is no need for the specified procurement in the document.

**No acceptable bids:** The NRF cancels the RFQ Invitation prior to making an award if it receives no acceptable bids i.e., that do not meet the minimum requirements set out in this document.

	<b>Invalid Bid Procedure:</b> The NRF cancels the RFQ Invitation prior to making an award if a material irregularity occurred in the bid process.
	<b>Insufficiency of Funds at date of Award:</b> The NRF cancels the RFQ Invitation prior to making an award if the funds are no longer available to cover the total estimated contract value at the date of the evaluation.

INTRODUCTION, INTERDEPENDENCIES AND QUALIFICATION		
INTRODUCTION TO THE NRF		
<p>The National Research Foundation Act, Act 23 of 1998, as amended, establishes the National Research Foundation ("NRF") as the juristic person that makes this bid invitation and will contract with the awarded bidder. The Public Finance Management Act classifies the organisation as a Schedule 3A Public Entity.</p>		
INTERDEPENDENCIES		
None known.		
CONTINGENT CONTRACT PERIOD		
<p>This assignment commences immediately upon appointment.</p> <p>This framework agreement expires at the earlier of:</p> <ul style="list-style-type: none"> <li>• The budget of R500 000 being exhausted, or</li> <li>• A secondment to fulfil this function</li> </ul> <p>Furthermore, the framework agreement may expire upon the employment of a full-time SCM Specifications Manager at the sole discretion of the NRF.</p>		
QUALIFICATION (ELIGIBILITY CRITERIA)		
Eligibility criteria	Evidence format	Bidders' response (this column to be filled in by bidders)
Bidders failing to meet any of the below-mentioned criteria are disqualified	Evidentiary proof to include format below or equivalent	<ul style="list-style-type: none"> <li>• Confirm whether in conformity or not (Indicate Yes or No), and</li> <li>• If the answer to the above is Yes, to provide details here or to reference where the</li> </ul>

		details can be found in the bidders' response documentation (page/s and paragraph/s)
<b>Legislative compliance</b>  Detailed knowledge of relevant legislation including legislation relating to SCM (including preferential procurement)	Only one of the options provided below are relevant  Experience in training of relevant legislation, (Proof of training courses provided or statement) <b>or</b> ;	Indicate which of the three are not applicable, where relevant
	Experience in SCM policy formulation to include the requirements of all relevant legislation (Copy of SCM policy, or statement), <b>or</b> ;  Knowledge of relevant legislation (Provision of a detailed list of relevant prescripts including regulations instruction notes and related templates such as SBDs)	
<b>Specifications</b>  Any <b>one</b> of the following options: <ol style="list-style-type: none"> <li>1. Five year's specifications experience (drawing up specifications or drawing up specifications templates or being an active member such as chair of a specifications committee), or</li> <li>2. Drawing up guidelines for specifications specification's guidelines or</li> <li>3. Reviewing significant specifications or</li> <li>4. Approving significant</li> </ol>	CV <b>or</b> Statement.  The NRF reserves the right to call for contract information for up to three references should its due diligence process indicate the need for corroboration from any references	Indicate which one of the options is relevant

<p>specifications or</p> <p>5. Provision of specifications training to public sector entities), or</p> <p>6. Provision of significant specification consulting or technical advice to organisation/s (public sector),</p> <p>7. Identification of at least five key problems (with solutions) in either this bespoke template <b>or</b> in the application of a framework specification/agreement in this bid invitation, or</p> <p>8. Lead specification specialist responsible for complex construction / engineering contract employing a CIDB approved suite of contracts such as NEC, FIDIC, or JBCC.</p>				
<b>DOCUMENTS REQUIRED</b>				
Electronic bid documents for evaluation and contract signing	1			
<b>RETURNABLE DOCUMENTS REQUIRED</b>				
The bidder is to complete this table and to supply the necessary page references to the supporting documentation. <b>A bidder failing to adequately provide any of the mandatory documents is automatically disqualified.</b>				
Legislative/Technical Documents	Compliance			
(M – Mandatory)	<u><b>BIDDER</b></u> Submitted	<u><b>NRF</b></u> Meets Specification Minimum	Bid Section Reference	<u><b>BIDDER</b></u> Reference to Bidder's document
<u><b>Bidder Eligibility</b></u>				

Procurement Invitation (SBD 1), signed and completed.	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Section A	
Bidder's Disclosure (SBD 4), signed and completed.	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other SBDS	
Preference Points Claimed (SBD 6.1), signed and completed.	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	Other SBDS	
<b><u>Qualification (Eligibility)</u></b>					
Bidders' response column is both populated and that the statements / references are adequate for purposes of evaluation.	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	"Bidders response" of the Qualification (Eligibility criteria) table (third column) in the Qualification (Eligibility criteria) section.	
Bidder has indicated Yes for all relevant criteria	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	"Bidders response" of the Qualification (Eligibility criteria) table (third column) in the Qualification (Eligibility criteria) section.	
<b>For office use only:</b> The verification process indicates that the bidder meets the minimum criteria	<b>N/A</b>	<b>N/A</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Qualification (Eligibility criteria) table	N/a
<b><u>Due diligence of Eligibility</u></b>					

<b>For office use only:</b>  Due diligence process (if reference checks conducted) indicates bidder meets requirements	N/A	N/A	<input type="checkbox"/> Yes  <input type="checkbox"/> No	Qualification (Eligibility criteria) table	N/a
<b>Pricing</b>	<b>Compliance</b>				
<b>For office use only:</b>  No changes or inputs to pricing schedule (SBD 3.1)	N/A	N/A	<input type="checkbox"/> Yes  <input type="checkbox"/> No	Pricing Schedule	N/a

SBD 3.1: PRICING (FIXED FEE)						
Pricing Special Conditions						
1	<u>Pre-populated pricing schedule:</u> Bidders are <b>not</b> required to fill in any details on the pricing schedule as this is not required in light of this being a framework agreement which has a fixed price per unit, a variable quantity. The estimate of quantities represents the ceiling quantities for the entire framework agreement and do not reflect the quantities for any individual bidder. Refer <i>Contingent Contract Period</i> for additional context.					
2	<u>Framework pricing:</u> The pricing structure is: <ul style="list-style-type: none"><li>• <b>Price per review:</b> Standard price per bid invitation reviewed is R10 000 (inc. VAT).</li><li>• <b>Ceiling price for the framework agreement:</b> R500 000 (inc. VAT)</li></ul>					
3	<u>Ceiling quantity:</u> 50 bid invitations.					
PRICING SCHEDULE (SBD3.1) THIS IS A PRE-POPULATED FRAMEWORK SCHEDULE – DO NOT THEREFORE ENTER ANY DETAILS IN ANY COLUMN.						
	CEILING QTY	DESCRIPTION	SECTION	UNIT OF MEASURE	UNIT PRICE (inc. VAT)	TOTAL PRICE (inc. VAT)
Quality Assurance of bid invitation templates (ceiling: 50 bids)						
	50	Bid invitation reviews	N/A	Bid invitation	10 000	R500 000
TOTAL CEILING PRICE (Inc. VAT) FOR FRAMEWORK AGREEMENT					R 500 000	

## GENERAL CONDITIONS OF CONTRACT

This bid is subject to the General Conditions of Contract on the National Treasury website

<http://www.treasury.gov.za/>

<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/>

In this document words in the singular also mean in the plural and vice versa, words in the masculine mean in the feminine and neuter, words "department" means organs of state inclusive of public entities and vice versa, and the words "will/should" mean "must". Bidders are deemed to have read the General Conditions of Contract on the National Treasury website. Whenever there is an unintended conflict, the provisions of the Special Conditions of Contract shall prevail over the General Conditions of Contract.

## MANAGEMENT OF PERFORMANCE LEVELS

1. The Performance Levels are in the table below. The NRF measures the contracted bidder's performance against these in the execution of the contract.
3. The contracted bidder recognises that its failure to meet the performance levels has material adverse impact on the operations of NRF and that the damage from the contracted bidder's failure to meet any performance level is not susceptible to precise determination.
4. The NRF excuses the contracted bidder from failing to comply with the performance levels to the extent that non-performance or delayed performance is solely and directly attributable to an act or omission of the NRF or its staff or circumstances of force majeure as referred to in this Agreement.
5. If the contracted bidder fails to meet any performance level:
  - a) The contracted bidder and the NRF shall jointly investigate and report on the root causes of the performance level failure;
  - b) The contracted bidder shall promptly correct the failure and begin meeting the set performance levels;
  - c) The contracted bidder shall advise the NRF as and to the extent requested by the NRF of the status of remedial efforts being undertaken with respect to such performance level failure; and
  - d) The contracted bidder shall take preventive measures to prevent the recurrence of the performance level failure.
6. Both parties are responsible for monitoring and measuring the performance of the contracted bidder against the performance levels set in this document. The NRF deems failure by the contracted bidder to measure performance with respect the contract specifications for any measurement period as a failure to meet the stipulated performance levels.

## PERFORMANCE LEVELS

Service/Goods being Measured	Measurement Methodology	Penalty
Quantity: Number of review comments	Items missed per: <ul style="list-style-type: none"> <li>• NRF living checklists and/or</li> <li>• Professional experience and/or legislation and/or</li> <li>• NRF's SCM policy and/or</li> <li>• Prior lapses</li> </ul>	Proportional reduction in fee payable after second occurrence  Exclusion from list of qualified services providers after repeated occurrences
Quality:	Failure to identify both problem and solution separately  Failure to address problem adequately  Failure to meet the checklist standards such as bad grammar, or solutions that are contrary to the checklist for no good and agreed upon reason	Proportional reduction in fee payable after second occurrence  Exclusion from list of qualified services providers after repeated occurrences
Turnaround times:	Failure to meet maximum turnaround times	20% reduction for each day delayed beyond five working days
	Repeated delays	Exclusion / suspension from "panel" after repeated delays

## 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.



## SBD 4 – BIDDER'S DISCLOSURE

### 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 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**

### 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:

In order to give effect to the above, the following questionnaire must be completed and submitted with this Bid:

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

<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.

## SBD 4 – BIDDER'S DISCLOSURE

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.

3.5 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.

3.6 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 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.

3.7 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

<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.

## PREFERENCE POINTS CLAIMED (SBD 6.1)

**The Preference form must for 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 invitation to tender:

1.1.1. the 80/20 system for requirements with a Rand value of up to R 50 000 000 (all applicable taxes included); and

1.1.2. The 90/10 system for requirements with a Rand value above R 50 000 000 (all applicable taxes included)

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

1.2.1. The applicable preference point system for this tender is the 80/20 preference point system.

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

1.3.1. Price; and

1.3.2. Specific Goals

### 1.4. To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

**POINTS**

**PRICE**

80

**SPECIFIC GOALS**

20

**Total points for Price and Specific Goals must not exceed**

100

1.4. 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.

1.5. 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.

## PREFERENCE POINTS CLAIMED (SBD 6.1)

### 2. DEFINITIONS

- 2.1. **“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;
- 2.2. **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- 2.3. **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- 2.4. **“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
- 2.5. **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

### 3. FORMULE FOR PROCUREMENT OF GOODS AND SERVICES

#### 3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

- $P_s$  = Points scored for price of bid under consideration  
 $P_t$  = Price of bid under consideration  
 $P_{\min}$  = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR 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—

## PREFERENCE POINTS CLAIMED (SBD 6.1)

- (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 organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)**

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

**NRF WILL USE THE B-BBEE CERTIFICATE OF SWORN AFFIDAVIT FOR SPECIFIC GOALS**

The specific goals allocated points in terms of this tender:  B-BBEE level	Number of points allocated (90/10 system)	Number of points allocated (80/20 system)	Number of points claimed (90/10 system)	Number of points claimed (80/20 system)  (To be completed by the tenderer)
1		20		
2		18		
3		14		
4		12		
5		8		
6		6		
7		4		
8		2		
Non-compliant contributor		0		

### DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number: .....

4.5. Type of company/firm

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points

## PREFERENCE POINTS CLAIMED (SBD 6.1)

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.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

## BID SUBMISSION CERTIFICATE FORM - (SBD 1)

I hereby undertake to supply all or any of the goods, works, and services described in this procurement invitation to the NRF in accordance with the requirements and specifications stipulated in this Bid Invitation document at the price/s offered.

## BID SUBMISSION CERTIFICATE FORM - (SBD 1)

My offer remains binding upon me and open for acceptance by the NRF during the validity period indicated and calculated from the closing time of Bid Invitation.

The following documents are deemed to form and be read and construed as part of this offer / bid even where integrated in this document:

Invitation to Bid (SBD 1)	Specification(s) set out in this RFQ Invitation inclusive of any annexures thereto
Bidder's responses to this invitation as attached to this document	Pricing Schedule(s) (SBD3.1) including detailed schedules attached
Bidder's Disclosure (SBD4)	Preference (SBD 6.1) claims for specific goals.
General Conditions of Contract and special/additional conditions of contract as set out in this document	

I confirm that I have satisfied myself as to the correctness and validity of my offer / bid in response to this Bid Invitation; that the price(s) and rate(s) offered cover all the goods, works and services specified in the Bid Invitation and cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me in terms of this Bid Invitation as the principal liable for the due fulfilment of the subsequent contract if awarded to me.

I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other Bid.

I certify that the information furnished in these declarations (SBD 3.1, SBD 4, SBD 6.1) is correct and I accept that the NRF may reject the Bid or act against me should these declarations prove to be false.

I confirm that I am duly authorised to sign this offer/ bid response.

<b>NAME (PRINT)</b>	
CAPACITY	
SIGNATURE	
<b>WITNESS 1</b>	
NAME	
SIGNATURE	

## **ANNEXURE A - ELECTRONIC BID SUBMISSION – GUIDELINE FOR BIDDERS**

This document serves the purpose of providing the bidder with guidelines and prescripts on how to submit their bids to the NRF via e-mail. As this particular bid is a **One Envelope** process, the process regarding a Double Envelope system below is **not** required.

**Conditions for electronic submissions:** This section does not apply to soft copies requested on manual submissions. It applies when email submissions are permitted. In circumstances where they are advisable, the business unit needs to ensure that they have appropriate controls and processes in place, such as:<sup>3</sup>

- Valid process of ensuring that bidder's electronic signatures complies with legislation such as The Electronic Communications and Transactions Act, 25 of 2002 (the ECT Act),
- System records exact time and date of submission in a manner that provides appropriate probity to stakeholders such as auditors,
- System to prevent unauthorised access and system to show if infringement,
- System of authorised persons to set / change dates for opening data received,
- System allows simultaneous communication,
- System of record-keeping meets legislative requirements such as The National Archives and Records Service of South Africa Act (Act. No. 43 of 1996, as amended).

### **1. PRESCRIPTS**

- All files must be submitted in pdf format unless otherwise stated.
- Pricing submission (including any SBDs where bidder's price is quoted) must be password protected and submitted as a separate file.
- **Two envelope system:** All bidders document must be submitted to the email address specified on the NRF bid document and however the password to the password protected pricing file must be submitted as a separate file and emailed as specified in the bid document.
- The NRF email size limit is 4MB, bidder must ensure that their submission is no bigger than this limit.
  - Your files must be Zipped to ensure that your submission is in line with the email size limit
- Timeline for submitting password to NRF
  - The password for pricing file must **not** be submitted before the bid closes.
  - The password may be submitted 1 minute after bid closure and no later than 2 days post bid closure. Failure to submit within 2 days may lead to bid being unable to be evaluated thus rendering them unresponsive.
- The subject of your email quote verbatim the bid name in the exact words provided in the NRF bid document.

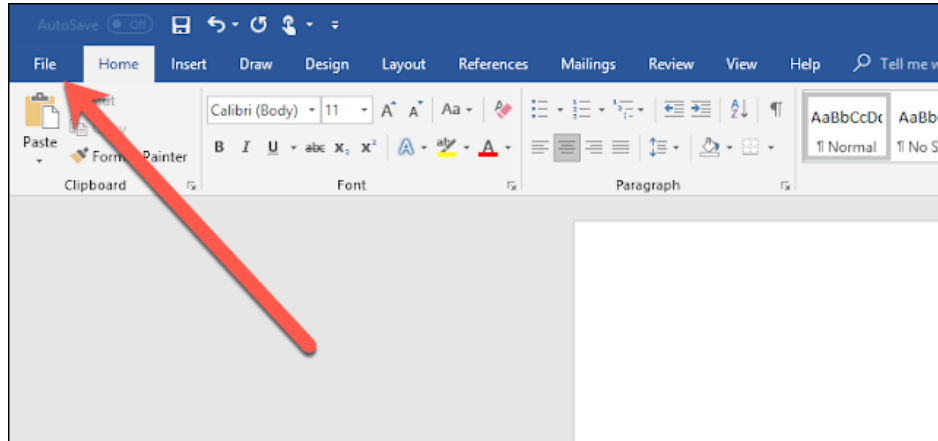
<sup>3</sup> SANS 10845-1 paragraph 4.7



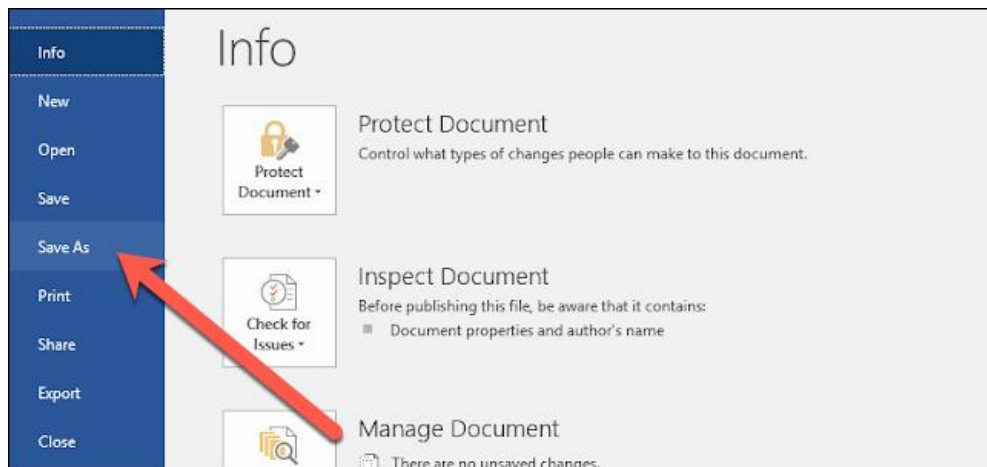
## 2. GUIDELINES

### Converting to pdf

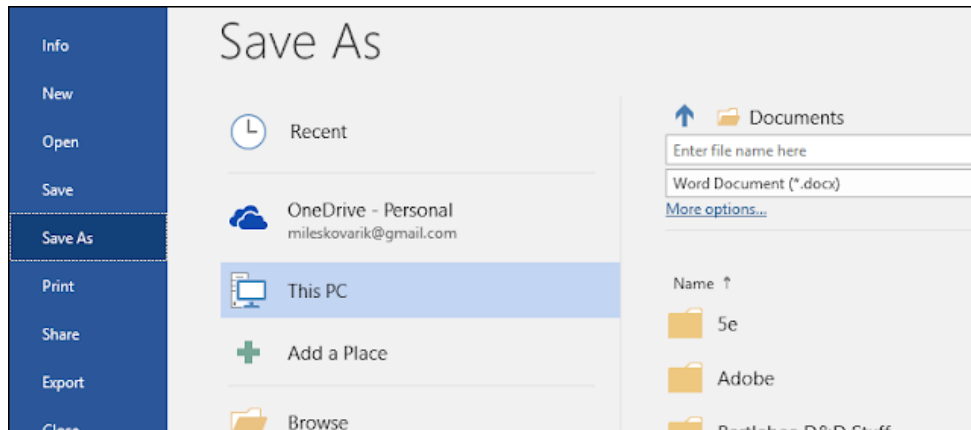
- If you have the desktop version of Microsoft Word, the easiest way to convert your document to PDF is right in Word itself.
- Open the document you want to convert, and then click the “File” tab.



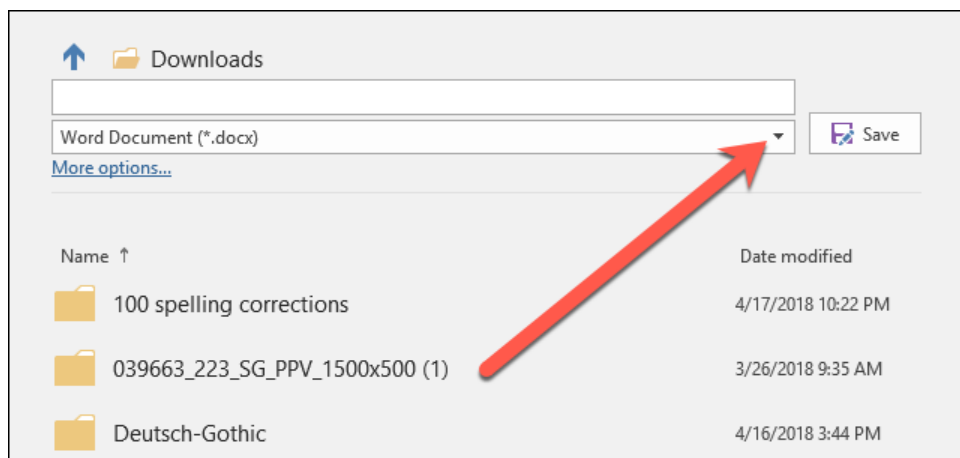
- On the backstage screen, select “Save As” from the list on the left.



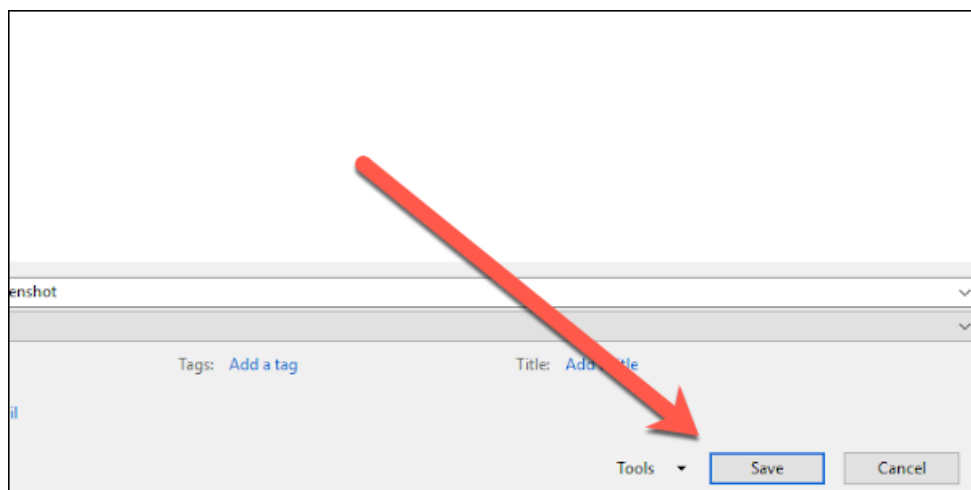
- On the Save As screen, select where you would like the PDF to be saved (OneDrive, This PC, a particular folder, or wherever).



- Next, click the dropdown arrow on the right side of the “Save as type” box, and select “PDF (\*.pdf)” from the dropdown menu.



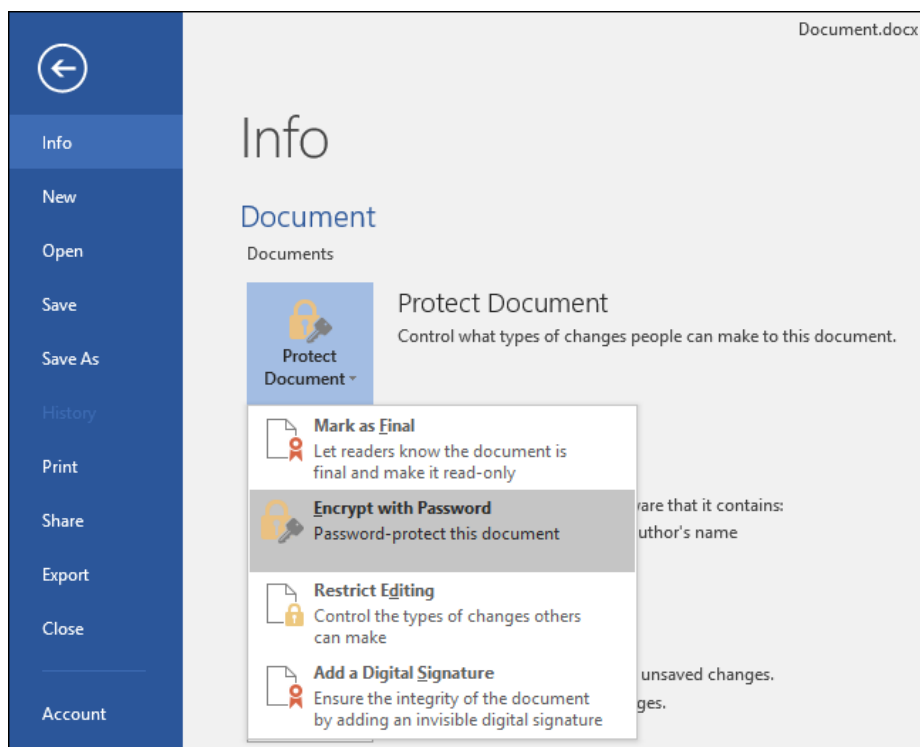
- If you want to, you can change the filename at this time. When you're ready, click the “Save” button.



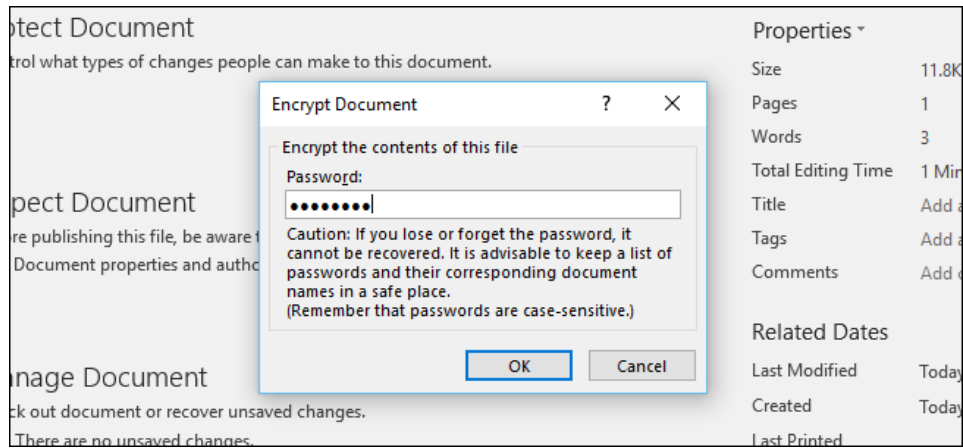
- After saving the PDF, you'll be returned to your Word document, and the new PDF will open automatically in your default PDF viewer.

## Password protecting files

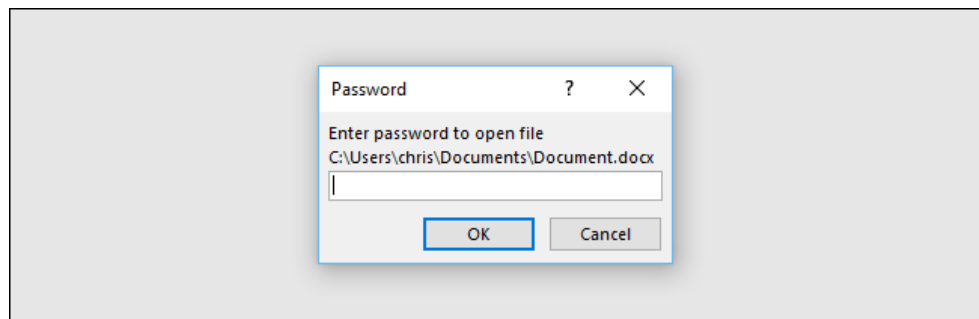
- To password protect an Office document, first open it in Word, Excel, PowerPoint, or Access. Click the “File” menu at the top-left corner of the screen. On the Info pane, click the “Protect Document” button and select “Encrypt with Password.”
- The button is only named “Protect Document” in Microsoft Word, but it’s named something similar in other apps. Look for “Protect Workbook” in Microsoft Excel and “Protect Presentation” in Microsoft PowerPoint. In Microsoft Access, you’ll just see an “Encrypt with Password” button on the Info tab. The steps will otherwise work the same.
- NOTE: If you only want to restrict editing of the document, you can choose “Restrict Editing” here, but as we said, that is not very secure and can easily be bypassed. You’re better off encrypting the entire document, if you can.



- Enter the password you want to encrypt the document with. You’ll want to choose a good password here. Weak passwords can be easily guessed by cracking software if someone gains access to the document.
- **Warning:** You’ll lose access to the document if you ever forget your password, so keep it safe! Microsoft advises you write down the name of the document and its password and keep it in a safe place.



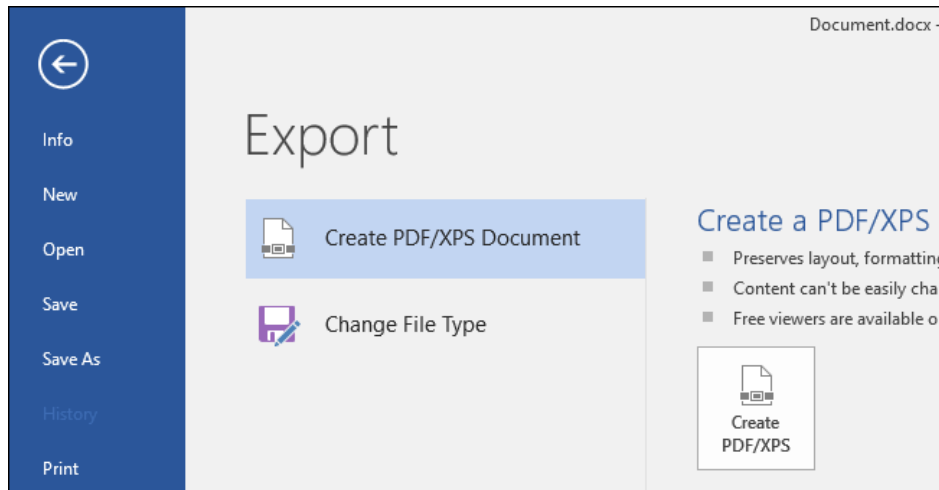
- When a document is encrypted, you'll see the "A password is required to open this document" message on the Info screen.  
The next time you open the document, you'll see an "Enter password to open file" box. If you don't enter the correct password, you won't be able to view the document at all.



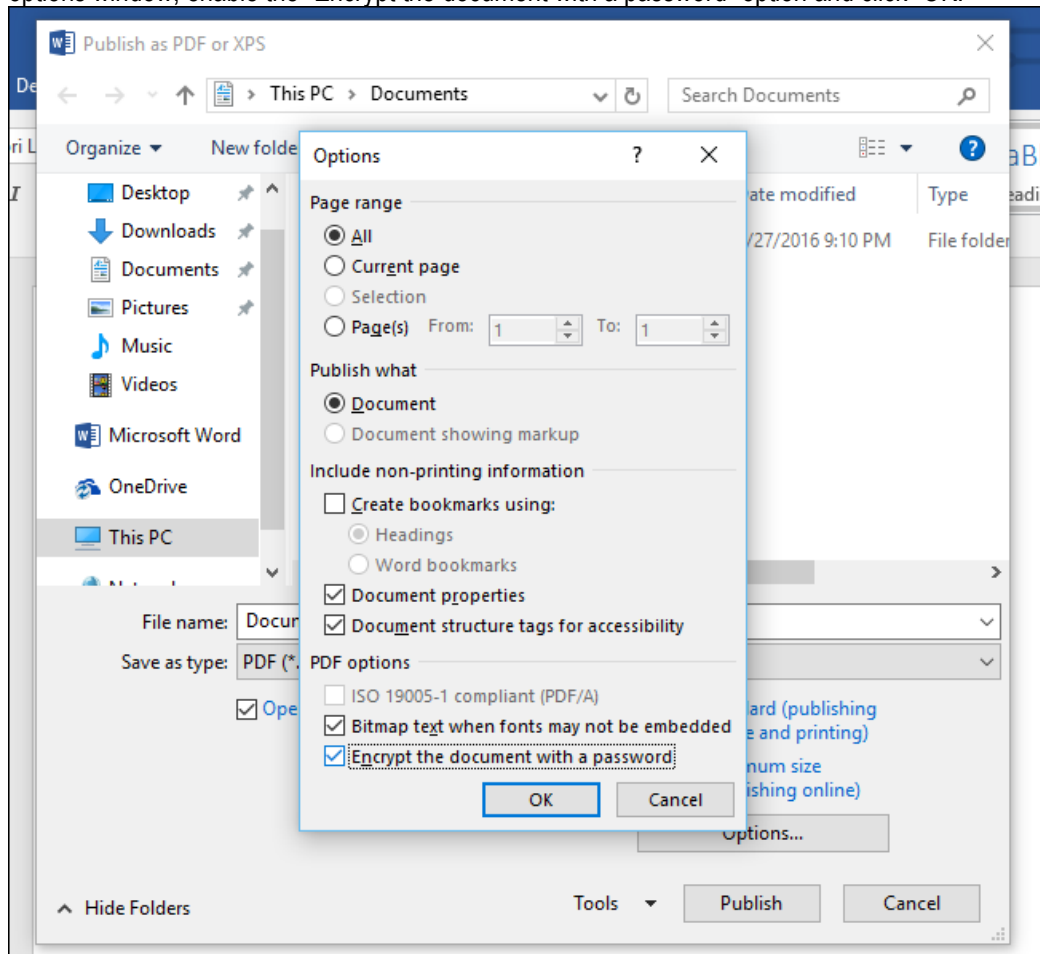
- To remove the password protection from a document, click the "Protect Document" button and select "Encrypt with Password" again. Enter a blank password and click "OK." Office will remove the password from the document.

## How to Create a Password Protected PDF File

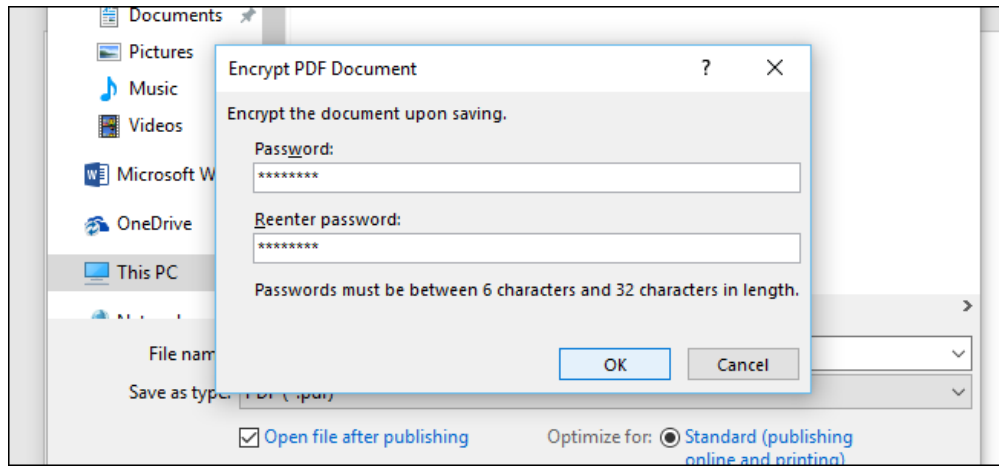
- You can also export an Office document to a PDF file and password protect that PDF file. The PDF document will be encrypted with the password you provide. This works in Microsoft Word but not Excel, for some reason.
- To do this, open the document in Microsoft Word, click the "File" menu button, and select "Export." Click the "Create PDF/XPS" button to export the document as a PDF file.



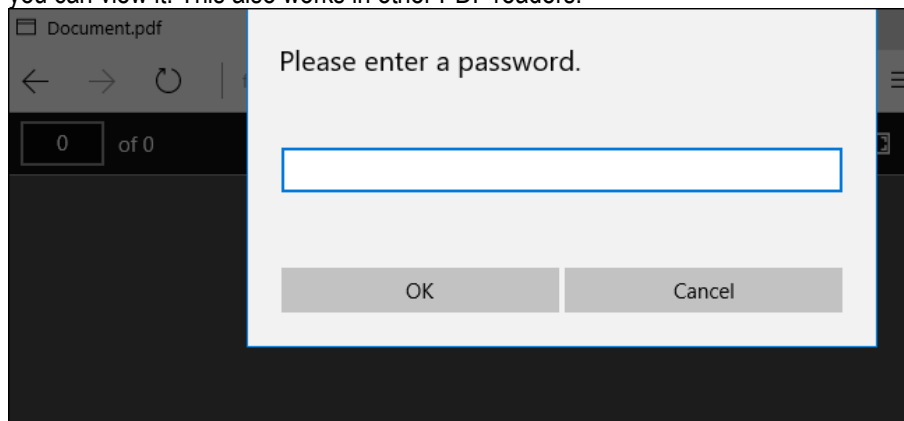
- Click the “Options” button at the bottom of the save dialog window that appears. At the bottom of the options window, enable the “Encrypt the document with a password” option and click “OK.”



- Enter the password you want to encrypt the PDF file with and then click “OK.”
- When you’re done, enter a name for the PDF file and click the “Publish” button. Office will export the document to a password-protected PDF file.
- **Warning:** You won’t be able to view the PDF file if you forget the password. Be sure to keep track of it or you’ll lose access to your PDF file.



- You'll have to enter the PDF file's password when you open it. For example, if you open the PDF file in Microsoft Edge—Windows 10's default PDF viewer—you'll be asked to enter the password before you can view it. This also works in other PDF readers.



## Zipping your files.

- Put all the files into a new folder
- Right-click on the folder to be sent
- Select "Send To" and then click "Compressed (Zipped) folder"
- The files will start compressing
- After the compression process is complete, attach the compressed file with the extension .zip to your email.

## Keeping passwords safe.

We recommend that you store the password either as a note on a hardcopy document which is then filed or stored safely or a softcopy that is saved in the bid response folder once the bid has been submitted or in line with your document management policy.