



RFQ NUMBER	RFQ/MICT/81/2022
RFQ DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION, SUPPLY, AND CONFIGURATIONS OF LOCAL AREA NETWORK (LAN) FOR CAPE TOWN REGIONAL OFFICE.
RFQ ISSUE DATE	18 November 2022
COMPULSORY BRIEFING SESSION	21 November 2022 @ 13:00 The Boulevard Office Park Block B Ground Floor Searle Street Woodstock Western Cape 7925
CLOSING DATE & TIME	25 November 2022 @ 11:00 AM RFQ submitted after the stipulated closing date and time will not be considered.
LOCATION FOR SUBMISSIONS	rfqs@mict.org.za
NO. OF DOCUMENTS	One (01) soft copy
BID VALIDITY PERIOD	Bids received shall remain valid for acceptance for a period of 90 days counted from the closing date of the bid.

For queries please contact rfqs@mict.org.za before the closing date of this RFQ.

The MICT SETA 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: _____

NATIONAL TREASURY (CSD) SUPPLIER NUMBER: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

SUPPLIER REGISTRATION ON CSD

Prospective suppliers must register on the National Treasury Central Supplier database in terms of National Treasury circular no 4A of 2016/17. The bidder shall register prior submitting a proposal/bid.

RETURNABLE DOCUMENTS CHECKLIST

quotation invitation document must be completed, signed, and submitted as a whole by the authorised Company representative. All forms must be properly completed, list below serve as a checklist of your RFQ submission.

(Tick in the relevant block below)

DESCRIPTION	YES	NO
CSD Central Supplier Database (CSD) Registration Report		
Pricing Schedule		
Certified copy of CIPC Registration Documents		
Valid Tax Clearance Certificate(s) and/or proof of application endorsed by SARS and/or SARS issued verification pin		
Designated Sectors: Local production and content (Where applicable)		
SBD 4 – Bidder’s Disclosure		
SBD 6.1 – Preferential Procurement Claim Form		

Note: This RFQ must be completed and signed by the authorised company representative

**MICT SETA Head Office**

Supply Chain Management

19 Richards Drive

Gallagher Convention Centre, Gallagher House

Level 3 West Wing

Tel +27 11 207 2600

E-mail: rfqs@mict.org.za**SBD 1: PART A: INVITATION TO BID**

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
COMPANY REGISTRATION NUMBER					
DATE OF REGISTRATION					
VAT REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			
[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 PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid, e.g. resolution of directors, etc.			
TOTAL NUMBER OF ITEMS OFFERED	Refer to pricing schedule/costing	TOTAL BID PRICE (ALL INCLUSIVE)	Refer to pricing schedule/costing

PART B: TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED- (NOT TO BE RE-TYPED) OR ONLINE
1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.



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2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

BIDDING STRUCTURE

Bidding structure

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

Individual bidder	
Joint Venture	
Consortium	
Subcontractors	
Other	

If the bid is submitted as a Consortium or Joint Venture or Subcontracting Arrangement list the members of such Consortium or Joint Venture and Sub Contractors below:

Bidder's Information (includes bids submitted Individual or as a Consortium or Joint Venture)

Supplier size type (Large or QSE or EME)	
First time business with MICT SETA (Yes/No)	
Number of existing running contracts and total value	
Total number of Employees	



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Entity ownership

Ownership category	% Of ownership
Black or historically disadvantage individual owned	
Black women owned	
Black youth owned	
People living with disability	
Military veteran	
Other ownership	
Total (100%)	



MICT SETA – QUOTATION CONDITIONS

1. QUOTATION CONDITIONS

NOTE: Quotation for the supply of goods or services described in this document are invited in accordance with the provision of Government Procurement: General Conditions of Contract available for download from <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

- a. **MICT SETA** does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of the RFQ.
- b. No RFQ shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

1.1 **MICT SETA** reserves the right to:

- a. Not evaluate and award RFQ that do not comply strictly with the requirements of this RFQ.
- b. Make a selection solely on the information received in the RFQs and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- c. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders and no change in the content of the RFQ shall be sought, offered or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFQ at any stage
- f. Accept a separate RFQ or any RFQ in part or full at its own discretion.
- g. Cancel this RFQ or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Select the bidder(s) for further negotiations on the basis of the greatest benefit to MICT SETA and not necessarily on the basis of the lowest costs

2. COST OF BIDDING

The bidder shall bear all costs and expenses associated with preparation and submission of its RFQ or RFQ, and the MICT SETA 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 processes.

PRICING SCHEDULE

Name of bidder _____

Bid number: _____

Closing date _____

Bid shall remain valid for acceptance for a period of **90 days** counted from the closing date.

Bidders to provide further cost breakdown where necessary under each line item, and sub-total and the overall RFQ price (Total) should be included. The below table is for illustration only:

Item	Requirement Description	Quantity	Unit Price	Total
1	Supply and configuration of Aruba AP 505	1	R	R
2	Aruba AP 505 3-year warranty	2	R	R
3	Supply and configuration of APC 5kVA Rack Mountable Smart-UPS	1	R	R
4	APC 5kVA UPS 3-year warranty	1	R	R
5	25U lockable cabinet / Rack with PDU	1	R	R
6	Patch panel	1	R	R
7	Brush Panel	1	R	R
8	Cabling and installation	1	R	R
Sub-Total				
VAT@15%				
TOTAL PRICE (INCLUDING VAT)				

Complete below:

1. Delivery Address: **The Boulevard Office Park, Block B Ground Floor, Searle Street, Woodstock, Woodstock, Western Cape, 7925**
2. Indicate Delivery period after order receipt:
3. Is delivery period fixed? **Yes/No**
4. Is the price(s) fixed? **Yes/No**
5. Is the quote strictly to specification? **Yes/No**

I/We, the undersigned, agree that this bidding price shall remain binding on me/us and open for acceptance for the period stipulated above.

Authorised Company Representative:

Capacity under which this bid is signed:

Signature:

Date:

DETAILED SPECIFICATION

APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION, SUPPLY, AND CONFIGURATIONS OF LOCAL AREA NETWORK (LAN) FOR CAPE TOWN REGIONAL OFFICE.

1. INTRODUCTION

The Media, Information and Communication Technologies Sector Education and Training Authority (MICT SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act (Act No. 97 of 1998). The MICT SETA plays a pivotal role in achieving South Africa's skills development and economic growth within the 5 distinct sub-sectors it operates in; i.e. Advertising, Film and Electronic Media, Electronics, Information Technology, and Telecommunications.

2. BACKGROUND

The MICT SETA intends to modernise its value chain by introducing technology solutions that improve management and processing of its data and information in an efficient and effective manner, provide instant and accurate reporting and reduce manual processes in its value chain. The lack of adequate infrastructure has a negative effect on the organisation's ability to provide specific focused services in line with its value on customer centricity.

In line with the vision of the MICT SETA of "cutting-edge future skills", the MICT SETA ensures that all its offices are equipped with adequate ICT infrastructure to fulfil the customer centricity value. Accordingly, a need has arisen for the installation of ICT networking tools in the newly established Cape town Regional Office to enable the office to function, enable accessibility of the MICT SETA and improve communication with its stakeholders.

3. PURPOSE

The MICT SETA is looking to appoint a suitably qualified, experienced, and accredited service provider for the provision, supply, and configurations of a Local Area Network (LAN) for its Cape town Regional Office.

4. PROJECT SCOPE

The following were identified as scope of the project:

- a) Supply and configurations of networking equipment;
- b) Supply and configuration of networking cabling;
- c) Supply and configuration of network points;
- d) Supply and configurations of Uninterruptible Power Supply (UPS) equipment;
- e) Supply and configuration of an access points;
- f) Product and workmanship warranty; and
- g) Maintenance of the procured equipment.

5. OFFICE SPECIFICATION

5.1 The office is located at the following address:

**The Boulevard Office Park
Block B Ground Floor
Searle Street
Woodstock
Western Cape
7925**

5.2 Office Setup

The following are part of the scope of the required project (network points):

- a) *Boardroom*
- b) *Meeting Room 1*
- c) Regional Manager Office
- d) Advisors' Office
- e) Network Printer Room
- f) Reception Area
- g) Open Area
- h) Server Room
- i) Wi-Fi Access Point (network point)
- j) Additional Points for future expansion (RM to show installation area).

2.5 Compulsory Site Visit / Briefing Session

- A) The Site Visit / Briefing Session is a compulsory part of the acquisition process for all participating Service Providers. Non-attendance of thereof will automatically disqualify any prospective bidder.
- B) The Briefing Session will be held as follows:

Date	Time	Venue
21 November 2022	13:00	The Boulevard Office Park Block B Ground Floor Searle Street Woodstock Western Cape 7925

6. TECHNICAL SPECIFICATIONS

6.1 Hardware

#	Description	Quantity
1.	Supply and configuration of Aruba AP 505	1
2.	Aruba AP 505 3-year warranty	2
3.	Supply and configuration of APC 5kVA Rack Mountable Smart-UPS	1
4.	APC 5kVA UPS 3-year warranty	1
5.	25U lockable cabinet / Rack with PDU	1
6.	Patch panel	1
7.	Brush Panel	1

6.2 Network points

#	Description	Quantity
1.	Boardroom	3
2.	Meeting Room 1	1

3.	Regional Manager Office	2
4.	Advisors' Office	2
5.	Network Printer room	1
6.	Reception Area	2
7.	Open Area	4
8.	Server Room	1
9.	Wi-Fi Access Point	1
10.	Additional Points for future expansion (RM to show installation area)	2

7. INSTALLATION

7.1 It is expected that this specification will allow the Service Provider to scope and implement a complete and working Local Area Network solution. Should there be unclear or incomprehensive requirement; the bidder can seek further clarity at the Compulsory Briefing Session.

7.2 MICT SETA has adopted **KRONE CAT6/Molex** cabling standard throughout its Network. All new installations are to be accompanied by a KRONE/Molex Certificate as well as a Visio Diagram indicating Network Point location in relation to office layout before the site installation can be signed off.

7.3 The successful service provider will be required to ensure that all cabling and network points are clearly marked and labelled

7.4 All required cables, software and accessories that make up the proposed solution must be included as part of the proposal.

7.5 All cabling must be done neat to ensure a safe and clean environment. No cables are to be present on the floor nor must they be found to be easily snagged or pulled.

7.6 The successful service provider will be required carry out all installations, documentation, and handover to MICT SETA network engineer.

7.7 The devices in the rack must be connected and powered through the UPS.

7.8 New network points must be commissioned in three (03) offices, boardroom, reception area, and for an Access Point.

7.9 Normal power points must be commissioned in the printing area and waiting area.

7.10 All network points commissioned as part of the project must be tested for functionality.

8. MAINTENANCE, SUPPORT AND GUARANTEES (MANDATORY FOR SUPPLIED EQUIPMENT AND MATERIALS)

8.1 The Service Provider is obliged to, as part of procuring the equipment, procure such in MICT SETA's name, with the necessary Support and Maintenance. The Service Provider may not provide maintenance or support for the said equipment.

8.2 The Service Provider will be required to, as part of the deployment procured through this Acquisition Exercise, provide warranties for the workmanship, where the service provider will be required to remedy any identified poor workmanship at no cost to MICT SETA within twelve (12) months after the installation.

9. COSTING MODEL

9.1 The solution objectives together with scope of work should be considered when compiling the pricing for the delivery of the services.

9.2 All costing must be projected inclusive of any applicable taxes. These costs should consider unit costs and hourly rates.

9.3 Costing must be done inclusive of any applicable travel or allowances of any kind and should therefore be inclusive of all foreseeable costs to achieve the project objectives.

8. EVALUATION CRITERIA

The MICT SETA complies with the provisions of the Public Finance Management Act, Act No 1 of 1999 *as amended*; Treasury Regulations of 2005; the Preferential Procurement Policy Framework Act, Act No 5 of 2000; and the Preferential Procurement Regulations of 2017; and the MICT SETA Supply Chain Management (SCM) Policy.

Bids received will be evaluated against the following set evaluation criteria.

STAGE 1: MANDATORY CRITERIA

- a) The Bidders must have undertaken and completed a minimum of three (03) ICT projects in the last five (05) years. Bidders must provide a minimum of three (03) contactable reference letters related to bidders' experience in supplying and installation of networking services and equipment within the last three (03) years.
- b) The bidders must be Krone or Molex certified. A CommScope (Krone) or Molex certification of good standing must be submitted as part of the bid.

Note: Bidders that do not meet the MICT SETA evaluation criteria will be eliminated from further evaluation process.

STAGE 2: PRICE AND PREFERENCE EVALUATION

Bidder must submit a valid proof of BBBEE contributor status (B-BBEE verification certificate issued by a SANAS accredited verification agency or CIPC B-BBEE certificate or B-BBEE affidavit duly sworn and commissioned) for points allocation.

Bidders, please take note:

The duly sworn and commissioned B-BBEE affidavits must be based on the Audited Financial Statements/Financial Statements and/or other information available on the latest financial year-end. Kindly contact the DTI / B-BBEE Commission for more information with regards to latest financial year end e.g. 28 February 2022. ALL sections of the B-BBEE sworn affidavit must be completed.

8.1 PREFERENCE POINT SYSTEM

- a. The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder.
- b. In the event that two or more tenderers have scored equal total points, the successful tenderer must be the one that scored the highest points for B-BBEE.
- c. If two or more tenderers have equal points, including equal preference points for B-BBEE, the successful tenderer must be the one scoring the highest score for functionality if functionality is part of the evaluation process.
- d. In the event that two or more tenderers are equal in all respects, the award must be decided by the drawing of lots.

8.2 POINTS AWARDED FOR PRICE

Maximum 80 points for price will be allocated as per paragraph 3.1 of Preferential Procurement Regulations 2011, refer to Preferential Procurement Claim form on **SBD 6.1**.

8.3 POINTS AWARDED FOR B-BBEE

Maximum 20 points for B-BBEE will be allocated as per paragraph 4.1 of Preferential Procurement Regulations 2011, refer to Preferential Procurement Claim form on **SBD 6.1**.

- a. Bidders who qualify as EME's and QSE's in terms of the B-BBEE Act must submit a Sworn affidavit. Misrepresentation of information constitutes a criminal offence.
- b. Bidders other than EME's or QSE's must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by SANAS.
- c. 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.
- d. 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 bid.
- e. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- f. A Bidder will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.
- g. A Bidder awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

PREFERENTIAL PROCUREMENT CLAIM FORM SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1 GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

1.2 Points for this bid shall be awarded for:

Price; and B-BBEE Status Level of Contributor.

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

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

1.4 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2 DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price Bid, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3 POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where:

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5 BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: = (maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7 SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8 DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:

8.2 VAT registration number.....

8.3 Company registration number.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium One person business/sole propriety

- Close corporation
- (Pty) Limited
- [TICK APPLICABLE BOX]
- Company

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Professional service provider
- Supplier
- Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificates, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) recover costs, losses, or damages it has incurred or suffered as a result of that person’s conduct;
 - (b) 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;
 - (c) recommend that the bidder or contractor, its shareholders, and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. BIDDER'S DECLARATION

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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:

.....

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

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read, and I understand the contents of this disclosure.
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

Sworn Affidavit – B-BBEE Exempted Micro Enterprise

I, the undersigned,

Full name and Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd,	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
Definition of "Black Designated Groups"	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution. (b) Black people who are youth as defined in the National Youth Commission Act of 1996. (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act. (d) Black people living in rural and underdeveloped areas. (e) Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011".

3. I hereby declare under Oath that:

- The Enterprise is__% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is__% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is__% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:

- Black Youth % = ___%
- Black Disabled % = _%
- Black Unemployed % = ___%
- Black People living in Rural areas % = _____%
- Black Military Veterans % = _%

- Based on the Audited Financial Statements/Financial Statements and other information available on the latest financial year-end of _____ DD/MM/YYYY the annual Total revenue did not exceed R10,000,000.00 (Ten Million Rends)
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter

5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature:

Deponent Designation:

Date:

.....

Commissioner of Oaths

Signature & stamp

Date:

Sworn Affidavit – B-BBEE Qualifying Small Enterprise

I, the undersigned,

Full name and Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd,	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (c) who are citizens of the Republic of South Africa by birth or descent; or (d) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
Definition of "Black Designated Groups"	"Black Designated Groups means: (f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution. (g) Black people who are youth as defined in the National Youth Commission Act of 1996. (h) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act. (i) Black people living in rural and underdeveloped areas. (j) Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011".

3. I hereby declare under Oath that:

- The Enterprise is__% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is__% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is__% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:

- Black Youth % = ___%
- Black Disabled % = _%
- Black Unemployed % = ___%
- Black People living in Rural areas % = _____%
- Black Military Veterans % = _%

- Based on the Audited Financial Statements/ Financial Statements and other information available on the latest financial year-end of _____ DD/MM/YYYY, the annual Total Revenue did not exceed R50,000,000.00 (Fifty Million Rands).
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter

5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature:

Deponent Designation:

Date:

.....

Commissioner of Oaths
Signature & stamp

Date: