



MMABANA ARTS, CULTURE AND SPORT FOUNDATION

TENDER DESCRIPTION:	TLHABANE REGIONAL OFFICE: PROVISION OF 24-HOUR PRIVATE SECURITY SERVICES FOR MMABANA TLHABANE OFFICE FOR A PERIOD OF THREE (3) YEARS.
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TENDER NUMBER: **MACSF 005/B/TLHABANE/2023**

NAME OF BIDDER:

CSD NUMBER:

VENDOR NUMBER (WHERE APPLICABLE)

BID CLOSING DATE: **28 JUNE 2023**



MMABANA Head Office
101 Dr James Moroka Drive
Mmabatho, 2735
North West RSA

MMABANA ARTS, CULTURE AND SPORT FOUNDATION

Bids are hereby invited from suppliers for the following bid:

Bid number	Description	Contact person	Briefing session	Closing date
MACSF 001/B/TLHABANE/2023	TLHABANE REGIONAL OFFICE: PROVISION OF 24-HOUR PRIVATE SECURITY SERVICES FOR MMABANA TLHABANE OFFICE FOR A PERIOD OF THREE (3) YEARS.	- Technical enquiries: Mr Sipho Nkese (082 880 5145) or siphon@mmabana.org.za) - Supply chain enquiries: Mr Mandla Twala (066 189 9515 or mtwala@mmabana.org.za).	NOT APPLICABLE	DATE: WEDNESDAY, 28 JUNE 2023 TIME: 11H00 AM VENUE: MMABANA TLHABANE – 56 HEDEIRA, STREET, EXTENSION 4, GEELHOUT PAR, RUSTENBURG, 0300.

THE DOCUMENT IS DOWNLOADABLE ON THE MMABANA ARTS, CULTURE AND SPORT FOUNDATION WEBSITE (www.mmabana.org.za) and on the E-tender portal documents will be free.

Each tender shall be enclosed in a sealed envelope that bears the correct identification details and shall be placed in the tender box located at:

Tlhabane Regional Office: 56 Hedeira Street, Extension 4, Geelhoutpark, Rustenburg.0300

Documents must be deposited in the bid box not later than **11:00AM on Wednesday, 28 June 2023**

Bidders must contact the following officials for any enquiries:

- Technical enquiries: Mr Sipho Nkese (082 880 5145) or siphon@mmabana.org.za).
- Supply chain enquiries: Mr Mandla Twala (066 189 9515 or mtwala@mmabana.org.za).

Bids will remain valid for a period of 90 days after the closing date.

Bids received after the closing date and time will not be considered. The foundation does not bind itself to accept the lowest or any other bid in whole or in part.

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LIST OF RETURNABLE DOCUMENTS THAT SHOULD FORM PART OF THE BID DOCUMENT			
•	SBD 1 - Fully completed and signed		
•	SBD 3.1 - Fully completed and signed		
•	SBD 4 - Fully completed and signed		
•	SBD 6.1 - Fully completed and signed		
•	General Condition of Contract (GCC) - (Initial each page)		
•	Full CSD Report (reflecting the company information, validity of tax status, B-BBEE information and directors/ members/ owners' information)		
•	Business Registration Certificate		
•	Certified ID Copies of the shareholders		
•	Company Profile		
•	Letter of good standing in respect of Compensation for Occupational Injuries and Diseases (COIDA)		
•	Proof of Public liability Insurance		
•	Proof of registration with Unemployment Insurance Fund (UIF)		
•	Letter of good standing from PSIRA not older than six (6) months		
•	PSIRA certificates of both the company and company owners.		

1. CRITICAL INFORMATION ON DISQUALIFICATIONS

A bid that does not comply with the peremptory requirements stated hereunder will be regarded as not being an “acceptable bid”, and such a bid will be rejected. An “acceptable bid” means any bid which, in all respects, complies with the conditions of the bid and the specifications as set out in the bid documents, including the conditions as specified in the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) and related legislation as published in *Government Gazette* 22549, dated 10 August 2001, in terms of which provision is made for this policy.

1. If any pages have been removed from the bid document and have therefore not been submitted.
2. If the bid document is completed using a pencil. Only black ink must be used to complete the bid document.
3. The bidder attempts to influence or has in fact influenced the evaluation and/or awarding of the contract.
4. In the event of there being scratching out, writing over or painting out rates or information, affecting the evaluation of the bid, without initialling next to the amended rates or information. However; in cases where the total amount (aggregated) has not been affected, the bid will still be acceptable.
5. In the event of the use of correction fluid (e.g. tippex), any erasable ink, or any erasable writing instrument (e.g. pencil) on sections affecting the evaluation process of the bid.
6. If the Bid has not been properly signed by a person having the authority to do so. (Refer to Declaration).
7. The bid has been submitted after the relevant closing date and time.
8. The accounting officer must ensure that, irrespective of the procurement process followed, no award may be given to a person –
 - i. who is in the service of the state;
 - ii. if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or
 - iii. who is an advisor or consultant contracted to the municipality in respect of a contract that would cause a conflict of interest.
9. Bid offers will be rejected if the bidder or any of his/her directors are listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004) as a person prohibited from doing business with the public sector.
10. Bid offers will be rejected if the bidder has abused the Mmabana Arts Culture and Sport Foundation supply chain management system.
11. Failure to complete and sign the certificate of independent determination or disclosure of wrong information.
12. If the bidder has failed to submit ALL required documents as specified on the bid document.
13. No late, faxed, and emailed bids will be considered. Bid received after the closing date and time at the address indicated in the bid documents, will not be accepted for consideration.
14. **Failure to comply with the above will lead to immediate disqualification.**



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2. CERTIFICATE OF AUTHORITY FOR SIGNATORY

Status of concern submitting tender (complete whichever is applicable):

COMPANY/PARTNERSHIP/ONE-PERSON BUSINESS/CLOSE CORPORATION/JOINT VENTURE

A. COMPANY

If the bidder is a company, a certified copy of the resolution of the board of directors that is personally signed by the chairperson of the board, authorising the person who signs this bid to do so and to sign any contract resulting from this bid, and any other documents and correspondence in connection with this bid or contract on behalf of the company, must be submitted with this bid.

An example is shown below:

By resolution of the board of directors on 20....., Mr/Ms
..... has been duly authorised to sign all documents in
connection with Bid Number

SIGNED ON BEHALF OF THE COMPANY:

IN HIS/HER CAPACITY AS

DATE:

SIGNATURE OF SIGNATORY:

WITNESSES: 1.

2.



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B. PARTNERSHIP

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner

.....

.....

.....

We, the undersigned, hereby authorise to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid or contract on our behalf.

.....
Signature **Signature** **Signature**

.....
Date **Date** **Date**

C. ONE-PERSON BUSINESS

I, the undersigned, , hereby confirm that I am the sole owner of the business trading as

.....
Signature **Date**



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D. CLOSE CORPORATION

In the case of a close corporation submitting a bid, a certified copy of the founding statement of such corporation shall be included with the bid with a resolution by its members, authorising a member or other official of the corporation to sign the documents and correspondence in connection with this bid or contract on behalf of the company.

An example is shown below:

By resolution of the members at the meeting on 20..... at
....., Mr/Ms, whose signature appears below, has
been duly authorised to sign all documents in connection with Bid Number

SIGNED ON BEHALF OF THE CLOSE CORPORATION:

IN HIS/HER CAPACITY AS:

DATE:
OF SIGNATORY:

SIGNATURE

WITNESSES: 1.

2.



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E. CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This returnable schedule is to be completed by joint ventures.

We, the undersigned, are submitting this bid offer in joint venture and hereby authorise Mr/Ms , authorised signatory of the company..... , acting in the capacity of the lead partner, to sign all documents in connection with the bid offer and any contract resulting from it on our behalf.

SIGNED ON BEHALF OF THE JOINT VENTURES:

IN HIS/HER CAPACITY AS:

DATE:

SIGNATURE OF SIGNATORY: AND

IN HIS/HER CAPACITY AS:

DATE:

SIGNATURE OF SIGNATORY:

WITNESSES: 1.

2.



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3. SCOPE OF WORK / TERMS OF REFERENCE

“Terms of Reference”

Provision of 24-hour Private security services for Mmabana Tlhabane Office for a period of three (3) years.

The Foundation seeks to appoint a service provider to undertake physical security services at Tlhabane Regional Office as follows:

	SITE	GRADE B Day Shift	GRADE C Day Shift	GRADE B Night Shift	GRADE C Night Shift
1	Tlhabane Regional Office 56 HEDEIRA, STREET, EXTENSION 4, GEELHHOUT PAR, RUSTENBURG, 0300..	1	1	1	1

Minimum Physical Security Standards are to be provided by the Service Providers as follows:

1.1 The security Company is expected to provide fully trained and competent security personnel for a period of three (3) years with the following basic requirements:

- **Provision of a 24 hour security service as per the number of guards indicated above for a period of three years.**
- **An appropriate minimum education level to enable such an officer to compile and write a meaningful report (incidents, reports, occurrence book).**
- **Good communication skills.**
- **To be neatly dressed in appropriate company uniform upon the assumption of service.**
- **Pleasant and friendly disposition but with the capacity to act firmly yet fairly.**
- **Emphasis on provision of services to law-abiding persons working for and visiting the Foundation.**
- **Each Officer to provide proof of registration by PSIRA.**
- **To be courteous at all times and ready to assist staff and visitors.**

2. The Security Services shall further include but not limited to the following:

The provision of efficient security and protection and safety of the Foundation's assets, Property, employees and other persons in or on the premises;

Effective use of access control and bag/parcel/vehicles searching to prevent loss and theft to prevent burglary and vandalism;

To provide an hourly surveillance patrolling on premises service to ensure the protection and safety of all equipment, assets and vehicles;

To maintain an occurrence book and report incidences on a daily basis;



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To ensure all doors are locked and register all unlocked doors check for fire threats and suspicious parcels;

To record all vehicle movements in the appropriate register.

To submit a security report to the Foundation or to designate representatives regularly on a daily basis and a consolidated monthly report, except where there is a matter of grave concern where immediate reporting is imperative.

To prevent unauthorized entry by a person or group of persons into the premises and to prevent unauthorized removal of goods from the building/premises without authority.

To prevent the carrying and/ or possession of firearms and other dangerous weapons in the premises except for members of security forces who identify themselves by producing of identification cards;

To manage visitors and assets movement.

3. Acceptance of the contract is subject to:

- 3.1 Provision of not less than fifteen million Rand (R15 000 000 .00) liability insurance cover over the three years which must be submitted with the bid document.
- 3.2 That both the contracting company and its personnel providing services on site will be **cleared** in line with Security clearance by the Foundation. The security clearance includes criminal record checks and vetting investigation by State Security Agency.
- 3.3 Security personnel shall meet the requirements and a certification in the training requirements of PSIRA.
- 3.4 That the recommendation from the clearing authorities must be positive for the bid to be accepted. The Service Provider will be checked against register of tender defaulters and restricted suppliers from National Treasury.
- 3.5 That the Service Provider' will sign the service level agreement with the foundation where services are to be rendered within seven working days after the bid has been awarded.
- 3.6 Obtaining a positive recommendation on criminal background checks of the Service Provider's employees on site is the responsibility of the Service Provider concerned. The Service Provider must within fourteen days (14) of appointment submit criminal background status, qualifications, and ID copies of all employees on site to the Foundation.
- 3.7 The Service Provider must have an existing and fully operational control room with high tech communication equipment's to enable effective security monitoring and security backup.
- 3.8 The service Provider must have vehicles for continuous communication link to their patrol officers and security control room.

The following aspects will be observed by the bidder when rendering the service.

- Strict adherence to prescribed PSIRA rates.
- Strict adherence to specifications.
- Strict adherence to Basic Conditions of Employment Act.
- Strict adherence to Occupational Health Insurance.
- Strict adherence to Unemployment Insurance Fund.
- Strict adherence to the service level agreement.
- Stick adherence to all other applicable security regulations.

4. INSURANCE AND LIABILITIES TO THIRD PARTIES

The Service Provider shall provide and thereafter maintain all appropriate workmen's Compensation insurance or its equivalent, with respect its employees to cover claims for personal injury or death in connection with this Contract.



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The Service Provider shall also provide and thereafter maintain liability insurance in an adequate amount to cover third party claims for death or bodily injury, or loss of or damage to property, arising from or in connection with the provision of services under this Contract or the operation of any vehicles or other equipment or leased by the Service Provider or its agents, servants, employees or sub-contractors performing work or services in connection with this Contract.

The Service Provider shall, upon request, provide MACSF with satisfactory evidence of the insurance required under this Article.

Service provider shall take responsibility for any damages incurred as a result of omission or negligence from their employees or service provider's failure to provide services in connection with this contract.

5. STANDARD REQUIREMENTS.

- a. The provision to reduce or increase the number of security officers per site will be made, as and when the need arise.
- b. In this case the Service Provider will be given 7 working days' notice prior to the termination or transfer of the services.

The Service Provider should provide the following tools:

- ✓ Portable guard house.
- ✓ Each Security Guard Must have a Baton Stick and Metal detector in his/her possession.
- ✓ Each guard must have a set of Hand Cuffs.
- ✓ Two-way radio for patrol man/woman and one radio at Guard Room.
- ✓ One Torch for Patrol man/woman and one at Guard Room for night shift.
- ✓ All Security Officer must have protective clothes such as rain suits.
- ✓ All Security officers must have full company uniform.
- ✓ Each security officer to have a name tag.

6. SECURITY JOB DESCRIPTION

- ✓ The Foundation will approve the particular job descriptions submitted by the bidder. No alterations, deletions or additions may be made to the job descriptions without the approval of the Foundation. Permanent alterations to be rectified by means of signatures of all the above-mentioned parties;
- ✓ Job descriptions will be reviewed on a regular basis. Any proposed amendments will be negotiated with the Foundation and the Service provider;
- ✓ Once the amendments have been agreed upon by all the above, they will be ratified by signatures to the relevant document. The Foundation has final approval of all amendments. Copies of the amended job description will be forwarded to all the relevant role players;
- ✓ The Foundation will decide which site registers will be required;
- ✓ The types of registers may include, but are not limited to the following: occurrence books (OB), visitor registers, after hour's registers, vehicle registers, firearm registers, vehicle and/or person search registers, key registers, laptop/computer register etc.



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**PART A
INVITATION TO BID**

SBD 1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	MACSF001/B/TLHABANE/2023	CLOSING DATE:	28 JUNE 2023	CLOSING TIME:	11H00AM
DESCRIPTION	TLHABANE REGIONAL OFFICE: PROVISION OF 24-HOUR PRIVATE SECURITY SERVICES FOR MMABANA TLHABANE OFFICE FOR A PERIOD OF THREE (3) YEARS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
MMABANA TLHABANE CENTER					
56 HEDEIRA, STREET, EXTENSION 4, GEELHHOUT PAR, RUSTENBURG, 0300.					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr. M. Twala		CONTACT PERSON	Mr. S. Nkese	
TELEPHONE NUMBER	066 189 9515		TELEPHONE NUMBER	082 880 5145	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	mtwala@mmabana.org.za		E-MAIL ADDRESS	siphon@mmabana.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				☐ YES ☐ NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				☐ YES ☐ NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					



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PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

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

DATE:

.....



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SBD4

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**

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.



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2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide 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.



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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder



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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

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

(delete whichever is not applicable for this tender).

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

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

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

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

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

(Note to 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.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black People (POINTS WILL BE PROPORTIONALLY AWARDED IN LINE WITH OWNERSHIP OF BUSINESS).	4	
Black Females (POINTS WILL BE PROPORTIONALLY AWARDED IN LINE WITH BLACK FEMALE OWNERSHIP OF BUSINESS).	5	
Black Youth (POINTS WILL BE PROPORTIONALLY AWARDED IN LINE WITH BLACK YOUTH OWNERSHIP OF BUSINESS).	5	
People with Disability (MEDICAL REPORT/RECORD)	3	



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Promotion of Enterprises in Local District/Municipal Area.	3	
3 - Acceptable evidence of Operational office owned or leased Bojanala Platinum District.		
2 - Acceptable evidence of Operational office owned or leased outside Bojanala Platinum District but within the North West Province.		
1 - Acceptable evidence of Operational office owned or leased outside Bojanala Platinum District and the North West Province but within South African.		
Total Points	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company _____ registration _____ number:
.....

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:



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- 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:
.....
.....
.....



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5. STAGES OF EVALUATION

MACSF will follow minimum standard or criteria that bidder needs to meet to progress through the evaluation and selection process.

The bid will be evaluated in four stages.

Stage 1: Administrative compliance.

Stage 2: Mandatory Requirements/ Pre- Qualification- Legal Requirement.

Stage 3: Functionality Criteria/Technical Evaluation.

Stage 4: Preference Point System.

5.1. ADMINISTRATIVE COMPLIANCE

Bidders shall be evaluated for administrative compliance as follows.

- All Bid documents were submitted on or before the closing date as stipulated on this Bid document.
- All Bid documents were submitted before the closing time as stipulated on this Bid document.
- All Bid documents were submitted at the correct address as stipulated on this Bid document.

5.2. MANDATORY REQUIREMENTS/TECHNICAL EVALUATION

Failure to submit the mandatory requirements will disqualify bidders.

ITEMS	MANDATORY
INVITATION TO BID	SBD1
BIDDEFER'S DISCLOSURE	SBD4
PRICING SCHEDULE – FIRM PRICES(PURCHASES)	SBD 3.1
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERFENTAIL PROCUREMENT REGULATIONS 2022	SBD 6.1
GENERAL CONDITIONS OF CONTRACT. (Initial each page)	MANDATORY
PSIRA CERTIFICATES OF BOTH THE COMPANY AND COMPANY OWNERS.	MANDATORY
LETTER OF GOOD STANDING FROM PSIRA NOT OLDER THAN SIX (6) MONTHS.	MANDATORY
FULL CSD REPORT (not older than 1 Month)	MANDATORY
DETAILED COMPANY PROFILE	MANDATORY
LETTER OF GOOD STANDING IN RESPECT OF COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES (COIDA).	MANDATORY
PROOF OF PUBLIC LIABILITY INSURANCE.	MANDATORY
PROOF OF REGISTRATION WITH UNEMPLOYMENT INSURANCE FUND. (UIF)	MANDATORY
BUSINESS REGISTRATION CERTIFICATE.	

5.3. FUNCTIONALITY CRITERIA

The minimum score of **65 points (out of 100)** is required to go through to the next stage of the tender. All bidders who fail to meet the said minimum score will be disqualified and will therefore not be considered further for evaluation.

Criteria	Weight	Scoring Guidelines
1. Operational Office and Local Presence. - The bidder must have an existing operational office in Ngaka Modiri Molema District and North West Province. - The bidder to provide an existing and valid lease agreement, title deed or statement of business account from the Local Municipality or Official letterhead confirming the business operational office address. (Compulsory inspection to be made prior to award).	25%	5 - Acceptable evidence of Operational office owned or leased in Bojanala Platinum District. 3 - Acceptable evidence of Operational office owned or leased in North West Province but outside Bojanala Platinum District. 1- No operational Office owned / leased in North West Province.
2. Availability of Equipment for Security Officers: ➤ Officer to be provided with equipment by the bidder for both day and night shift such as Uniform, Torch, Pepper Spray/Taser, Baton stick, metal detector, hand cuffs,	25%	-List of Equipment accompanied by proof ownership by the company to be provided: Pictures to included. 5- If the company currently owns 5 or more of each item as per the list. 4 - If the company currently owns 4 of each item as per the list. 3 - If the company currently owns 3 of each item as per the list.

hand held radio, pocket book; ➤ Readily available spare batteries to address poor light or flat battery of torch at any time during night shift; ➤ Portable compliant guard house.		2 - If the company currently owns 2 of each item as per the list. 1 - If the company currently owns 1 of each item as per the list. 0 - If no list and proof of ownership is provided.
3. Relevant Experience • This refers to the bidders' references related and relevant to the rendering of security services; • Bidders should provide the copies of reference letters, on an Official letterhead of the referee, in relation to the experience gained on projects relevant to the scope of work; • The following details to be included in the reference letter: - o Details of work that have been successfully completed(similar to Security Services scope of work); - o Was the work completed within the contractual timeframe; - o The contract and period; - o Accessibility of the bidder; - o General performance of bidder on the project.	25%	5- 5 or more letters in a similar project. 4 - 4 letters in a similar project. 3 - 3 letters in a similar project. 2 - 2 letters in a similar project. 1 - 1 letters in a similar project.



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4. Financial strength (submit bank rating letter)	25%	5- A 4- B 3- C 2- D 1- E
TOTAL	100	

Only qualifying bids scoring a minimum of **65** points in functionality will be evaluated in terms of 80/20 preferential points system.

5.4. PREFERENCE POINT SYSTEM

Preferential points to be used will be the 80/20 points system in terms of the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) Regulations 2022.

- 80 points for price
- 20 points as per Mmabana Preferential Procurement Policy and in terms of the Preferential Procurement Regulations 2022
- **The price for price will be calculated as follows:**
 - o $Ps = 80(1 - Pt - Pmin / Pmin)$

Where Ps = Points scored for comparative bid under consideration.

Pt = Price of tender under consideration and.

Pm = Price of lowest acceptable tender.

- Please note there will be no price escalations for the first twelve months of contract, thereafter the escalations for the consecutive years will be in accordance with sectorial determination (PSIRA). A costing breakdown must be presented for the year and further broken down to a Monthly basis.
- The table as detailed in SBD 6.1 to be used to calculate the score out of twenty (20) in line with Mmabana specific goals for this Bid:

NB: Only Bidders who submitted proof of Locality and proof of disability will be awarded points for locality and disability.

6. VALIDITY PERIOD

The validity period for the tender after closure is 90 days.

7. MARKET ANALYSIS

The Foundation reserves the right to conduct market analysis. Should the Foundation exercise this option, where a tenderer offers a price that is deemed not to be viable to supply goods or services as required, written confirmation will be made with the tenderer if they will be able to deliver on the price, if a tenderer confirm that they cannot, The tenderer will be disqualified on the basis of being non-responsive. If they confirm that they can deliver, a tight contract to mitigate the risk of non-performance



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will be entered into with the service provider. Further action on failures by the supplier to deliver will be handled in terms of the contract including performance warnings and listing on the database of restricted suppliers.

The foundation further reserves the right to negotiate a market related price with a tenderer scoring the highest points. If the tenderer does not agree to a market- related price, the foundation reserves the right to negotiate a market-related price with the tenderer scoring the second highest points, if the tenderer scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the third highest points. If a market-related price is not agreed, the foundation reserves the right to cancel the tender.

8. CONTRACTUAL ARRANGEMENT

The service provider is required to enter into a Service Level Agreement with MACSF and other MACSF to perform all functions as set out in the project Specification or Terms of Reference.