



DEPARTMENT: SOUTH AFRICAN POLICE SERVICE

REPUBLIC OF SOUTH AFRICA

Private Bag X254, Pretoria, 0001, Tel: 012 - 841 7459, Facsimile: 012 - 841 7071  
117 Cresswell Road, Silverton, Pretoria

The Manager

Reference no: 19/1/9/1/07 TD (23)

Date: \_\_\_\_\_

Enquiries: \_\_\_\_\_

Tel no: \_\_\_\_\_

Fax no: \_\_\_\_\_

Sir / Madam

**REQUIRED BY THE SOUTH AFRICAN POLICE SERVICE**

**CLOSING TIME AND DATE FOR BIDS IS 11:00 on the date as specified in the document**

The Department of the South African Police Service requires the item(s)/service as described per attached bid invitation, and you are requested to complete the bidding documents and to submit it in accordance with the under-mentioned stipulations:

- ! The conditions contained in the attached annexures apply.
- ! The bid must be submitted in a sealed envelope with the name and address of the bidder with the bid number closing date indicated on the envelope. The cover or envelope must not contain documents relating to any bid other than that shown on the cover or envelope.
- ! ***Bids submitted per mail must be sent per registered mail. The Bid must still reach this office before the closing date and time. Failure to do so will invalidate the bid.***
- ! The bid will be valid for a period of **90** days after the closing date.
- ! The attached forms/annexures, if completed in detail and returned, will form part of your bid.

You are advised to acquaint yourself with the contents of the attached General Conditions of Contract.

It will be expected of the successful bidder to sign the formal contract at this office within seven (7) days after he/she has been informed to this effect.

Yours faithfully

COLONEL  
TN MALEKA

COLONEL

**ACTING SECTION HEAD: PROCUREMENT MANAGEMENT  
MOVABLE GOVERNMENT PROPERTY  
TN MALEKA**

2023 -09- 13

# PLEASE NOTE

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BID NO: 19/1/9/1/07 TD (23)  
CLOSING TIME: 11:00 ON 2023-10-17

IT IS ESSENTIAL THAT THE FOLLOWING BID DOCUMENT AND THE RELEVANT SPECIFICATION BE COMPLETED IN FULL. FAILURE TO COMPLETE ANY PART OF THE BID OR SPECIFICATION WILL INVALIDATE YOUR BID DOCUMENT.

PLEASE NOTE AND ADHERE TO PARAGRAPH 1 OF THE SPECIAL CONDITIONS.  
FAILURE TO COMPLY WILL INVALIDATE YOUR OFFER.

NOTED BY THE BIDDER:

.....  
SIGNATURE: BIDDER

.....  
DATE



## BID DOCUMENT CHECKLIST

**BID NO:** 19/1/9/1/07TD (23)

**DESCRIPTION:** APPOINTMENT OF A CONTRACTOR: HAZARDOUS CHEMICAL REMEDIATION FOR CLEANING, DECONTAMINATION, REMOVAL AND DISPOSAL OF HADARDOUS WASTE AND CHEMICAL SUBSTANCES AND CLANDESTINE DRUG LABORATORY SITES FOR A PERIOD OF TWO (2) YEARS: DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

(Mark with Yes or No)

		Procurement Office	Bidder	Bid Management
NO.	REQUIREMENTS			
1	SBD forms (1, 4 and 6,1)	X		
2	Pricing Schedule	X		
3	Central Supplier Database (CSD)	X		
4	Applicable Capability / Test Report / SABS or compliance Certificate	X		
5	Profit Margin	X		
6	Special Requirements and Conditions of the Bid	X		

**BIDDER:**

\_\_\_\_\_  
NAME IN PRINT

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**BID MANAGEMENT:**

\_\_\_\_\_  
NAME IN PRINT

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**X = REQUIRED**

**YES = SUBMITTED / RECEIVED**

**NO = NOT SUBMITTED / NOT RECEIVED**

# **NOTICE !!!! NOTICE**

**ALL BID DOCUMENTS MUST  
BE HANDED IN AND  
REGISTERED AT SECURITY  
OFFICE BY THE PERSON  
HANDING IN THE  
DOCUMENTS**

**BY ORDERS OF: DIVISIONAL COMMISSIONER  
SUPPLY CHAIN MANAGEMENT**

S

**NOTICE!!!!!! NOTICE!!!!!!**

**ALL BID DOCUMENTS MUST BE HANDED IN  
AND REGISTERED AT SECURITY OFFICE BY  
THE PERSON HANDING IN THE DOCUMENTS  
AT 117 CRESSWELL ROAD SILVERTON,  
PRETORIA SCM: ON OR BEFORE 2023-10-17  
BY 11:00 AM**

**A COMPULSORY BRIEFING SESSION WILL BE  
HELD ON 2023-10-03 AT, SCM OFFICERS  
HALL, SILVERTON, PRETORIA @ 10:00**

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## PART A INVITATION TO BID

<b>1. YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN POLICE SERVICE</b>					
BID NUMBER: 19/1/9/1/07TD (23)		CLOSING DATE: 17 OCTOBER 2023		CLOSING TIME: 11:00 AM	
DESCRIPTION: APPOINTMENT OF A CONTRACTOR: HAZARDOUS CHEMICAL REMEDIATION FOR CLEANING, DECONTAMINATION, REMOVAL AND DISPOSAL OF HADARDOUS WASTE AND CHEMICAL SUBSTANCES AND CLANDESTINE DRUG LABORATORY SITES FOR A PERIOD OF TWO (2) YEARS: DIRECTORATE FOR PRIORITY CRIME INVESTIGATION					
<b>2. BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:</b>			<b>3. BID RESPONSE DOCUMENTS MAY BE POSTED TO:</b>		
DIVISIONAL COMMISSIONER SUPPLY CHAIN MANAGEMENT SOUTH AFRICAN POLICE SERVICE 117 CRESWELL ROAD SILVERTON PRETORIA 0184			DIVISIONAL COMMISSIONER SUPPLY CHAIN MANAGEMENT SOUTH AFRICAN POLICE SERVICE PRIVATE BAG X254 PRETORIA 0001		
<b>4. BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>5. TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON		CONTACT PERSON			
TELEPHONE NUMBER		TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS		E-MAIL ADDRESS			
<b>6. SUPPLIER INFORMATION</b>					
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 NUMBER: MAAA
CENTRAL SUPPLIER DATABASE REGISTRATION REPORT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No			
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 A:8]	
<b>8. 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.					

## PART B TERMS AND CONDITIONS FOR BIDDING

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<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. THE BID BOX IS GENERALLY OPEN 24 HOURS A DAY, 7 DAYS A WEEK.
1.3. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.4. 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).
1.5. 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.
1.6. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.7. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
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.
<b>3. GENERAL</b>
3.1 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 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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<b>SUPPLIER TO COMPLETE</b>		
Are you a NEW supplier?	<b>YES</b>	<b>KINDLY REGISTER ON NATIONAL TREASURY CSD: <a href="http://WWW.CSD.GOV.ZA">WWW.CSD.GOV.ZA</a> AND OBTAIN A CSD SUPPLIER NUMBER</b>
Are you an EXISTING Supplier?	<b>YES</b>	<b>KINDLY PROVIDE YOUR CSD AND POLFIN SUPPLIER NUMBER</b>
Supplier Number in CSD		
Supplier Number in POLFIN		

<b>OFFICE USE ONLY</b>			
<b>RFQ received on:</b>		<b>Reason for rejection:</b>	
<b>Accepted</b>		<b>Rejected</b>	
<b>Supplier Number in POLFIN</b>		<b>Supplier Number in CSD</b>	

<b>C. CHECKLIST OF DOCUMENTS A</b>		<b>CROSS REFERENCE</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Copy of Business entity's Registration Documents: i.e. CK2 form <ul style="list-style-type: none"> <li>For Close Corporations – a copy of the CIPRO report showing the <b>directors/owners/members</b> of the cc</li> <li>For Pty Ltd – a copy of the CIPRO report as well as a copy of the shareholders agreement or a letter from your auditors confirming the shareholding of the company</li> <li>Copy of <b>shareholders/members</b> certificates / agreements</li> </ul>	Approved on CSD			
2.	Business entity's Vat Registration Certificate	Approved on CSD			
3.	Current Business entity original Tax Clearance Certificate	Approved on CSD			
4.	Identity Documents of Shareholders/Directors/Passport Documents	Approved on CSD			
5.	Proof of CIDB Registration	Approved on CSD			
6.	Registration of bank account details	Approved on CSD			
7.	B-BBEE Status level verification certificate	Approved on CSD			





## **SPECIAL CONDITIONS OF CONTRACT**

**BID NUMBER: 19/1/9/1/07TD (23)**

**APPOINTMENT OF CONTRACTOR: HAZARDOUS CHEMICAL  
REMEDiation FOR CLEANING, DECONTAMINATION,  
REMOVAL AND DISPOSAL OF HAZARDOUS WASTE AND  
CHEMICAL SUBSTANCES AND CLANDESTINE DRUG  
LABORATORY SITES FOR A PERIOD OF TWO YEARS (2):  
DIRECTORATE FOR PRIORITY CRIME INVESTIGATION**

**CLOSING DATE AND TIME OF BID: 2023-10-17 @ 11h00**

**BID VALIDITY PERIOD: 90 DAYS**



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## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/07TD (23)

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## 1. ABBREVIATIONS

BAC: Bid Adjudication Committee

Specific goals

CPA: Contract Price Adjustment

ISO: International Organisation for Standardisation

QC: Quality Control

ROE: Rate of Exchange

SABS: South African Bureau of Standards

SANAS: South African National Accreditation System

SBD: Standard Bidding Document

STATS SA: Statistics South Africa

VAT: Value- Added Tax



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/07TD (23)

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### 2. BID DOCUMENT CHECK LIST

NO.	DOCUMENT NAME	YES	NO
1	SBD 1 Invitation to bid		
2	Central Supplier Database Report		
3	SBD 4 Declaration of interest		
4	SBD 6 (1): Preference Points Claimed (specific goals)		
5	Special Conditions of Contract		
6	General Conditions of Contract		
7	Test reports (if applicable)		
8	Mandatory documents (if applicable)		
9	SBD 5 (if applicable)		



### 3. SCOPE

The South African Police Service requires prospective suppliers to submit bids for the **Appointment of an Independent South African National Accreditation System (SANAS) Accredited Service Provider to Inspect and Test Different Types of Items-SAPS Spec 2889/2023 and to Appoint an Independent Specification Writer- SAPS Spec 323271/2023 for the South African Police Service for a period of three (3) years** in accordance with Specification 2889/2023 and shall commence on the date of signature of the contract by both parties.

### 4. SECTION A

#### 4.1 LEGISLATIVE AND REGULATORY FRAMEWORK

This bid and all contracts emanating there from will be subject to the General Conditions of Contract issued in accordance with Treasury Regulation 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999). The Special Conditions of Contract (SCC) are supplementary to that of the General Conditions of Contract (GCC). Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract prevail.

#### 4.2 BID INFORMATION/BRIEFING SESSION

A compulsory briefing session will be held at Division Supply Chain Management: Officers Hall 2023-10-03 at 10:00.

#### 4.3 EVALUATION CRITERIA

The evaluation process will be conducted in phases as follows:

Phase 1	Phase 2	Phase 3
<b>Administrative and Mandatory Bid Requirements</b>	<b>Technical Compliance</b>	<b>Price and Specific goals</b>
Compliance with Mandatory and Administrative Bid	Compliance to technical	Bids evaluated in terms of the 80/20 preference system





requirements. SBD forms must be completed and signed.	requirements / specification.	
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#### 4.3.1 PHASE 1: ADMINISTRATIVE, OTHER AND MANDATORY BID REQUIREMENTS

##### 4.3.1.1 ADMINISTRATIVE AND OTHER BID REQUIREMENTS

Bidders' must submit all requirements indicated hereunder with the bid documents at the closing date and time of the bid. During this evaluation phase, bidder's responses will be evaluated based on the documents submitted. Bidders who fail to comply with any of administrative requirements **may be disqualified**.

ADMINISTRATIVE DOCUMENTS - NAME OF THE DOCUMENT THAT MUST BE SUBMITTED	
Invitation to Bid – SBD 1	<b>YES</b> – Please complete and sign the supplied form
Declaration of Interest – SBD 4	<b>YES</b> – Please complete and sign the supplied form.
Preference Point Claim Form <b>SBD 6.1</b>	<b>YES</b> – Generally, non-submission will lead to a zero score preference points.
General Conditions of Contract	<b>NO</b> – Bidders <b><u>must only familiarise</u></b> themselves with the content of the document
Special Conditions of Contract	<b>YES</b> - Bidders must sign acknowledgement that they <b><u>familiarise</u></b> themselves with the content of the document
Cost components	<b>YES</b> – Please submit the completed cost component breakdown as per example in the Special Conditions of Contract.
Central Supplier Database registration	<b>YES</b> – Please submit CSD report to prove registration and preference points.
Tax Clearance Requirements	<b>YES</b> – The <b><u>CSD</u></b> and the <b><u>tax status pin</u></b> are the approved method that will be utilized to verify tax compliance.

##### 4.3.1.2 MANDATORY REQUIREMENTS

Bidders' must submit all requirements indicated hereunder with the bid documents at the closing date and time of the bid. During this evaluation phase, bidder's responses will be evaluated based on the documents submitted under mandatory requirements.

**Bidders who fail to comply with any of the mandatory and other requirements will be disqualified.**

Authorisation Declaration	<b>YES</b> – Bidders sourcing products from a third party must submit the authorisation declaration letter of the third party, see paragraph 7.1 of the Special Conditions of Contract.
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Valid Permit	<b>YES</b> –Valid permit to transport or dispose hazardous waste material from the relevant departments
Disposal of Waste	<b>YES</b> –A list of dumping site/s where dumping and disposal of waste will take place
Disposal of Hazardous Waste Material	<b>YES</b> –Provide the name of the company or name list of companies that they are using for disposal of disposal of hazardous waste material
Proof of Using Premises	<b>YES</b> –Proof of using these premises (being referred to in 1.2.2, 1.2.3 and 1.2.4) must be supplied with the document
Compliance	<b>YES</b> –Compliance to the submission of documentation and information as required to Special Conditions and Specification

#### 4.3.2 PHASE 2: TECHNICAL COMPLIANCE

This phase entails the evaluation of bids for technical compliance.

##### **South African National Standards and/or Private Specifications**

- a) Items must comply with standards and/or specifications as per South African Police Service **Spec 323235/2022 included** in the bid document.
- b) Bidders must enquire at the following institutions for the relevant standards. A list of accredited institutions is available on the SANAS website <http://www.sanas.co.za> or <http://www.sanas.co.za/contact.php>

##### **STANDARDS:**

SANS, SABS, ISO AND CKS specifications are available from South African Bureau of Standards Office's countrywide. Obtaining of such standards will be the responsibility of and for the account of the prospective bidder. To purchase standards, obtain quotes or enquire about the availability of e-Standards, please contact Standards Sales at: Email: Postal Address: Private Bag X191, Pretoria, 0001; Physical Address: 1 Dr Lategan Road, Groenkloof, Pretoria. Tel: (012) 428 6883, Fax: (012) 428 6928, E-mail: [sales@sabs.co.za](mailto:sales@sabs.co.za) Website: [www.sabs.co.za](http://www.sabs.co.za) and follow the "Search/Buy Standards" link

##### **South African National Accreditation System (SANAS):**

The contact details of SANAS are as follows: Postal Address: Private Bag x 23, Sunnyside, Pretoria, 0132; Physical Address: The DTI Campus, 77 Meintjies Street, Sunnyside, Pretoria, 0002, Tel: 012- 394 3760, Fax: 012-3940526.

#### 4.3.3 PHASE 3: PREFERENCE POINT SYSTEM AND PRICE

##### **i. Preference points system 80/20**

- a) In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by





the South African Police Service on the 80/20-preference point system in terms of which points are awarded to bidders on the basis of:

The bid price (maximum 80 points) – Specific goals (maximum 20 points)

- b) The following formula will be used to calculate the points for price:

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Price of tender under consideration; and

$P_{\min}$  = Price of lowest acceptable tender.

- c) A bidder (supplier) may claim a maximum of 20 points for specific goals, if such bidder supplier is;

Persons historically disadvantaged on the basis of race with at least 51% ownership	5 points
Persons historically disadvantaged on the basis of gender with at least 51% ownership by woman	5 points
Persons with at least 51% ownership who are youth	5 points
Persons historically disadvantaged by unfair discrimination on the basis of disability with at least 51% ownership	5 points

- d) Bidders are required to complete the preference claim form (SBD 6.1).
- e) The points scored by a bidder in respect of the specific goals will be added to the points scored for price.
- f) Only bidders who have completed and signed the declaration part of the preference claim form will be considered for specific goals points.
- g) Failure on the part of the bidder to comply with the paragraphs above will be deemed that specific goal points are not claimed and will therefore be allocated a zero (0).
- h) The South African Police Service may, before a bid is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to preference.
- i) The points scored will be rounded off to the nearest 2 decimals.
- j) In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of specific goal points.



- k) However, when functionality is part of the evaluation process and two or more bidders have scored equal points including equal specific goal points, the contract will be awarded to the bidder scoring the highest for functionality.
- l) Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
- m) A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

#### **4.4 REGULATORY CERTIFICATES**

Regulatory certificates ICASA, certificate of compliance tip certificates, MIB certificates, asset membership IATA licences, Certificate of analysis, registration with HPCSA, OHS certificates, valid permits for , ICASA (vehicles) must be submitted together with the bid on the closing date and time of the bid.

Failure to submit the required certificates will invalidate your bid.

#### **5. VALUE ADDED TAX**

All bid prices must be inclusive of 15% Value-Added Tax. In case a bidder's price is not VAT inclusive, total price quoted will be regarded as final.

#### **6. PRICING STRUCTURE AND SCHEDULE**

- a) One price is required per item and prices quoted must be furnished on the basis of supply and delivery including Value Added Tax.
- b) The yearly prices MUST be all inclusive. This means, all direct and indirect related costs must be included in the prices and be firm for the period of one year.
- c) The pricing schedule will be accessible from the bid document. All prices must be submitted with the bid document.
- d) Conditional discounts offered will not be used for evaluation purposes.
- e) Pricing provided for term contracts must remain firm for the first year after signing of the contract. Contract price adjustments must be applied for.

#### **7. OTHER LEGISLATIVE AND REGULATORY REQUIREMENTS SPECIFIC TO THIS BID**



**7.1 AUTHORISATION DECLARATION/ LETTER FROM THE MANUFACTURER OTHER COMPANY PARAGRAAPH 73 MAUNUAL**

Any bidder WHO IS NOT the actual manufacturer/ supplier provider and will be sourcing goods or services from another company must submit an unconditional letter from the company(ies) or supplier(s) confirming firm supply arrangement(s) in this regard, which has to accompany the bid at the closing date and time of bid. The said company or supplier must:

- confirm that it has familiarised itself with the item description, specifications and bid conditions
- If the bid consist of more than one item, it should be clearly indicated in respect of which item(s) the supportive letter has been issued.
- It must be indicated in the above-mentioned letter **that firm supply arrangements have been made and all financial arrangements with regard to payment between the prospective bidder and manufacturer, company or supplier issuing such a letter has been finalized and terms and conditions mutually agreed upon.**

Non-compliance with the above-mentioned special conditions would automatically invalidate the bid for such products offered."

The South African Police Service reserves the right to verify any information supplied by the bidder in the Authorisation Declaration and should the information be found to be false or incorrect, the South African Police Service will exercise any of the remedies available to it in the bid documents.

No agreement between the bidder and the third party will be binding on the South African Police Service.

An authorisation declaration with conditional arrangements will not be accepted. Bidders must ensure that all arrangements are agreed to before submitting a bid.

**8. TAX COMPLIANCE REQUIREMENTS**

It is a condition of this bid that the tax matters of a successful bidder be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations. The Tax Compliance status requirements are also applicable to foreign bidders / individuals who wish to submit bids.

It is a requirement that bidders grant a written confirmation when submitting this bid that SARS may on an ongoing basis during the tenure of the contract disclose the bidder's tax compliance status and by submitting this bid such confirmation is deemed to have been granted; Bidders are required to be registered on the Central Supplier Database and the South African Police Service shall verify the bidder's tax compliance status through the Central Supplier Database.



Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the Central Supplier Database. The South African Police Service will not award a bid to any bidder or sub-contractors whose tax matters are not in order.

#### 9. **FORMAT AND SUBMISSION OF BIDS**

In order to simplify the evaluation process, Bidders are required to submit their bids in the following manner:

SECTION	REQUIRED DOCUMENTS
Section 1	Standard bidding documents (SBD 1, SBD 4, SBD 6.1 and CSD report
Section 2	Authorisation Declaration and item list
Section 3	Test reports (if applicable)
Section 4	Any other information (e.g. Company profile, Local economic development submission etc.)

#### 10. **LATE BIDS**

Bids received after the closing date and time, at the address indicated in the bid documents, will not be accepted for consideration and where practicable, will be returned unopened to the bidder.

#### 11. **COUNTER CONDITIONS**

Bidders' attention is drawn to the fact that amendments to any of the Bid Conditions or setting of counter conditions by bidders may result in the invalidation of such bids.

#### 12. **FRONTING**

The SAPS supports the spirit of broad based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the South African Police Service condemn any form of fronting.



The South African Police Service, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents.

Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry / investigation, the onus will be on the bidder / contractor to prove that fronting does not exist.

Failure to do so within a period of 14 days from date of notification may invalidate the bid / contract and may also result in the restriction of the bidder /contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the South African Police Service may have against the bidder / contractor concerned.

### **13. SUPPLIER DUE DILIGENCE**

The South African Police Service reserves the right to conduct supplier due diligence prior to award or at any time during the evaluation process. During the due diligence process the information submitted by the bidder will be verified and any misrepresentation thereof will disqualify the bid.

The South African Police Service also reserves a right to conduct supplier due diligence during the contract period. Information submitted by the contractor will be verified and any misrepresentation thereof the South African Police Service reserves a right to institute remedial actions available. Due diligence may include preannounced or no-announce site visits.

Specify Due Diligence requirements / goals:

- Capacity and capability.
- Confirmation of physical address as per SBD1.
- Verification of systems to conduct required services, in place and sufficient staff compliment. Hygienist to be on site when Due Diligence is conducted. Inspection and verification of all records and reports to be conducted.
- Verification of Transportation systems to be conducted during Due Diligence.





- All information provided in the bid document will be verified.

#### 14. COMMUNICATION

SAPS: Procurement and Contract Management may communicate in writing with bidders where clarity is sought after the closing date of the bid and prior to the award of the contract, or to extend the validity period of the bid, if necessary.

Any communication to any other government official or a person acting in an advisory capacity for the South African Police Service in respect of this bid between the closing date and the award of the bid by the bidder is discouraged.

All communication between the bidder and the SAPS: Procurement Management MGP & Services must be done in writing.

No enquiries will be addressed seven (7) days prior to the closing date and time of the bid.

#### 15. CONTACT DETAILS

##### BID & SAMPLE ENQUIRIES

All communication between the bidder and the SAPS: Procurement Management MGP & Services must be done in writing.

No enquiries will be addressed seven (7) days prior to the closing date and time of the bid.

Procurement Management MGP & Services

Address : 117 Cresswell Street, Weavind Park, Pretoria.

E-mail: [FubeP@saps.gov.za](mailto:FubeP@saps.gov.za) / [MalenS@saps.gov.za](mailto:MalenS@saps.gov.za)

#### 16. SECTION B

##### 16.1 CONTRACT PERIOD

The contract period shall be for a period of two (2) years.

##### 16.2 RIGHT OF AWARD

The South African Police Service reserves its following rights:-

- To award the bid in part or in full;



- Not to make any award in this bid;
- Award the bid to more than one bidder for the same line item;
- Clarify further technical information from any bidder after the closing date;
- Verify information and documentation of the respective bidder;
- To withdraw or amend any of the bid conditions by notice in writing to all bidders prior to closing of the bid and post award
- To carry out site inspections, product evaluations or explanatory meetings in order to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the bid
- To award a bid based on which bidder is offering the best value for money, even if such bid is not the lowest price.
- In the event that an incorrect award has been made or an error occurred during evaluation and adjudication phase, the South African Police Service reserves the right to remedy the matter in any manner it may deem fit.

### 16.3 MULTIPLE AWARD

The South African Police Service reserves the right to award the same item to more than one supplier to address product availability and compatibility. Due diligence will be applied to ensure that pricing is affordable, market related and aligned to end-user requirements.

The following will be taken into consideration when awarding through a multiple award:

- a) Capacity to meet volume demand as per bid requirements
- b) Estimated volume to be supplied
- c) Risk to departments if the item is not available
- d) Source of the finished product, raw material and manufacturing site
- e) Previous performance of the bidder
- f) Example 1 – 50/50  
Example 2 – 70/30  
Example 3 - 60/40  
Example 4 – 80/20

### 16.4 NEGOTIATIONS

The South African Police Service reserves the right to negotiate with the bidders prior to award and with the successful bidder(s) post award.

### 16.5 QUALITY



Where specific specifications and/ or standards are applicable on materials and supplies, the quality of products shall not be less than the requirements of the latest edition of such specifications and/or standards.

## **16.6 DELIVERY AND QUANTITIES**

### **16.6.1 DELIVERY BASIS**

Firm lead times for delivery must be quoted for the duration of the contract period.

### **16.6.2 QUANTITIES**

Quantities cannot be guaranteed.

## **17. SECTION C**

### **17.1 ROLES AND RESPONSIBILITIES**

#### **17.1.1 CONTRACT ADMINISTRATION**

The administration and facilitation of the contract will be the responsibility of SAPS Contract Management and all correspondence in this regard must be directed to the following address:

The Head: Procurement and Contract Management Supply Chain Management  
Private bag x 254, Pretoria, 0001.

Contractors must advise the SAPS Contract Management immediately when unforeseeable circumstances will adversely affect the execution of the contract.

Full particulars of such circumstances as well as the period of delay must be furnished to the Section Head Bid Management: Supply Chain Management: SAPS – email:

[Smil@csars.gov.za](mailto:Smil@csars.gov.za)

#### **17.1.2 SUPPLIER PERFORMANCE MANAGEMENT**

Supplier performance management will be the responsibility of end-users of SAPS and where supplier performance disputes cannot be resolved between the contractor and the relevant purchasing institution, SAPS Contract Management must be informed for corrective action.

Deliveries not complying with the order forms will be returned to the contractor at the contractor's expense.





## 17.2 POST-AWARD PRODUCT COMPLIANCE PROCEDURES

The following post-award product compliance procedures will apply:

## 17.3 QUALITY ADHERANCE

Bidder's attention is drawn to paragraph 8 of the General Conditions of Contract regarding inspection, tests and analysis.

If the delivered supplies are not in accordance with the contract requirements, the cost of inspections, tests and analysis done by an independent testing facility shall be paid by the contractor.

## 17.4 CONTRACT PRICE ADJUSTMENT

### 17.4.1 Formula

Prices submitted for this bid will be regarded as firm and subject to adjustment(s) in terms of the following formula, defined areas of cost and defined periods of time.

Applications for price adjustments must be accompanied by documentary evidence in support of any adjustment claim.

The following price adjustment formula will be applicable for calculating contract price adjustments (CPA).

$Pa = (1-V) Pt \left( D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + Dn \frac{Rnt}{Rno} + VP1 \right)$		
Pa	=	The new adjusted price to be calculated
V	=	Fixed portion of the bid price (15% or 0.15)
Pt	=	Original bid price. Note that Pt must always be the original bid price and not an adjusted price
(1-V)Pt	=	Adjustable portion of the bid price (85% or 0.85).



D1 – Dn	=	= Each factor (or percentage) of the bid price, e.g., material, labour, transport, overheads, etc. The total of the various factors (or percentages) D1 – Dn must add up to 1 (or 100%).
R1t – Rnt	=	= End Index, Index figure obtained from the index at the end of each adjustment period
R1o–Rno	=	Base Index, Index figure at the time of bidding.
VPt	=	15% (or 0.15) of the original bid price. This portion of the bid price 'remains fixed, i.e. it is not subject to price adjustment.

## 17.5 FORMULA COMPONENT DEFINITIONS

### 17.5.1 Adjustable amount

The adjustable amount is the portion of the bid price which is subject to adjustment. In this bid the adjustable amount is 85% of the original bid price. For example, if the bid price is R1000, then only R850 will be subject to adjustment.

### 17.5.2 Fixed portion

The fixed portion represents those costs which will not change over the adjustment period and **DOES NOT** represent the profit margin. In this bid the fixed portion is 15% of the original bid price. Using the same example as above, it would amount to R150 which will remain fixed over the contract period.

### 17.5.3 Cost components and proportions

- The cost components of the contract price usually constitute the cost of materials (raw material or finished product), cost of direct labour, cost of transport and those other costs which are inclined to change. The proportions are the contribution to the contract price of each of these cost components. In this bid the following cost components will be used to calculate contract price adjustments.



- b) Bidders are requested to submit the cost breakdown of the bid price for each item with their bid. Should the cost breakdown be the same for all items on the bid, please indicate it clearly in the bid document. Successful bidders will not be allowed to change the cost breakdown of bid prices during the tenure of the contract.
- c) In a case where the same cost components are applicable to all items offered please fill out the Cost components document attached with the bid other than that cost components must be indicated on each line item when finalising pricing schedule.

Cost Component	% Contribution
D1- Imported Raw Material / Finished product (if applicable)	
D2 - Local Raw Material / Finished product (if applicable)	
D3 - Labour	
D4 - Transport	
D5 – Housing and utilities	
D6 – Other	
<b>TOTAL (Cost components must add up to 100%)</b>	<b>100 %</b>

#### 17.5.4 Applicable indices / references

The applicable index refers to the relevant market index, which is a true reflection of price movement(s) in the cost over time. In this bid the following indices or reference will be applicable:

Cost component	Index Publication	Index Reference
D1 – Imported Raw Material / Finished product (if applicable)	Supplier / Manufacturer invoice(s) and remittance	Documentary evidence to accompany claim.
D2 - Local Raw Material /	STATS SA P0142.1 (PPI) Table 1	Textiles, clothing and Footwear – Clothing OR Documentary evidence to



Finished product (if applicable)		accompany claim
D3 - Labour	STATS SA P0141 (CPI), Table E OR Labour agreement <sup>2</sup>	Table E - All Items OR Labour agreement to be provided
D4 – Transport	STATS SA P0141 (CPI) Table E	Table E - Transport – Other Running Cost
D5 – Housing and utilities	STATS SA P0141 (CPI) Table E	Table E – Housing and utilities Headline
D6 – other	Specify	Documentary evidence to accompany application

#### 17.5.5 Base Index Date

The base index date applicable to the formula is defined as the date at which the price adjustment starts. In this bid the base index date is 2023-01-01.

#### 17.5.6 End Index Date

The end index dates are the dates at predetermined points in time during the contract period. In this bid the end indices are defined in the next paragraph (Price Adjustment Periods).

#### 17.5.7 Price Adjustment Periods

Adjustment to contract prices must be applied for after one year period of the signing of the contract at The Head: Procurement and Contract Management Supply Chain Management Private bag x 254, Pretoria, 0001.

Contractors must advise the SAPS Contract Management immediately when unforeseeable circumstances will adversely affect the execution of the contract.

Full particulars of such circumstances as well as the period of delay must be furnished to the Section Head Bid Management: Supply Chain Management: SAPS – email:

[SmilJJ@saps.gov.za](mailto:SmilJJ@saps.gov.za).

**17.6 RATES OF EXCHANGE (ROE) – BASE AND AVERAGE RATES**

In the event where material and/or finished products are imported the following will apply:

The formula described above will be used and the imported cost component of the bid price (D1) will be adjusted taking into account the base RoE rate and the average RoE rate.

In the event where the RoE adjustment goes hand in hand with a material/product price increase, the material/product price (in foreign currency) will be converted to South African currency using the base

The imported cost component (D1) will be adjusted together with all the other cost components. Rate(s) of exchange to be used in this bid in the conversion of the bid price of the item(s) to South African currency is indicated in the table below.

Currency	Rates of exchange 12-month average for the contract period
US Dollar	16,36317375
Pound Sterling	20,17991158
Euro	17,291054
Yuan	2,430866

Should the bidder make use of any other currency not mentioned above, the bidder is requested to calculate the average, using the Reserve Bank published rates for the specific currency. Visit [www.reservebank.co.za](http://www.reservebank.co.za) to obtain the relevant rates.

Contract price adjustments due to rate of exchange variations are based on average exchange rates as published by the Reserve Bank.

**18. GENERAL**

Unless prior approval has been obtained from SAPS Contract Management, no adjustment in contract prices will be made.





Applications for price adjustment must be accompanied by documentary evidence in support of any adjustment.

CPA applications will be applied strictly according to the specified formula and parameters above as well as the cost breakdown supplied by bidders in their bid documents.

In the event where the supplier's CPA application, based on the above formula and parameters, differs from Contract Management SAPS verification, Contract Management SAPS will consult with the supplier to resolve the differences. The South African Police Service reserves the right to negotiate amended contract prices at any stage prior to the final notification to end users.

**19. BREACH OF CONTRACT**

The South African Police Service reserves the right to terminate the contract(s) if the contractor does not honour contract(s) obligations including submission of information.

**20. PACKAGING**

Goods supplied must be packed in suitable packaging before distribution to end users.

NAME OF BIDDER: .....

NAME OF CONTACT PERSON: .....

CAPACITY: .....

SIGNATURE: ..... DATE: .....

### PRICING SCHEDULE – FIRM PRICES (PURCHASES)

**NOTE:** ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder .....	Bid number <b>19/1/9/07TD(23)</b>
Closing Time 11:00	Closing date: <b>2023-10-17</b>

OFFER TO BE VALID FOR **90** DAYS FROM THE CLOSING DATE OF BID.

Item Nr	ICN NUMBER	DESCRIPTION	QT	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)	COUNTRY OF MANUFACTURE
<b>1</b>	9825T05071836	Clean-up and Decontamination of any Hazardous Waste Materials or controlled Substance, Chemicals and Poisons found at Crime Scene	1		
<b>2</b>	9825T05073030	Transportation of Disposal of the removed Hazardous Waste Materials or controlled Substance, Chemicals and Poisons found at Crime Scene including the clandestine laboratories at accredited disposal site	1		
<b>3</b>	7240T05084910	Lid of Containers	1		
<b>4</b>	7240T05084911	Liners, Each	1		
<b>5</b>	7510T05035517	Hazardous Material Tape Each	1		
<b>6</b>	5975T05024056	Cable Ties Each	1		
<b>7</b>	7240T05014956	120 Litre Containers & Lids (Wheelie Bins)	1		
<b>8</b>	7240T05014940	25 Litre Courier Bins Each	1		
<b>9</b>	7240T05014951	60 Litre Lidded Bin	1		
<b>10</b>	7240T05084912	210 Litre Metal Drums (Acid & Corrosion Resistant)	1		
<b>11</b>	7240T05084913	210 Litre Plastic Drums (Acid & Corrosion Resistant)	1		
<b>12</b>	7240T05014957	240 Litre Wheelie Bins	1		
<b>13</b>	8115T05084511	142 Litre Box with Lid	1		
<b>14</b>	7240T050849154	50 Litre Box with Lid	1		

15	9825T05073031	Disposal of Chemical and Bio-Hazardous Waste	1		
16	7240T05014940	25 Litre Courier Bin for Liquids	1		
17	7240T05014948	120 Litre Containers & Lids (Wheelie Bin)	1		
18	7240T05014940	25 Litre Containers for Liquids (Hazardous)	1		
19	7510T05035518	Bio-Hazardous or Chemical Waste in the form of a Label	1		
20	7240T05014938	Liquid Container 5 Litre	1		
21	7240184312562	Liquid Container 10 Litre	1		
22	7240T05014940	Liquid Container 25 Litre	1		
23	7240T05014942	Sharp Container 5 Litre	1		
24	7240T05014944	Sharp Container 8 Litre	1		
25	7240T05014946	Sharp Container 20 Litre	1		
26	7240T05014947	Courier Bin 25 Litre	1		
27	7240T05014951	Courier Bin 60 Litre	1		
28	7240T05014948	Courier Bin 120 Litre	1		
29	7240T05014949	Tissue Container 10 Litre	1		
30	7240T05014950	Tissue Container 25 Litre	1		
31	7240T05014951	Lidded Bin 60 Litre	1		
32	7240T05014952	Speci Bin 25 Litre	1		
33	7240T05014953	Speci Bin 140 Litre	1		
34	7240T05014954	Amalgam Container 500 ML	1		
35	7240T05084912	Metal And / or Plastic Drum Acid and Corrosion Resistant 210 Litre	1		
36	7240T05035516	Wheelie Bins 140 Litre	1		
37	7240T05014957	Wheelie Bins 240 Litre	1		
38	8115T05073029	Box With Lid 142 Litre	1		
39	7240T05084914	Box With Lid 50 Litre	1		
40	9825T05087168	Transportation Costs Of The Vehicle & Including Driver(1.6-3 Tons)	1		
41	9825T05087169	Transportation Costs Of The Vehicle & Including Driver(4-6 Tons)	1		
42	9825T05087170	Transportation Costs Of The Vehicle & Including Driver(6-8 Tons)	1		
43	9825T05087171	Transportation Costs Of The Vehicle & Including Driver(>8 Tons)	1		



- Required by: **Directorate for Priority Crime Investigation (DPCI)**

As per address list Annexure "A" of the specification

COUNTRY OF MANUFACTURE .....

- Brand and model .....

- Does the offer comply with the specification(s)? \*YES/NO

- If not to specification, indicate deviation(s) .....

- Period required for delivery .....  
\*Delivery: Firm/not firm

- Delivery basis .....

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

\*\* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

\*Delete if not applicable

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

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

with any person who is employed by the procuring institution? YES/NO

2.2.1 If so, furnish particulars:

.....  
 .....

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

2.3.1 If so, furnish particulars:

.....  
 .....

### 3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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

SBD4

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

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

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

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

### 1. GENERAL CONDITIONS

1.1 The following preference point 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

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 **80/20** preference point system.

b) 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
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

- 1.6 The 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:

#### 80/20

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

Type equation here.

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{min}$  = Price of lowest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Persons historically disadvantaged on the basis of race with at least 51% ownership	5 points	
Persons historically disadvantaged on the basis of gender with at least 51% ownership by woman	5 points	
Persons with at least 51% ownership who are youth	5 points	
Persons historically disadvantaged by unfair discrimination on the basis of disability with at least 51% ownership	5 points	

#### DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company

- ☐ Personal Liability Company
  - ☐ (Pty) Limited
  - ☐ Non-Profit Company
  - ☐ State Owned Company
- [TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

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

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

**DATE:** .....

**ADDRESS:** .....

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