

TENDER NUMBER	SAHRC 05-2023
DESCRIPTION	<p>To invite potential and qualified service providers to submit proposals for the provision, implementation and support of the Internet Service and Software Defined Wide Area Network (SDWAN)</p> <p>to the South African Human Rights Commission (SAHRC) for a period of thirty six (36) months.</p>
TENDER BRIEFING	<p>DATE: 21 November 2023</p> <p>TIME: 11H00 (GMT +2)</p> <p>ADDRESS: 27 Stiemens Street, JD House, Braamfontein, Johannesburg</p> <p>Enquiries can be made in writing as follows and cut off will be 5 days later for all enquiries.</p> <p>Administration/ Supply Chain Management:</p> <p>tenders@sahrc.org.za</p> <p>Technical:</p> <p>rkhuvutlu@sahrc.org.za</p>
CLOSING DATE	<p>DATE: 30 November 2023</p> <p>TIME: 11H00 (GMT +2)</p> <p>ADDRESS: 27 Stiemens Street, JD House, Braamfontein, Johannesburg</p>

1. Background

The South African Human Rights Commission (SAHRC) is a Constitutional body established in terms of the Constitution of South Africa, 1996 as well as the South African Human Rights Commission Act, 40 of 2014. The SAHRC is under the strategic leadership of Commissioners. The administration of SAHRC is overseen by a Chief Executive Officer (CEO).

SAHRC has presence in all nine Provinces within the Republic of South Africa. All SAHRC Provincial sites are sites connected through a hosted MPLS WAN service. This is a point-to-point connection solution, with Internet breakout through the Head Office, located in Gauteng.

2. Objective

The objective of this Request for Proposal (RFP) is to appoint a suitably qualified service provider to provision and implement last mile fibre internet service, a fully managed Secure SDWAN (similar or equivalent to FortiGate) solution\architecture, and hosted VOIP solution.

3. Scope of service

- 3.1. All sites to terminate into the closest service provider's Point of Presence (POP) to their location over either Fibre or wireless based on last mile technology.
- 3.2. It is recommended that a Cloud-hosted Solution be implemented by the ISP.
- 3.3. Direct Internet Access (DIA) as the primary Internet breakout and Broadband as the secondary internet breakout. With bandwidth on a 1:1 bandwidth contention ratio.
- 3.4. Internet Service Provider (ISP) must provide a Primary Link Capacity of 200Mbps Dedicated Fibre to the Head Office, located at Braamfontein.
 - Secondary Link capacity – 200Mbps Dedicated Microwave must be provision for Head Office.
- 3.5. ISP must provide a dedicated Primary Link with a Capacity – of 100Mbps Fibre per Provincial Office.
 - Secondary Link Capacity with a capacity of 100 Mbps Dedicated Microwave must be provided per Provincial Office.
- 3.6. An Internet breakout at each site must be provisioned by the successful ISP.
- 3.7. Service provider must provide a firewall that is similar or equivalent to FortiGate firewall that will be hosted at each Provincial Office (9 Provincial Offices and One Firewall for the Head Office).
- 3.8. All firewalls and routers at each site must be fully managed by the ISP.
- 3.9. It should be compatible with a contact centre solution (future enhancement),
- 3.10. The Firewall (similar or equivalent to FortiGate) to be hosted at the Head Office to serve as head end site for the SDWAN network and all other sites to serve as spoke sites connecting over SDWAN as overlay tunnels.
- 3.11. The primary and secondary links to be configured in an active/passive manner which means the secondary link will only be used should the primary link fail. (failover)
- 3.12. Service Provider must provision the advanced Service Level Agreement (SLA) to the commission.
- 3.13. The ISP must restore all services within two (2) hours in case all services are affected, due to ISP core infrastructure. This is applicable to all SAHRC Provincial Offices and the Head Office.
- 3.14. Service Provider must configure all firewalls at each site and alerts must be auto sent to the Commission's ICT unit- a dedicated email to send these alerts will be provided to the successful service provider.

3.15. ISP must work with Commission's ICT Unit to determine how the firewall must be configured, and a test report must be provided before commissioning of the services by the ISP.

3.16. Firewall audit report for all changes made to the firewall per site must be provided on a monthly report by the successful service provider to the ICT unit. This report will be reviewed during the monthly meetings with the ISP.

3.17. All changes to be made on all Commissions firewalls must be approved by the Commission in writing or via e-mail. The approval of the changes must either Manager: ICT or CIO. All changes must be treated as part of the SLA services, this entails that there will be no additional costs for any changes to be requested by the Commission during the period of thirty-six months.

3.18. Monthly report must include hits such as, but not limited to the following: number of cyber-attacks using source IP address, origin of the IP address, country, targeted ICT infrastructure or end users, traffic for inbound and outbound transactions.

3.19. Service provider must provision, implement, and support the hosted PBX VOIP solution with switchboard functionality.

3.20. VOIP Solution must have a capability to route calls to their cell phones.

3.21. Service Provider must provision, implement and support the desktop communication client to make calls, this must be installed on officials' laptops.

3.22. Switchboard functionality must allow switchboard operators to route calls to the relevant extension numbers.

3.23. Switchboard Operators must be able to assign and remove extension numbers and pins for officials.

3.24. Switchboard must have an auto attended functionality.

3.25. VOIP solution must allow concurrent calls to all officials.

3.26. Service provider must port or migrate all existing telephones numbers that are currently in use by the Commission.

3.27. Switchboard Operators must be able to retrieve VOIP usage per user, per month and the reports must be importable to file such as PDF, MS Word and Excel.

3.28. Service provider must provision, maintenance and support of one switchboard per sites (ten sites).

3.29. Service provider must provide a telephone management solution to manage assignment and activation of phone extensions, creation of pins, retrieving of phones records.

3.30. System must be accessible remotely through VPN access by authorized officials.

3.31. Service provider is responsible for provide maintenance and support for the duration of thirty-six months.

4. Deliverables

4.1. Provisioning and implementation of internet services to all SAHRC sites. Internet break-out must be enabled at all sites.

4.2. All sites must see the Head Office site, hence the core infrastructure resides at the Head Office.

Table 1: Internet bandwidth deliverables

Site	Location	Primary Link Capacity	Secondary Link Capacity
1	Head Office- in Gauteng Braamfontein	Dedicated 200 Mbps fibre link-including router hardware	Dedicated 200 Mbps Microwave-including router hardware
2	Gauteng Provincial Office Braamfontein	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware
3	Mpumalanga Provincial Office Nelspruit	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware
4	North West Provincial Office Rustenburg	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware

5	Limpopo Provincial Office Polokwane	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware
6	KwaZulu- Natal Provincial Office Durban	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware
7	Free State Provincial Office Bloemfontein	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware
8	Northen Cape Provincial Office Upington	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware
9	Eastern Cape Provincial Office East London	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware
10	Western Cape Provincial Office Cape Town.	Dedicated 100 Mbps fibre link-including router hardware	Dedicated 100 Mbps Microwave-including router hardware

4.3. Service Provider must provisioning, implement and manage a Firewall (similar or equivalent to FortiGate) SDWAN solution to all ten sites.

4.4. Service provider must configure SDWAN solution with the existing SAHRC systems.

4.5. Service provider must enable auto alerts to all firewall solutions to be implemented and provided test reports during the implementation of the SDWAN solution.

4.6. Service provider must provide maintenance and support of the SDWAN for the duration of thirty-six months.

4.7. Service provider must provide monthly reports for all firewall solutions to be implemented to all ten SAHRC sites. These reports must be provided at the end each month and no later than the 7th of the following month.

4.8. Service provider must provision, implement, and support the hosted PBX VOIP solution with switchboard functionality.

4.9. VOIP Solution must have a capability to route calls to their cell phones.

4.10. Service Provider must provision, implement and support the desktop communication client to make calls, this must be installed on officials' laptops.

4.11. Switchboard functionality must allow switchboard operators to route calls to the relevant extension numbers.

4.12. Switchboard Operators must be able to assign and remove extension numbers and pins for officials.

4.13. Switchboard must have an auto attended functionality.

4.14. VOIP solution must allow concurrent calls to all officials.

4.15. Service provider must port or migrate all existing telephones numbers that are currently in use by the Commission.

4.16. Switchboard Operators must be able to retrieve VOIP usage per user, per month and the reports must be importable to file such as PDF, MS Word and Excel.

4.17. Service provider must provision, maintenance and support of one switchboard per sites (ten sites).

4.18. Service provider must provide a telephone management solution to manage assignment and activation of phone extensions, creation of pins, retrieving of phones records.

5. Pricing

A detailed price breakdown outlined on table 2 below must be completed and a service provider must include other items, if required.

Pricing of the bandwidth, VOIP solution and firewall solution

Table 2: Price breakdown

Site	Location	Link Capacity	Unit Price	Total
1	Head Office- in Gauteng	<input type="radio"/> Dedicated 200 Mbps fibre link <input type="radio"/> Dedicated 200 Mbps Microwave <input type="radio"/> Managed Firewall solution		
2	Gauteng Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
3	Mpumalanga Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
4	North West Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
5	Limpopo Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
6	KwaZulu- Natal Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
7	Free State Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
8	Northern Cape Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
9	Eastern Cape Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
10	Western Cape Provincial Office	<input type="radio"/> Dedicated 100 Mbps fibre link <input type="radio"/> Dedicated 100 Mbps Microwave <input type="radio"/> Managed Firewall solution		
11	Firewall maintenance and support services for 36 months	<input type="radio"/>		
12	Bandwidth management and support services for 36 months	<input type="radio"/>		
13	VOIP Solution	<input type="radio"/> Provisioning of the hosted PBX <input type="radio"/> Porting and migration of the existing telephone numbers. <input type="radio"/> Telephone management system		
14	Other costs- specify	<input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/> <input type="radio"/>		
14	TOTAL FIXED COSTS FOR A PERIOD OF 36 MONTHS*			
15	PLUS 15% VAT			
16	GRAND TOTAL INCLUSIVE OF 15% VAT			

*Price must be fixed for a period of thirty six months, thus include CPI.

6. Project Timelines

Contracting Period for this tender will be for a period of thirty-six (36) months.

7. Evaluation Criteria

Bids will be evaluated on 80/20 point system as outlined in the PPR of 2017.

The proposals will be evaluated in three phases:



9.1 Phase 1: Mandatory Documents

- 9.1.1 Bid proposal
- 9.1.2 Central Supplier Database Summary Report.
- 9.1.3 Valid certified copy of B-BBEE Certificate or Sworn Affidavit for companies qualifying as EMEs or QSEs or Certified copy of BBBEE Certificate.
- 9.1.4 Valid Tax Clearance Certificate or Tax Compliance Status (with SARS PIN CODE).
- 9.1.5 A comprehensive company profile, with the following requirements:
 - Management structure.
- 9.1.6 All SBD (Standard Bidding Documents) forms must be completed fully and signed
- 9.1.7 A valid ICASA Licence to operate nationally as an ISP must be provided by the Service Provider.

Note: Bidders who fail to comply with the mandatory requirements will be disqualified.

All quotes received will be evaluated based on the following criteria: functionality criteria will be further evaluated on applicable values as outlined below:

0 = **Unacceptable**, 1 = **Serious Reservations**, 2 = **Minor Reservations**, 3 = **Acceptable**, 4 = **Good**, and 5 = **excellent**

Evaluation on functionality, as in Table 1 below:

- i. Bidders will be evaluated out of 100 points and are required to achieve minimum threshold of 70%
- ii. The overall score must be equal or above 70% to proceed to for Price and BBBEE evaluations.
- iii. Bidders who fail to meet minimum threshold will be regarded as submitting a non-responsive bid and will not be considered for further evaluation on price and preference points. The minimum threshold for qualification by functionality is 70%, assessed as per criteria listed in Table 1 below:

Phase 2: Functionality evaluation

	Criteria	Percentage weighting
1.	<p>Bidder must have over 5 years' experience of relevant service</p> <ul style="list-style-type: none">o 0 points = less than 1 year experienceo 5 points = 1 year experienceo 20 points = 2 years of experienceo 20 points = 3 years of experienceo 30 points = 4 years of experience	40

	<ul style="list-style-type: none"> ○ 40 points = 5 years or more of experience 	
2.	<p>Bidder's proposed project methodology and plan outlining how SAHRCs requirements will be implemented.</p> <ul style="list-style-type: none"> ○ No project plan= 0 points ○ Project plan with no milestones& timelines= 5 ○ Project plan with milestones= 10 points ○ Project plan with milestones& timelines= 20 	20
3.	<p>References included for executing a project of similar magnitude in the last 3 years, signed and on the letterhead of the company where similar work was delivered. Reference letter/s must indicate provisioning of internet service, VOIP solution and firewall services.</p> <ul style="list-style-type: none"> ○ no reference letters submitted, or they are not in the last 3 years or not signed and on the letterhead of the company=0 ○ 1 reference letter submitted= 5 points ○ 2 reference letters submitted= 10 points. ○ 3 relevant reference letters submitted= 20 points 	20
4.	<p>Migration plan provided to migrate the Commission sites from the existing ISP.</p> <ul style="list-style-type: none"> ○ No migration provided = 0 Points ○ Migration plan provided with no approach/ detailed process =5 Points ○ Adequate migration plan provided with limited= 10 Points ○ Detailed migration plan with clear activities to migrate Commission from the existing VOIP solution and how all numbers will be ported to the successful ISP VOIP PBA =20 Points. 	20
	Total	100

9.2 Phase 3: Price and PPPFA Calculations

Price evaluation based on the 80/20 preferential point system.

The contract would be awarded to the service provider scoring the highest score.

The points scored in respect of Specific Goals (B-BBEE) contribution (i.e. HDI status) will be added to the points scored for price.

Only Bidders that have met the 70% threshold in functionality evaluation will be evaluated in for price and BBBEE.

Price and BBBEE will be evaluated as follows:

- The price (maximum 80 points)
- B-BBEE status level of contributor (maximum 20 points)
 - The following formula will be used to calculate the points for **Price**:
 - **Ps = 80 {1- (Pt - P min)}**
 - **P min**

- **Where**
- **Ps** = Points scored for comparative price of bid or offer under consideration.
- **Pt** = Comparative price of bid or offer under consideration.
- **P min** = Comparative price of lowest acceptable bid or offer
- Points must be awarded to a bidder for attaining the BBBEE status level of contribution in accordance with the table below:

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

8. Confidentiality, independence and objectivity

The service provider will hold all material and information exchanged in the course of the implementation of this project in the strictest confidence and will take all steps necessary to prevent dissemination of this information to any third party, without the prior written agreement of the SAHRC as the SAHRC asserts its moral authority and copyright over the report. The service provider must ensure that its staff maintains their objectivity by remaining independent of the activities they execute.

1 THE TOTAL COST WILL BE USED TO CALCULATE POINTS FOR PRICE CLARIFICATION

- 1.1 The SAHRC may request clarity of further information regarding any aspect of the bid. The service provider should supply the requested information within forty-eight (48) hours after the request has been made.
- 1.2 The SAHRC reserves the right to conduct a security background check or screening of the service provider.
- 1.3 The SAHRC reserves the right to conduct mandatory site inspection to the offices of the service provider.

2 CONDITIONS OF TENDER

- 2.1 The SAHRC reserve the right not to award the tender.
- 2.2 Any conditions imposed by the service provider that is restrictive or contrary to any part of these Terms of Reference will automatically disqualify the service provider.
- 2.3 The service provider will be held liable for any damage or loss suffered by the entity, because of the service provider's own or his/her employees' negligence or intent, which originated at the site. The service provider will have to pay damages or replace any stolen item damaged or stolen due to the negligence or intent of the service provider's own employees.
- 2.4 The service provider must, at his/her own expenses, take out sufficient insurance against any claims, cost, loss and/or damage ensuing from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.
- 2.5 A copy of such insurance contract must be handed to the SAHRC Representative on commencement of the service. Evidence that such insurance premiums have indeed been paid or is being sought must be furnished on request.
- 2.6 SAHRC does not bind itself to accept the lowest quote.
- 2.7 The SAHRC reserves the right to invite bidders for presentation at bidders own cost and perform site visits on short listed bidders before the award of the bid, as part of evaluation process.
- 2.8 SAHRC does not bind itself to make any selection from the proposals, or quotations received.
- 2.9 SAHRC reserves the right, at its sole discretion, to cancel this request for proposals and/or not to make any selection of the service provider/s at all.
- 2.10 SAHRC reserves the right, at its sole discretion, to cancel this request for proposals and/or not to make any selection of the service provider/s at all.
- 2.11 All prices quoted must be VAT inclusive.
- 2.12 SAHRC will not make any upfront payments before the rendering of services.
- 2.13 The successful bidder shall provide the service required based on the set timelines and as per the schedule to be provided by SAHRC.
- 2.14 A pricing schedule with one of the specified elements omitted from the costing may be considered non-responsive.
- 2.15 The price proposal must be valid for 120 days.
- 2.16 This is a two-stage bidding process in which proposals submitted must include technical and price, submitted in separate envelopes. For this purpose the service provider must provide in respect of:
 - a. Clearly marked **Technical**, one (1) original plus five (5) hard copies.
 - b. The price proposal, original must be sealed clearly marked **price bid sheet** should include the name of service provider and certification that the person signing the proposal entitled to represent the service provider empowered to submit the bid and authorized to sign a contract with the SAHRC.

3 CONTRACT PERFORMANCE

- 3.1 The performance of the Service Provider shall be reviewed quarterly during the period of the signed Service Level Agreement.
- 3.2 If it is found that information provided is false including the breach of the General Condition of Contract, The SAHRC reserves the right to terminate this contract with immediate effect.

4 FORMAT AND SUBMISSION OF THE PROPOSAL

- 4.1 All the official forms (SBD) must be completed and signed in all respects by bidders. Failure to comply will invalidate a bid.
- 4.2 Bidders are requested to submit one (1) original hard copy plus one (1) USB.
- 4.3 For ease of reference, bids should be packaged in the following format:
 - a. Annexure A - Signed Tender Document and Completed SBD Forms
 - b. Annexure B - Mandatory Documents
 - c. Annexure C - Functionality Response
 - d. Annexure D - Company Profile
 - e. Annexure E - Any other supporting document

5 COMPULSORY INFORMATION SESSION & ENQUIRIES

5.1

DATE: 21 November 2023 TIME: 11H00 (GMT +2)

ADDRESS: 27 Stiemens Street, JD House, Braamfontein, Johannesburg

Non-attendance will not result in disqualification

5.2 Inquiries must be made in writing to the following

Supply Chain Management / Admin	Technical
tenders@sahrc.org.za	rkhuvutlu@sahrc.org.za

6 CLOSING DATE

- 6.1 Proposals must be submitted on or before 30 November 2023 at 11h00 at the Head Office, 27 Stiemens Street, JD House, Braamfontein, Johannesburg There will a submission register which bidder must sign upon submitting their bid.
- 16.2 Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time to for any unforeseen events that may delay the delivery of the bid.

NB: All tender enquires must be in writing.

SBD 1

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/PUBLIC ENTITY)				
BID NUMBER:		CLOSING DATE:		CLOSING TIME:
DESCRIPTION				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED
AT (STREET ADDRESS)

495B Tsitsa Street				
Erasmuskloof				
Pretoria				
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				
	TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes
	<input type="checkbox"/> No			<input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?				
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
	<input type="checkbox"/>	A REGISTERED AUDITOR		
		NAME:		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]				

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes [IF YES ENCLOSE PROOF]	<input type="checkbox"/> No ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

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 ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<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 OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

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, 2017, 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:

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.....
Closing Time 11:00	Closing date.....

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
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Required by:

- At:

.....

Brand and model

Country of origin

- 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



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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.

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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Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

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

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:



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- 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.



SBD4 |

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 **80/20** preference point system.

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

- (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:

7 80/20	or	90/10
$PPPP = 8888 \frac{PPPP-PP}{mmmmmm} \diamond 11$	or	$PPPP = 9988 \frac{PPPP-PP}{mmmmmm} \diamond 11$

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:

$$\begin{array}{ccc} 8 & 80/20 & \text{or} & 90/10 \\ PPPP = 8888 \diamond 11 + \frac{PPPP-PP}{PP \text{ mmmmmmm}} \diamond & \text{or} & PPPP = 9988 \diamond 11 + \frac{PPPP-PP \text{ mmmmmmm}}{PP \text{ mmmmmmm}} \diamond \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

P_{max} = 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.

9 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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

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 proprietor
- 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.

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

SURNAME AND NAME:

DATE:

ADDRESS: