

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR THE REQUIREMENT OF SOUTH AFRICAN STATE THEATRE

BID NUMBER:	SAST/2022/CLEANING SERVICES
DESCRIPTION:	APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE CLEANING SERVICES AT THE SOUTH AFRICAN STATE THEATRE FOR A PERIOD OF THREE YEARS.
PUBLISH DATE:	23 JUNE 2022
BID VALIDITY PERIOD:	90 Days from the closing date
COMPULSORY BRIEFING SESSION DATE & TIME	06 July 2022 @11:00 am
CLOSING DATE	15 JULY 2022 @ 11:00 am
DELIVERY ADDRESS AND COMPULSORY BRIEFING SESSION ADDRESS	BID DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT: 320 Pretorius Street PRETORIA (at reception, on the lower ground)
ENQUIRIES:	Ms. Lerato Mmatloa Email : scm@statetheatre.co.za Tel : 012 392 4000

NB: Bidders must ensure that they sign the register at the reception when delivering their bids

BIDDER NAME:

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT. THE JOINT BUILDING CONTRACTS COMMITTEE (JBCC) CONDITIONS OF CONTRACT AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITION OF CONTRACT.

Bid No.:

Name of Bidder:

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SECTION 1

1. INTRODUCTION

The South African State Theatre is a statutory agency tasked with the development and promotion of Arts, Culture and Heritage programs, in mainstreaming its role in social development.

2. OBJECTIVE

The South African State Theatre is looking for a cleaning service provider that will provide and maintain stringent hygiene and cleanliness standards for patrons, the public and visitors across its 52,000 square meter building.

3. SCOPE

AREAS OF CLEANING

Offices, Passages, Walls, Signage, Stairways, Kitchens, Men and Ladies bathrooms in office block, Rehearsal rooms; Reception areas, Theatre Auditoriums, Foyers carpets and Marble, Bars and Coffee bars, Windows, display boxes and lifts, strip and seal of Marley floors, Industrial cleaning of carpets bi-annually. Washroom supplies, hand soap, She bins, deodorizers. Deep cleaning and pest control.

The bidder will be required to render the following services on a regular basis, and on a shift basis during peak performance period:

Carpets: 3086 square meters

Vacuum cleaning of all carpets	daily
Washing of all carpets	twice annually
Spot cleaning of carpets	weekly

Garage and Parking area: 3341 square meters

Sweep	daily
Wash garage floor	daily /as necessary
Remove litter	daily
Remove dust, dirt by using a mechanized Machinery	weekly
Sweeper or broom	daily
Remove oil spillage with degreaser	as necessary

Ceramic Tiles, vinyl and marble floors: 8520 square meters

Sweep	daily
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Damp mop	daily
Buff/polish	twice a week

Dusting

Dust horizontally (above paintings, doors, windows etc.)	daily
Dust accessible high ledges & light fittings	once a week
Dust Vertical (sides paintings, doors, windows etc.)	daily
Surface (wall & cabinets)	once a week

Waste disposal

Empty & clean wastepaper baskets	daily
Remove rubbish to agreed location	daily
Cleaning around the building perimeter	daily

Wall & paintwork

Spot clean finger marks from light switches, doors, and walls	daily
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Glass & metal work

Clean glass doors	daily
Wipe bright metal fittings	weekly

Window cleaning

Clean interior of all windows	monthly
Clean exterior of all windows	quarterly

Stairs & stairways: 1185 square meters

Sweep stairs	daily
Damp mop stairs	daily
Dust handrails & fittings	daily
Damp cloth-wipe handrails	daily
Wipe bright metal/fittings	daily

Miscellaneous (office arrears): 1185 square meters

Including Workshops, and Plant rooms

Dust desk	daily
Damp mop steel	daily
Polish wooden desktops	daily
Clean telephones	daily
Shampoo carpets	2 x a year

Passages

Brush and Polish floors	daily
Sweep and dust control	daily

[illegible]

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3 floor dressing room	16		16	18	16	4	6		
2nd floor	17		18	18	17		2		
1st floor dressing room	6		5	6	6				
Arabesque	2	3	1	5	2	2	2		
Security toilet level 1	3	2		3	3	2	3	2	
Dressing room level 0	12		13	16	12	3	3	3	
Dressing room -1 Rendevous	3			3	3	1	1		
Rendezvous	8	7		13	8		8	2	
-2	2	3	3	3	2	1	1		
-3	4	4	2	4	4	1	1		
Opera 1st floor east & west	28	28		28	28	6	10	4	
Opera 2nd floor east & west	10	14		14	10	4	6	2	
Opera 4th floor east & west	14	14		14	14	4		2	
S.P lounge	1			1		1	1	1	
Marble foyer	9	2	2	9	9	1	5	2	2
First aid room				2		2			
Genesis	6	3	2	7	6		4		2
Drama foyer 2nd floor	8	6		8	8	4	4	2	
Drama foyer 1st floor	14	6		14	14	14	4	2	
Level 0 black restaurant	2		2	2	2		2		
Drama marble foyer	9	6		8	9		3		
Momentum	4	3		6	4	2	2	1	
Arena	4	3		6	4	2	2	3	
Dressing room 4th floor Arena south passage	9		11	13	9	4	4		
Green stairs from 11 to 5 floor	7			7	7				
Green stairs from 4 to 0 level	11	8		13	11	5	8		

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Green stairs from - 1 to -2	2			2	2				
TOTAL	244	133	76	283	243	75	88	38	4

The bidder is obliged to supply all (Industrial) cleaning equipment, materials and products required. This will include but are not limited to.

- Buffing machines
- Auto scrubber
- Wet & Dry vacuum cleaners
- Brooms per month
- Mops per month

N.B: The South African State Theatre will provide all cleaning consumable material.

EXTRA SERVICES (TO BE INCLUDED IN THE PROPOSAL AND FINAL BUDGET)

- The bidder shall arrange for pest control to be done every 6 weeks at own cost (evidence to be provided at SAST)
- The bidder shall provide hygiene service for sanitary requirements on a 10-day cycle

The detailed day to day operational schedule shall be included in the Service Level Agreement with the successful bidder. Also take note that due to the nature of our industry, SAST operate 24/7 and as such the successful bidder is expected to provide two shifts to accommodate such operation.

MONITORING PROGRESS ON DELIVARABLES

Adherence or compliance with the Service Level Agreement will be monitored through:

- Monthly meetings,
- Monthly reports to Facilities personnel, covering the following:
 - Complaints received
 - Challenges
 - Consumables used for the month
 - HR issues regarding the bidder's staff

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SECTION 2

2. INSTRUCTIONS TO BIDDERS

2.1 General

Bidders must familiarize themselves with and comply with the mandatory requirements and ensure their availability for site visits and presentations, as required, on the appropriate dates.

2.2 Bidder Information

The required information on the bidder must be completed as stipulated in **paragraph 4 below**.

The successful bidder shall demonstrate to SAST that adequate pre-employment screening, including security screening was performed on the employees/sub-contractors (staff).

2.2.1 The pre-employment screening shall as a minimum be:

2.2.1.1 Authenticate that staff are who they claim to be.

2.2.1.2 Confirm that staff have a right to work in the RSA.

2.2.1.3 Obtain written declaration from staff of any criminal record; and

2.2.1.4 Confirm that staff possesses the relevant qualifications to undertake the duties effectively and safety.

2.2.2 The successful bidder shall deploy competent staff, supervision and labour who are:

2.2.2.1 Appropriately experienced and trained for the work they are to undertake.

2.2.3 SAST and its representatives may seek formal assurance to this effect (including a formal (audit) at any time during the contract period.

2.3 Consortium

2.3.1 Bidders forming part of a Consortium must submit with their bid a copy of their Consortium agreement in a separate attachment. This must clearly indicate:

2.3.1.1 The form of agreement;

2.3.1.2 The respective roles and responsibilities of the members;

2.3.1.3 The identity of the lead company which will have overall responsibility;

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2.3.1.4 The name and address of the officer acting as a single point of contact for

2.3.1.5 Communications between SAST and the tenderers. He shall be fully empowered to act on behalf of all members; and

2.3.1.6 The member's agreement to be jointly and severally liable to SAST for the performance of the contract.

2.4 Sub-contracting

2.4.1 Bidders must detail any work to be sub-contracted, the proposed sub-contractor(s) to be used,

2.4.2 SAST reserves the right to reject the use of any of the bidder's proposed subcontractors and any subcontractor proposed during the contract term.

2.4.3 Bidders are advised that SAST will not respond any direct approach from potential sub-contractors for details in respect of any particular item in this bid.

2.5 SAST Bidding rights

2.5.1 SAST reserves the right to:

2.5.1.1 extend the closing date;

2.5.1.2 verify any information contained in a proposal;

2.5.1.3 Request documentary proof regarding any bid issue;

2.5.1.4 Give preference to locally manufactured goods or locally sourced services;

2.5.1.5 Issue follow-up or supplementary questions during the response period or after receipt of tenders;

2.5.1.6 Make known to all bidders any questions submitted by a bidder including commercial and technical clarifications, together with answers given to any individual bidder, if it is considered to be relevant to the tender; and

2.5.1.7 Cancel or withdraw this request for tender as a whole or in part.

2.5.2 Evaluating Authorities' (BEC) of the evaluation process SAST may require bidders to arrange and/or

participate in one or more of the following:

2.5.2.1 Interviews with, or written references from nominated references;

2.5.2.2 Reference site visits to the location(s) of nominated reference;

2.5.2.3 Interviews with bidder personnel who would be involved in the contract execution (day-to-day

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operations of the site);

2.5.3 Negotiations with the bidders.

2.5.4 Appoint one bidder or more than one bidder where necessary.

2.6 Bidding process

2.6.1 **Bidders must familiarize themselves with and comply with the procurement time table and ensure their availability for the site visit and presentations, as required, on the appropriate dates.**

2.6.2 Bidders are required to:

2.6.2.1 respond in the English language;

2.6.2.2 A cover letter on the bidders company letterhead with clear reference to the bid of interest should accompany both the technical and pricing proposals;

2.6.2.3 **All copies of the tender response must be signed on each page.;**

2.6.2.4 Ensure that all document attachments are clearly marked and bound in a clear, logical and well-marked format with a table of contents ensuring ease of finding individual documents or sections; and

2.6.2.5 The original document must be signed in black ink by an authorized person, agent or representative and each and every page of the bidding documents shall contain the initials of the same signatory.

2.6.3 All costing and information must be typed and signed by the bidder, no hand written costing/pricing will be accepted.

2.7 Bid submission requirements

2.7.1 **Bidders must submit their responses and all supporting documents in properly labelled and sealed envelopes**

Bidders are to submit one (1) pack of original proposals, marked "ORIGINAL" in a separate envelope and two (2) packs of copies, marked "COPY" in a second envelope.

Financial or pricing details must ONLY be included in the pack marked "ORIGINAL".

Bids must be submitted in sealed envelopes clearly labelled to reflect the **bid number, Category, name, submission date and closing time.**

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Bids must be bound, indexed and set out in a tabulated format. Unbound or loose papers will be rejected.

NB: Failure to submit 1 original pack with financial/pricing details and 2 packs of copies (without financial/pricing details), will result in your bid being disqualified.

2.8 EVALUATION PROCESS

2.8.1 Evaluation criteria

Bidders who fully completed, and supplied all the mandatory compliance documents, listed on the tender document will be evaluated in two stages, which includes technical/functionality criteria (Stage 1) and Pricing and B-BBEE Status (Stage 2). Technical/functionality stage will include presentation at SAST offices

2.8.2 Compliance with minimum requirements

All bids duly lodged will be examined to determine compliance with bidding requirements, and conditions (completion and attachment of compulsory documents).

2.8.3 Elimination of proposals on grounds of functionality

Bidders that score less than **75** points out of 100, for functionality evaluation will be disqualified from further participation in the Bid Evaluation process (Stage 2).

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Evaluation criteria

Bids that meet compliance requirements will be evaluated in two stages, which includes functionality (Stage 1) and Pricing and B-BBEE Status (Stage 2).

Compliance with minimum requirements

All bids duly lodged will be examined to determine compliance with bidding requirements and conditions (completion and attachment of compulsory documents).

No.	Criteria	Points allocation	WEIGHTS
1.	Track Record of the Company in carrying cleaning services for the past 5 years. <ul style="list-style-type: none"> History/Background (Company profile detailing experience in carrying out the industrial cleaning services Number of years in existence Submit three (3) sets of latest audited financial statements or signed by the accountant and bank rating) 	5 or more years = 20 3 to 4 years = 10 1 to 2 years = 5 Less than 1 = 0 3 sets = 5 Less than 3 = 0	20 points
2.	Quality Management Systems and Standard Operating Procedures Bidder must submit a proposal highlighting their standard operating procedure, and the generic quality plan on how they will ensure quality of their service. <ul style="list-style-type: none"> Briefly highlight your generic quality plan and Standard operating procedures Bidder must provide samples of a minimum of three (3) key management reports they maintain during their work Provide list of 5 cleaning Equipment 	30 Excellent =20 Good = 15 Satisfactory = 10 Poor = 5 Unacceptable = 0 3 or more reports =10 1-2 reports = 5 No submission = 0 5 points	60 points

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	BIDDER'S STAFFING PROPOSAL <ul style="list-style-type: none"> The Bidder must submit the staff proposal plan indicating how their staff will be allocated and the organogram. Staffing plan demonstrating experience of the key personnel to be utilized for this contract including their roles and responsibilities to meet the SAST requirements. The allocated resources should include trained personnel and proof of training should be attached. The bidder should indicate availability on ad-hoc, indicating how soon would the company respond to ad-hoc requests 	30 Excellent proposal = 30 Good = 20 Satisfactory = 15 Poor = 5 No submission = 0	
3	Verifiable References <p>Bidders must provide a minimum of five (5) references letters from their clients where similar services were provided. Letters must be the in the client's letterhead, indicating the following; name of the organisation, address, contact person, details and title</p> <p>The letter must also show the contract amount or bidder must include the award letter if contract amount is not on the letter).</p>	5 or more letters = 20 3-4 letters = 15 Points 1-2 letters = 5 Points	20
TOTAL		100	

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SECTION 3

RETURNABLE DOCUMENTS CHECKLIST

MANDATORY REQUIREMENTS

Bidders who fail to submit the following documents will be disqualified. All SBD's must be fully completed and signed in full, failure to fully complete SBD forms will lead to disqualification.

Requirement	Yes	No
Registration with Central Supplier Database (submit CSD report)		
Submit a Valid SARS tax pin		
SBD 1		
SBD 4 (Bidder's disclosure)		
SBD 6.1		
General Conditions of Contract (initial each page)		
Certified company registration documents		
Certified ID copies of all directors listed on Co. registration documents		
Letter of good standing from Dept. of Labour		

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4) BIDDER INFORMATION

The following particulars must be furnished (failure to do so shall result in your bid being disqualified)

Indicate the type of Bidding structure by marking with an 'X':	
Individual bidder	
Joint venture	
Consortium	
Using Subcontractors	
Other	

If individual bidder, indicate the following:	
Name of bidder	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	
If Joint Venture or Consortium, indicate the following:	
Name of prime contractor	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	

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If Joint Venture or Consortium, indicate the Postal address	
If using subcontractors, indicate the following: (To be completed for each JV/ : (To Consortium memberbe completed for each) subcontract)	
Name of Joint Venturesubcontractor/ Consortium member	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

5) ANNEXURE (SBD DOCUMENTS)

Bid No.:

Name of Bidder:

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1. ANNEXURES: STANDARD BIDDING DOCUMENTS

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					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No

Bid No.:

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[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No YES, ANSWER THE ESTIO NNAIRE [IF QU BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS			
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"/> 3	<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.		<input type="checkbox"/>	<input type="checkbox"/>
BELOW.			

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.

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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:

.....

SBD 4
BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

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

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2.2 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:

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

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

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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.

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

Bid No.:

Name of Bidder:

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

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

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

POINTS

Bid No.:

Name of Bidder:

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

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents. (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid

invitation, and includes all applicable taxes;

Bid No.:

Name of Bidder:

.....

3. POINTS AWARDED FOR PRICE

3.1 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 or 90/10

$$Ps \geq 80 \leq 1 \leq Pt \leq Pmin \leq \text{or} \quad Ps \geq 90 \leq 1 \leq Pt \leq Pmin \leq$$

$$\leq Pmin \leq \leq Pmin \leq$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4

Bid No.:

Name of Bidder:

8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	NO
-----	----

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....% ii) The name of the sub-contractor..... iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE (Tick applicable box)

YES	NO
-----	----

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

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

Bid No.:

Name of Bidder:

.....

Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....
.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

Bid No.:

Name of Bidder:

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

WITNESSES

1.
2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....
.....

Bid No.:

Name of Bidder:

.....
.....


