



("The IDT")

TERMS OF REFERENCE

**APPOINTMENT OF A SERVICE PROVIDER FOR THE
PROVISION OF EMPLOYEE WELLNESS SERVICES
FOR A PERIOD OF THREE (3) YEARS AT THE
INDEPENDENT DEVELOPMENT TRUST**

BID NUMBER: IDT/HREW-01/2022-2025

1. PURPOSE

The main purpose for this bid is to procure Employee Wellness services for the Independent Development Trust situated at the Glenwood Office Park, Block B, Cnr. Oberon and Sprite Streets, Faerie Glen for a period of 36 months.

The services are applicable to All IDT employees including Interns, Graduate Trainees and External bursary holders.

2. BACKGROUND

- 2.1 The Independent Development Trust (IDT) is situated at Glenwood office Park, Block B, Cnr Oberon and Sprite Street, Faerie Glen, Pretoria and has a staff complement of 307 Active employees, including Programme funded employees, Interns external bursary holders and graduate trainees. The IDT intends to ensure compliance with the Employee Wellness Policy, Occupational Health and Safety Act (Act No. 85 of 1993), the Constitution of RSA, Act108 of 1996 (as amended), Labour Relations Act No 66 of 1995 (as amended), BCEA No 75 of 197 (as amended), Mental Health Act No 17 of 2002, and other applicable legislation, hence the need to appoint a service provider who will provide the IDT with Employee Wellness services for a period of 36 months.
- 2.2 The Human Resources Sub-Unit of the IDT is responsible for the general provision and management of employee wellness services to the organisation.
- 2.3 Accordingly, the IDT seek to procure the services of a qualified and experienced employee wellness service provider to assist the IDT in rendering employee wellness services for the duration of the contract.
- 2.4 The Independent Development Trust (IDT) hereby invites suitable qualified Employee Wellness Service providers to submit proposals for the provision of employee wellness services in Head Office and in all nine (9) regional offices (Provinces).

3. SCOPE OF WORK FOREMPLOYEE WELLNESS SERVICES

- 3.1 The appointed service provider will be required to provide employee wellness services to the IDT Head Office and in all nine (9) regional offices (Provinces).
- 3.2 The service provider will be expected to provide the required services as described / listed below: -
 - 3.2.1 Psychosocial face to face support services
 - 3.2.2 24 hours' telephonic health and medical support services
 - 3.2.3 Individual and group trauma counselling
 - 3.2.3 24 hours unlimited professional support
 - 3.2.4 Life management services: financial education, family services and legal advisory services
 - 3.2.5 Absenteeism management
 - 3.2.6 Incapacity and disability case management.
 - 3.2.7 The service provider should also provide regular management reports.
 - 3.2.8 Managerial consultancy and referral services
 - 3.2.9 Communication and marketing services including E-care and wellness education
 - 3.2.10 Programme Management services
 - 3.2.11 Professional strategy and policy consultancy services
 - 3.2.12 Professional Health Assessments
 - 3.2.13 Relationship management services
 - 3.2.14 Executive Wellness Programme proposal
 - 3.2.15 Management and support for HIV and Aids, substance abuse and communicable diseases.

PHASE 1

4. MANDATORY RETURNABLE DOCUMENTS

- 4.1 The following must be submitted with the bid:
 - 4.1.1 CSD number (CSD Report)
 - 4.1.2 Tax Compliance Pin for verification;
 - 4.1.3 Fully completed and signed SBD Forms (**SBD 1, SBD 4, SBD 6.1, SBD 8 and SBD 9**)
 - 4.1.4 Detailed company profile with an organogram which includes: Director/Partner, Senior Associate, Professional Assistant/Associate and Admin Support.

4.1.5 Valid Certified copies or proof of registration in accordance with all statutory requirements of the wellness industry.

4.1.6 Financial Offer: Fixed Fees per headcount for 3 Year Period.

4.1.7 Provide proof of Regional Offices business address (utility bill or lease agreement or proof of ownership)

4.1.8 Joint Ventures must provide Memorandum of agreement with all relevant documents.

4.1.9 All professionals must be registered with the relevant statutory/professional bodies and must provide valid, certified copies of membership.

4.2 The IDT offices are located across all nine Provinces. The services provider is expected to deliver services to employees based on all the IDT offices listed in the below table.

Pretoria	Independent Development Trust Glenwood Office Park Block B Cnr. Oberon & Sprite Streets Faerie Glen, Pretoria 0043
Gauteng	Independent Development Trust Glenwood Office Park Block B Cnr. Oberon & Sprite Streets Faerie Glen, Pretoria 0043
KZN	333 Anton Lembede Street 20th Floor Durban House Durban 4001
Limpopo	22 Hans Van Rensburg Street 2nd Floor Polokwane 0700
Eastern Cape	1st Floor Cube 1 Cedar square Bonza Bay Road Beacon Bay 5241
Free State	Department of Public Works Building 18 President Brand Street Bloemfontein 9301
Mpumalanga	Erf 50 3 rd floor Allied Building 34 Brown Street Nelspruit,

	1201
Western Cape	Independent Development Trust Room 1404, 14 th Floor, Customs House Heerengracht Street Foreshore Cape Town
Northern Cape	Old Magistrate Court 21-23 Market Square Kimberly 8301
North West	4059 Joules Street The Crossing Mafikeng 2745

5. SPECIAL CONDITIONS

5.1 Service delivery levels and quality of the work will be a measure of appointment.

5.2 Fees shall be charged in accordance with the IDT's Service Level Agreement and Milestones mentioned therein. The Contract and Service Level Agreement will be signed with the successful bidders.

5.3 The IDT shall be entitled in its discretion to terminate before the expiry of the said 3 three years period by written notice and request all the files in the possession of the service provider.

5.4 The service provider shall have at least 5 years' experience. In the case of a new service provider, the professionals who will be dealing with the IDT matters shall have at least five years' post professional registration experience.

5.5 The general conditions of tender, contract and order will be applicable to this tender.

5.6 All copyright and intellectual property rights that may result as consequences of the work to be performed will be become the property of the IDT.

5.7 The service provider must hand over all documents and information in any format, including copies that it received from the IDT or that it had access to during the implementation of the contract or assignment immediately after completion of the contract period to the IDT.

5.8 The successful service provider will be subjected to quarterly performance review.

5.9 The successful bidder or service provider will be expected to sign a confidentiality agreement that will protect the IDT information that is not in the public domain.

5.10 If the bidder are submitting the bid as Joint Venture, attach to this bid a Schedule a copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners.

6. EVALUATION OF THE TENDER

The evaluation process will comprise of the following phases:

Phase 1: Mandatory and Administrative Requirements;

Phase 2: Functionality Evaluation;

Phase 3: Pricing and B-BBEE Evaluation. 80:20

The following rating values for evaluation will be used:

- a. Each panel member will rate each individual criterion on the score sheets as indicated for each criterion.
- b. The value scored for each criterion will be multiplied with the specified weighting for the relevant criterion to obtain the scores for each criterion. These scores will be added and expressed as a fraction of the best possible score for all criteria.
- c. The service providers that meet the required minimum score will be evaluated further on price and B-BBEE.
- d. The panel responsible for scoring the respective bids will evaluate and score all bids based on the functionality requirements.
- e. Service providers will not rate themselves, but need to ensure that all information is supplied as required. The IDT panel members will evaluate and score all responsive bids and will verify all documents submitted by the service providers.

6.1 Phase 1 Administrative Requirements

The following documents should be submitted together with the proposal; *failure to submit the following will invalidate your bid*:

- 6.1.1 Service provider's acceptance of terms of reference, (ToR) by initialing on each page;
- 6.1.2 Service provider's acceptance of terms and conditions of the bid, by initialing on each page of the General Conditions of Contract (GCC);
- 6.1.3 The original tender document must be submitted.

6.2 Phase 2: Functionality Evaluation

Bids will be evaluated for functionality in this stage, based on achieving a minimum score of seventy points (70 points).

The IDT panel members will individually evaluate the responses received against the criteria as set out below:

PHASE 2: PROPOSAL FUNCTIONALITY SCORE														
Ratings:														
CRITERIA													WEIGHTS	
1.	Capacity and Capability (Resources)													
	1. Company Profile plus Organogram (2.5 each) 2. Unabridged Annual Reports or Audited Financial Statements for the last three to five years. 3. Psychosocial face to face support services including 24 hour unlimited professional telephonic health and medical support services 4. Individual and group trauma counselling 5. Life management services: financial education, family services and legal advisory services 6. Absenteeism management, Incapacity and disability case management. 7. The service provider should also provide regular management report tools. 8. Managerial consultancy and referral services 9. Communication and marketing services including E-care and wellness education 10. Programme Management services including • Professional strategy and policy consultancy services 11. Professional Health Assessments 12. Executive Wellness Programme proposal 13. Management and support for HIV and Aids, substance abuse and communicable diseases.													60
	1	2	3	4	5	6	7	8	9	10	11	12	13	
	5	5	10	5	4	7	3	3	3	3	5	3	4	

2.	Knowledge & Expertise			20
	1. Individual CV's 2. Valid certified copies of professional registration with relevant councils 3. General employee wellness provision services			
	1	2	3	
	5	10	5	

3.	Experience (Company experience and years in service in providing Employee Wellness)			10			
	1 Year	2 to 3 years	5 Years and above				
	2	5	10				
	1. < 1 Year = 2 2. 2 years to 3 years = 3 3. 5 years and above = 10						
4.	Track Record			10			
	1. 5 x Reference Letters 2. 4 x Reference Letters 3. 3 x Reference Letters 4. 2 x Reference Letters 5. 1 x Reference letters 6. None x Reference Letter						
	1	2	3	4	5	6	
	10	8	6	4	2	0	
TOTAL							
TOTAL SCORE							100
MINIMUM THRESHOLD SCORE							70

Any proposal not meeting a minimum score of 70 points on functional proposal will be disqualified and will not be considered for the next Phase.

Financial Offer: Fixed Fees per headcount for 3 Years Period

Table 1 All Employees (Employee Wellness Programme)

Financial Year	Rate per employee per month
2022 - 2023	
2023 - 2024	
2024 - 2025	
Sub-Total	
VAT (15%)	
Total	

Table 2 All Employees (Annual Health screenings)

Financial Year	Rate per employee per annum
2022 - 2023	
2023 - 2024	
2024 - 2025	
Sub-Total	
VAT (15%)	
Total	

Indicate the total amount as per Table 1 and 2.

Financial Year	AMOUNTS
All Employees	
Annual Health screenings	
GRAND TOTAL	

Executive wellness programme proposals and cost per executive headcount for 3 years

Table 3 Executive Wellness Programme cost proposal

Financial Year	Proposed rate per Executive per annum
2022 - 2023	
2023 - 2024	
2024 - 2025	
Sub-Total	
VAT (15%)	
Total	

Phase 3: Price and B-BBEE

- (a) Price; and
- (b) B-BBEE Status Level of Contributor
- (c) This bid will be evaluated using the 80-20 scorecard where bidders will receive up to 20 maximum points based on the B-BBEE level.

7. BID AWARD & CONTRACT CONDITIONS

- 7.1 Bidders must submit their bid proposals in line with the bid specifications. Failure to comply shall invalidate the bid.
- 7.2 The appointed bidder may be subjected to security clearance.
- 7.3 The contract shall be concluded between IDT and the successful service provider.
- 7.4 Service Provider must comply with safety regulations at all times during operations.

8. CONTRACT ADMINISTRATION

- 8.1 The successful bidder must advise the Supply Chain Management Unit immediately when unforeseeable circumstances will adversely affect the execution of the contract.
- 8.2 Full particulars of such circumstances as well as the period of delay must be furnished.
- 8.3 The administration of the bid and contract i.e. evaluation, award, distribution of contract circulars, contract price adjustments etc., shall be the sole responsibility of the Supply Chain Management Unit.

NB: MUST BE COMPLETED BY ALL BIDDERS. FAILURE TO COMPLY WILL INVALIDATE THE BID. THE INFORMATION PROVIDED SHALL ALSO BE USED DURING THE EVALUATION PROCESS.

ALL THE INFORMATION REQUESTED ON THIS DOCUMENT HAS REFERENCE TO THE SERVICE INDICATED ON THE PRICING SCHEDULE OF THE BID SPECIFICATIONS.

9. PRICE

9.1 **All prices charged should be inclusive of VAT.** The bid proposal should clearly indicate the total price for the first year of service.

9.2 **If the bid price is not firm, IDT will consider only price adjustments as per the CPI after the anniversary of the contract.**

10. PRICE ADJUSTMENTS

10.1 Bidders must take note that firm prices will be accepted for the first twelve (12) months of the contract duration, thereafter a once – off price adjustment on the 13th month will be accepted based on the average CPI % as issued by STATS SA.

11 RESPONSE FIELDS

11.1 In order to evaluate and adjudicate bids effectively, it is imperative that bidders submit responsive bids. To ensure a bid will be regarded as responsive, it is imperative to comply with all conditions pertaining to this bid and to complete all the mandatory response fields and item questionnaires for the individual items.

11.2 Non-compliance with this condition will invalidate the bid for the item(s) concerned.

12 PROJECT PERIOD

The project will commence after signing the contract. The service provider will be expected to provide employee wellness services for a period of three (3) years.

13 SUBMISSION OF PROPOSALS

13.1 Any proposal submitted by electronic means such as email, **will not be accepted** for consideration.

13.2 The proposals must be submitted by **12h00 on 21 February 2022**.

The proposal must be in a sealed envelope or package, and must be clearly marked as follows:

Bid No: **IDT/HREW-01/2022-2025**

Description: **EMPLOYEE WELLNESS SERVICES**

Compulsory Site visit: **NONE**

Bid Closing Date and Time: **12h00 on 21 February 2022**

Bid Validity: **90 Days**

13.3 **All bids must be deposited in the Tender Box located at the reception area of the Independent Development trust (IDT) at the following address:**

IDT Building (Block B)
Glenwood Office Park
Cnr Oberon and Sprite Street
Faerie Glen
0043

GP Co-ordinates: 25°46'54.3"S
 28°17'24.3"E

NB: Please note that late submissions of the Bid proposal will not be considered for evaluation.

13.4 The Independent Development Trust reserves the right not to appoint a service provider and/or to withdraw this advert at any time prior to the appointment of a service provider.

14 COMMUNICATION

14.1 Any questions are to be submitted by email not later than **five business days** before the closing date of the Bid. Questions received after this date will not be entertained by IDT.

14.2 After the closing date, only Supply Chain Management (SCM) Unit will communicate with service providers for, among others, where bid clarity is sought, to obtain information or to extend the validity period.

14.3 Enquiries of a technical nature must be directed to:

Linda Stoffels
HR Planning and OD Project Administrator
Tel: 012 – 845 2083
E-mail: Lindab@idt.org.za

14.4 Enquiries related to the registration and submission of proposals must be directed to Supply Chain Management:

Junior Motsepe
Admin Officer: SCM
Tel: 012 – 845 2109
E-mail: juniorm@idt.org.za

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

YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES NO

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

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:

.....

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:
.....

2.2 Identity Number:
.....

2.3 Position occupied in the Company (director, trustee, shareholder²):
.....

2.4 Company Registration Number:
.....

2.5 Tax Reference Number:
.....

2.6 VAT Registration Number:
.....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with **YES / NO**

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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 B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

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

1.2

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

- (d) Price; and
- (e) B-BBEE Status Level of Contributor.

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

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

1.5 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;

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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (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
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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

i) What percentage of the contract will be

ii) Subcontracted.....%

iii) The name of the sub-contractor.....

iv) The B-BBEE status level of the sub-contractor.....

v) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

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

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

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

Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- 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:

- 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

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector?</p> <p style="text-align: center;">(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters? in terms of section 29 of the Prevention and Combating of Corrupt Activities 2004)?</p> <p>To access this Register enter the National Treasury's www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit request for a hard copy of the Register to facsimile number (012) 3265445.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/> Act (No 12 of website, your written
4.2.1	If so, furnish particulars:		

4.3	Was the bidder or any of its directors convicted by a court of law (including a court Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/> outside of the
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
 FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION
 MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO
 BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

____ (Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

(c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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 will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications
9. and conditions or delivery particulars of the products or services to which this bid invitation relates.
10. 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.
11. 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.

³ 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.

Name of Bidder: _____

Signature: _____

Position: _____

Date: _____