

## TERMS OF REFERENCE – REQUEST FOR QUOTATIONS

### THE PROVISION OF COURIER AND FREIGHT SERVICES A PERIOD OF THIRTY-SIX (36) MONTHS

The Food & Beverages Manufacturing Sector Education and Training Authority's (FoodBev SETA) hereby invites suitable telecommunications service providers to submit quotations for the provision of courier and freight services a period of thirty-six (36) months.

<b>Closing date of submission</b>	20 October 2022
<b>Closing time of submission</b>	12:30 p.m. (Telkom time)
<b>Quotes to be e-mailed to</b>	<a href="mailto:scm@foodbev.co.za">scm@foodbev.co.za</a>
<b>All quotes must be valid for at least</b>	30 days
<b>Delivery address for the goods</b>	7 Wessels Road, Rivonia Johannesburg

All queries/ clarifications can be sent in writing, citing the bid reference above to the under-mentioned person before the closing date for the quote:

<b>Queries address to</b>	Lunga Mokoena
<b>Telephone Number: Landline</b>	011 253 7300
<b>e-mail address to send queries</b>	<a href="mailto:Lungam@foodbev.co.za">Lungam@foodbev.co.za</a>

The 80/20 preference point system is applicable in the evaluation of this RFQ where 80 points will be dedicated to price and 20 points to B-BBEE status. Therefore, suppliers are required:

- To be registered on National Treasury's Central Supplier Database (CSD). Registrations can be completed online at: [www.csd.gov.za](http://www.csd.gov.za)
- provide FoodBev SETA their CSD registration number; and
- provide the FoodBev SETA with a certified copy of their B-BBEE certificate. If no certificate can be provided, no points will be scored during the evaluation process.

## 1. BACKGROUND

FoodBev SETA is a Schedule 3A Public Entity established in terms of the Skills Development Act 97 of 1998. FoodBev is currently operating in Johannesburg at number 7 Wessels Street, Rivonia. FoodBev SETA's function is to promote, facilitate and incentivize skills development in the food and beverages manufacturing sector. FoodBev SETA is one of 21 Sector Education and Training Authorities (SETAs) across the economy mandated to facilitate the delivery of skills development in the country in line with National Skills Development Plan (NSDP) outcomes.

## 2. PURPOSE

The FoodBev SETA seeks to appoint a service provider to submit quotations for the provision of courier and freight services a period of thirty-six (36) months

## 3. SCOPE OF WORK

- 3.1. The appointed services provider will be responsible for providing parcel courier and freight services on an as and when required basis (locally and nationally) – which includes, but not limited to the following:
  - 3.1.1. Provide door-to-door, door-to-airport, and airport-to-airport delivery options,
  - 3.1.2. Regular exchange of internal courier luggage, envelopes, and other products from one location to another,
  - 3.1.3. Fragile parcel packaging and stickers,
  - 3.1.4. Have the ability to provide sealed and lockable luggage for extra security,
  - 3.1.5. Have the ability to provide mailbags and pre-printed stationery,
  - 3.1.6. Flexible collection times,
  - 3.1.7. Call the receiver of package before delivery has taken place to confirm availability of someone to receive package,
  - 3.1.8. Online tracking of consignments,
  - 3.1.9. SMS services to inform client of delivery of packages,
  - 3.1.10. Must have (proof of) public liability insurance cover,
  - 3.1.11. Must have national footprint,
  - 3.1.12. Provide post office collection service from the post office to FoodBev SETA offices every Friday and deliver post to the said Post Offices.
- 3.2. Frequency of Service
  - 3.2.1. Same day service: Same day service means that the service must be rendered between 06:00 and 18:00 hours.
- 3.3. Overnight service
  - 3.3.1. Overnight service means that the service must be rendered between 18:00 and 09:00 hours on weekdays.
- 3.4. Weekends and Public Holidays
  - 3.4.1. The service must be rendered during Saturdays, Sundays, and Public Holidays between 06:00 and 18:00 hours.

## 4. PROJECT DURATION

- 4.1. The bidder will be appointed for a period of 35 months, starting on 1 November 2022 to 31 October 2025.
- 4.2. Convenient commencement dates will be negotiated with the appointment service provider at contracting stage.

## 5. BID EVALUATION PROCEDURE

- 5.1. The bid will be evaluated in accordance with the following three stages:
  - 5.1.1. Criteria 1 - Compliance,
  - 5.1.2. Criteria 2 - Functionality Evaluation
  - 5.1.3. Criteria 3 - Preference Points



## 5.2. Criteria 1 - Compliance.

Administrative Criteria	Has the applicable document been attached?		Bidders Comments
1. Completing and signing of SDB1; 3.3; 4; 6.1; 8; 9	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
2. SARs certificate and pin for verification	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
3. Certified copy of Company Registration Certificate	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
4. Public Liability insurance cover	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
5. Postal Services Certificate	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
6. Central Supplier Database Report	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
7. Letter from your registered auditors affirming assurance that the company has no going concern issues and is in good financial standing	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
<b>PLEASE NOTE:</b> Non-compliance to the above-mentioned criteria will result in your bid being disqualified. Only original certified copies will be accepted.			

## 5.3. Criteria 2 - Functionality Evaluation

CRITERIA		WEIGHTING
1. Company experience		
The bidder must have experience in providing courier services to the corporate clients similar to FoodBev SETA. The bidder must provide reference letters from contactable Corporate clients where the bidder provided courier service		
NOTE: The reference letters must be on the bidder's client's letterhead and duly signed. The reference letter must detail the services offered and number of years.		
• One reference letter	5.00	25.00
• Two reference letters	10.00	
• Three reference letters	15.00	
• Four reference letters	20.00	
• Five reference letters	25.00	
2. Project Team Experience		
Please attach detailed CVs demonstrating experience of each key project personnel as follows:		
• Account Manager	5.00	25.00
• Same-day Service Manager	10.00	
• Overnight Service Manager	15.00	
• After Hours Manager	20.00	
• Dispatcher	25.00	
3. Capability to deliver		
Bidder must provide letter from registered auditors (not a letter from their accountant or tax consultant). The letter from the auditors must affirm the assurance that the company has not going		



concern issues and their financial position is sound and they will be able to provide the goods or services tendered for:		
<ul style="list-style-type: none"> <li>Letter received from registered auditors giving assurance regarding good financial position and no going concern issues</li> </ul>	<b>20.00</b>	<b>20.00</b>
<b>4. Methodology</b>		
Response to scope of work e.g. understanding and complying to scope of work, methodology regarding implementation of requirements, implementation of requirements, implementation plan and timeframes:		
<ul style="list-style-type: none"> <li>The bidder must demonstrate the methodology and approach for the courier services as required by the FoodBev</li> </ul>	<b>10.00</b>	<b>30.00</b>
<ul style="list-style-type: none"> <li>The bidders are required to outline the entire process from the notification to collect to delivery of parcels.</li> </ul>	<b>10.00</b>	
<ul style="list-style-type: none"> <li>Project plan for the implementation of the services</li> </ul>	<b>10.00</b>	
<b>TOTAL</b>		<b>100.00</b>

#### 5.4. Criteria 3 - Preferential Points:

CRITERIA	SUB-CRITERIA	POINTS
Price	Detailed budget breakdown	80
BBBEE Status Level Verification certificate from accredited verification agencies	BBBEE Level Contributor	20
Total Points		<b>100</b>

## 6. PRICING STRUCTURE

- 6.1.** Bidders are requested to provide their price proposal in accordance with the table below. Failure to do so will result in the invalidation of the bid. For the purpose of this costing exercise, bidders must base their pricing on collection from FoodBev SETA Offices in Rivonia. Bidders may submit a different Price List other than completing the table below but the Price List must reflect all the required services, destination and price elements indicated below.



Services	Destination	Charge per kg	Surcharge	Total charge per Waybill	Number of Waybills per month	Monthly cost including vat
Domestic Express: Same day	Major Centre					
Domestic Express: Same day	Regional / Outlying Area					
Domestic Express: Overnight	Major Centre					
Domestic Express: Overnight	Regional / Outlying Area					
Weekends and Public Holidays	Major Centre					
Weekends and Public Holidays	Regional / Outlying Area					
<b>Total Monthly Cost (vat included)</b>						
<b>Annual Costs (vat included)</b>						
<b>Annual Escalation Percentage</b>						

- 6.2. Prices submitted for this bid must be filled in on the field provided on the pricing schedules supplied with the bid.
- 6.3. Prices must be quoted per one kilogram (1kg) units as per the pricing schedule.

## 7. CONDITIONS OF CONTRACT

The successful service provider undertakes:

- To treat all relevant and available data and/or information provided by the FoodBev SETA and its employees strictly confidential;
- Not to discuss or make any information available to any member of the public, press or other service provider/consultant or any other unauthorized person(s) except as authorized by the Chief Executive Officer of the FoodBev SETA or her delegate;
- Not to copy or duplicate any software or documentation for private use;
- To give back to the FoodBev SETA all documentation, reports, programmes etc upon completion of the project;
- General conditions of the request for quotation (RFQ), contracts and orders will be applicable in the execution of the contract;
- Parking and travel between the prospective service provider's office and the venue selected by the SETA will be borne by the Service Provider;
- Failure to adhere to the above conditions will lead to the invalidation of the quotation;
- The FoodBev SETA reserves the right to discontinue work on any element of the quotation at any given time in consultation with the Chief Executive Officer of the FoodBev SETA, for example the quality of work delivered is poor or the service provider is unduly delaying delivery of service;
- Enter into a Service Level Agreement with the FoodBev SETA, where applicable or necessary.

## 8. PROCEDURES FOR SUBMITTING PROPOSALS

- 8.1. The closing date for proposals is 20 October 2022.
- 8.2. Proposal/Bid responses must be sent as per section 1 of this invitation.



## 9. ADMINISTRATIVE COMPLIANCE: STANDARD BIDDING DOCUMENTS

<b>SBD 1.</b>					
<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FOOD AND BEVERAGE MANUFACTURING SETA</b>					
<b>BID NUMBER:</b>		<b>CLOSING DATE:</b>		<b>CLOSING TIME:</b>	
<b>DESCRIPTION</b>					
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
<b>CONTACT PERSON</b>			<b>CONTACT PERSON</b>		
<b>TELEPHONE NUMBER</b>			<b>TELEPHONE NUMBER</b>		
<b>FACSIMILE NUMBER</b>			<b>FACSIMILE NUMBER</b>		
<b>E-MAIL ADDRESS</b>			<b>E-MAIL ADDRESS</b>		
<b>SUPPLIER INFORMATION</b>					
<b>NAME OF BIDDER</b>					
<b>POSTAL ADDRESS</b>					
<b>STREET ADDRESS</b>					
<b>TELEPHONE NUMBER</b>	<b>CODE</b>		<b>NUMBER</b>		
<b>CELLPHONE NUMBER</b>					
<b>FACSIMILE NUMBER</b>	<b>CODE</b>		<b>NUMBER</b>		
<b>E-MAIL ADDRESS</b>					
<b>VAT REGISTRATION NUMBER</b>					
<b>SUPPLIER COMPLIANCE STATUS</b>	<b>TAX COMPLIANCE SYSTEM PIN:</b>		<b>OR</b>	<b>CENTRAL SUPPLIER DATABASE No:</b>	<b>MAAA</b>
<b>B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE</b>	<b>TICK APPLICABLE BOX]</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No		<b>B-BBEE STATUS LEVEL SWORN AFFIDAVIT</b>		<b>[TICK APPLICABLE BOX]</b>  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No <b>[IF YES ENCLOSE PROOF]</b>		<b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b>		<input type="checkbox"/> Yes <input type="checkbox"/> No <b>[IF YES, ANSWER THE QUESTIONNAIRE BELOW ]</b>



<b>/WORKS OFFERED?</b>			
------------------------	--	--	--

#### QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

**IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?**

☐ YES ☐ NO

**DOES THE ENTITY HAVE A BRANCH IN THE RSA?**

☐ YES ☐ NO

**DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?**

☐ YES ☐ NO

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

☐ YES ☐ NO

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

☐ YES ☐ NO

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

#### 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](http://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 3.3.**  
**Pricing Schedule: Professional Services**

NAME OF BIDDER: .....  
 BID NO. ....  
 CLOSING TIME .....  
 CLOSING DATE .....

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
---------	-------------	--

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED WITH THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST RENDERED IN TERM HEREOF)

4. PERSONS AND POSITION

HOURLY RATE	DAILY RATE
-------------	------------

.....	R.....
.....	R.....
.....	R.....
.....	R.....
.....	R.....
.....	R.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN DAYS TO BE SPENT

.....	R.....
.....	R.....
.....	R.....
.....	R.....

5.1. Travel expenses (specify, for example rate/km and total km, class of air travel, etc.). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF THE EXPENSES	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....





- 5.2. Other expenses, for example accommodation (specify, e.g. Three-star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). Based on these, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF THE EXPENSES	RATE	QUANTITY	AMOUNT
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

TOTAL: R.....

6. Period required for commencement with the project after acceptance of bid

7. Estimated man-days for completion of project

R.....

8. Are the rates quoted firm for completion of project? \*YES/NO

9. If not firm for the period, provide details of the basis on which adjustments will be applied for, for example consumer index.'

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

Any enquiries regarding bidding process may be directed to –

FoodBev SETA  
 7 Wessels street  
 Rivonia, Sandton  
 2128

Tel:  
 Or for technical information –  
 (Name and contact person)  
 Tel:

#### SBD 4.1 - Declaration of Interest

1. Any legal person, including persons employed by the State<sup>1</sup>, 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 bid, 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 –

<sup>1</sup> "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;
- (e) Parliament.



- 1.1. The bidder is employed by the State; and/or
- 1.2. The bidder is a Management Board member of FoodBev SETA and/or
- 1.3. 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, shareholder, etc<sup>2</sup>): .....

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

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:

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

<sup>2</sup> "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



2.7.2. 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 attach 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.)

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

2.8. Did you or your spouse, or any of the company's directors/shareholders/members or their spouses conduct business with the State in the previous twelve (12) months?

YES / NO

2.8.1. If so, furnish the following 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 the evaluation and or adjudication of this bid?

YES / NO

2.9.1. If so, furnish the following particulars.

2.10. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by the State who may be involved with the evaluation and or adjudication of this bid?

YES / NO

2.10.1. If so, furnish the following particulars.

2.11. Do you or any of the directors/shareholders/members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES / NO



2.11.1. If so, furnish the following particulars.

.....

.....

.....

3. Full details of directors/ trustees/ members/ shareholders.

Full Name	Identity Number	Personal Tax Reference No	State Employee Number/ Persal Number

### 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

### SBD 6.1 - PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

**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 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;
- 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
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:

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

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

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

Designated Group: An EME or QSE which is at least 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

**(Tick applicable box)**

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

## 8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

## 8.6 COMPANY CLASSIFICATION

**(Tick applicable box)**

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

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.

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>	<p>.....</p> <p style="text-align: center;">SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE: .....</p> <p>ADDRESS: .....</p> <p>.....</p> <p>.....</p>
--	---

### SBD 8 - Declaration of Bidder's Past Supply Chain Management Practices

- 1 This declaration will be used by institutions to ensure that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 2 The bid of any bidder may be disregarded if that bidder, or any of its directors have:
  - a. abused the FoodBev SETA'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.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
3.1	Is the bidder or any of its directors listed on the National Treasury's database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the Accounting Officer/</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>



	<b>authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the homepage.</b>		
3.1.1	If so, furnish particulars:		
3.2	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 Act (No 12 of 2004)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website, (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the homepage.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.2.1	If so, furnish particulars:		
3.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.3.1	If so, furnish particulars:		
3.4	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"/>
3.4.1	If so, furnish particulars:		

### 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

