



# DEPARTMENT: SOUTH AFRICAN POLICE SERVICE

## REPUBLIC OF SOUTH AFRICA

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

The Manager

Reference no: 19/1/9/1/88 TR (23)

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

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

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

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

Sir / Madam

### REQUIRED BY THE SOUTH AFRICAN POLICE SERVICE

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

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

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

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

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

Yours faithfully

BRIGADIER

ACTING HEAD: PROCUREMENT & CONTRACT MANAGEMENT

A FOURIE

1/88 TR (23)

# PLEASE NOTE



**BID NO: 19/1/9/1/88TR (23)  
CLOSING TIME: 11:00 ON 2023-11-28**

**IT IS ESSENTIAL THAT THE FOLLOWING BID DOCUMENT AND THE RELEVANT  
SPECIFICATION BE COMPLETED IN FULL.**

**FAILURE TO COMPLETE ANY PART OF THE BID OR SPECIFICATION WILL INVALIDATE  
YOUR BID DOCUMENT.**

**NOTED BY THE BIDDER:**

**SIGNATURE: BIDDER**

**DATE**

*2/88TR(23)*

**PART A**  
**INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN POLICE SERVICE</b>					
BID NUMBER:	19/1/9/1/88TR (23):		CLOSING DATE:	2023-11-28	
DESCRIPTION	<b>TO ESTABLISH A PANEL OF QUALIFIED SUPPLIERS, FOR THE PROVISION OF CLOSED CIRCUIT TELEVISION (CCTV) AND ACCESS CONTROL SYSTEMS FOR THE SOUTH AFRICAN POLICE SERVICE (SAPS) NATIONALLY FOR A PERIOD FIVE (5) YEARS</b>				
	<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:			BID RESPONSE DOCUMENTS MAY BE POSTED TO:		
DIVISIONAL COMMISSIONER SUPPLY CHAIN MANAGEMENT SOUTH AFRICAN POLICE SERVICE 117 CRESWELL ROAD SILVERTON PRETORIA 0184			DIVISIONAL COMMISSIONER SUPPLY CHAIN MANAGEMENT SOUTH AFRICAN POLICE SERVICE PRIVATE BAG X254 PRETORIA 0001		
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER		CODE		NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER		CODE		NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS VERIFICATION		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/>	A REGISTERED AUDITOR NAME:		
<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>					

3/88TR(23)

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B 3 BELOW ]
SIGNATURE OF BIDDER	.....		
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
ANY ENQUIRIES REGARDING BIDDING PROCEDURE MAY BE DIRECTED TO:		ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	SAPS: SCM	CONTACT PERSON	
CONTACT PERSON	Col Nyembe	TELEPHONE NUMBER	
TELEPHONE NUMBER	012 841 7070/ 7184	FACSIMILE NUMBER	
FACSIMILE NUMBER	012 841 7071	E-MAIL ADDRESS	
E-MAIL ADDRESS	<u>NyembeN@saps.gov.za/</u> <u>ZozoB@saps.gov.za</u>		

4/88TR(23)

**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

**1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED DATE AND TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. THE BID BOX IS GENERALLY OPEN 24 HOURS A DAY, 7 DAYS A WEEK.
- 1.3. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED).
- 1.4. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.6. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

**2. TAX COMPLIANCE REQUIREMENTS**

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

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO

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

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

5/88TR(23)

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

**ALL BID DOCUMENTS MUST BE HANDED IN AND  
REGISTERED AT SECURITY OFFICE BY THE PERSON  
HANDING IN THE DOCUMENTS AT 117 CRESSWELL ROAD  
SILVERTON, PRETORIA SCM: ON OR BEFORE 2023-11-28  
BY 11:00 AM**

**BRIEFING SESSION DIVISION: SUPPLY CHAIN  
MANAGEMENT WILL BE HELD ON 15 NOVEMBER 2023 AT,  
PHUMULANI BARRACKS, 3 LEEUBEKKIE STREET,  
SILVERTON BEHIND FLYING SQUAD NORTH GATE,  
PRETORIA @ 10:00**

**6/68-TK (23)**

# **NOTICE !!!! NOTICE**

**BID DOCUMENTS MUST  
BE COLLECTED AND  
HANDED IN TO BE  
REGISTERED AT 117  
CRESSWELL ROAD,  
SILVERTON , AT MAIN  
GATE SECURITY OFFICE  
BY THE PERSON  
RECEIVING AND HANDING  
IN THE DOCUMENTS.**

**BY ORDER OF: Divisional  
Commissioner: Supply Chain  
Management**

**7/88 TR(23)**

## OFFICE USE ONLY

<u>RFQ/Tender received on</u>		<u>Reason for rejection:</u>
<b>Accepted</b>	<b>Rejected</b>	
<b>Supplier Number in POLFIN</b>		
<b>Supplier Number in CSD</b>		

## SUPPLIER INFORMATION

<b>Are you a NEW supplier?</b>	<b>YES</b>	<b>KINDLY REGISTER ON NATIONAL TREASURY CSD: <u>WWW.CSD.GOV.ZA</u> AND OBTAIN A CSD SUPPLIER NUMBER</b>
<b>Are you an EXISTING Supplier?</b>	<b>YES</b>	<b>KINDLY PROVIDE YOUR CSD AND POLFIN SUPPLIER NUMBER</b>
<b>Supplier Number in CSD</b>		
<b>Unique registration supplier no: CSD</b>		
<b>Supplier Number in POLFIN</b>		

<b>C. CHECKLIST OF DOCUMENTS A</b>		<b>CROSS REFERENCE</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1) Copy of Business entity's Registration Documents: i.e. CK2 form		Approved on CSD			
• <u>For Close Corporations</u> – a copy of the CIPRO report showing the directors/owners/members of the cc					
• <u>For Pty Ltd</u> – a copy of the CIPRO report as well as a copy of the shareholders agreement or a letter from your auditors confirming the shareholding of the company					
• <u>Copy of shareholders/members certificates / agreements</u>					
2) Business entity's Vat Registration Certificate		Approved on CSD			
3) Current Business entity original Tax Clearance Certificate		Approved on CSD			
4) Identity Documents of Shareholders/Directors/Passport Documents		Approved on CSD			
5) Proof of CIDB Registration		Approved on CSD			
6) Registration of bank account details		Approved on CSD			
7) B-BBEE Status level verification certificate		Approved on CSD			
7.1 B-BBEE original/Certify copy attached					
8. Applicable certificate for work to be executed according to the tender/quotation attached.					

8/88TR



**SPECIAL CONDITIONS OF CONTRACT**

**BID NO. 19/1/9/1/88 TR (23):**

**TO ESTABLISH A PANEL OF QUALIFIED SUPPLIERS, FOR THE**

**PROVISION OF CLOSED CIRCUIT TELEVISION (CCTV) AND**

**ACCESS CONTROL SYSTEMS FOR THE SOUTH AFRICAN**

**POLICE SERVICE (SAPS) NATIONALLY FOR A PERIOD FIVE (5)**

**YEARS**

**CLOSING DATE AND TIME OF BID: 2023-11-28 @ 11h00**

**BID VALIDITY PERIOD: 90 DAYS**



# SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

## TABLE OF CONTENTS

	Page
1. ABBREVIATIONS .....	1
2. BID DOCUMENT CHECK LIST .....	2
3. SCOPE .....	3
4. SECTION A .....	3
4.1 LEGISLATIVE AND REGULATORY FRAMEWORK .....	3
4.2 BID INFORMATION/BRIEFING SESSION .....	3
4.3 EVALUATION CRITERIA .....	3
4.3.1 PHASE 1: ADMINISTRATIVE AND MANDATORY BID REQUIREMENTS .....	4
4.3.2 PHASE 2: MANDATORY REQUIREMENTS .....	6
4.3.3 PHASE 3: SITE VISIT/ DUE DILIGENCE AND SAMPLE EVALUATION .....	6
4.3.4 PHASE 4: PREFERENCE POINT SYSTEM AND PRICE .....	7
5. VALUE ADDED TAX .....	9
6. PRICING STRUCTURE AND SCHEDULE .....	9
7. AUTHORISATION DECLARATION/ LETTER FROM THE MANUFACTURER .....	9
8. TAX COMPLIANCE REQUIREMENTS .....	10
9. FORMAT AND SUBMISSION OF BIDS .....	10
10. LATE BIDS .....	10
11. COUNTER CONDITIONS .....	11
12. FRONTING .....	11
13. SUPPLIER DUE DILIGENCE .....	11
14. COMMUNICATION .....	12
15. CONTACT DETAILS .....	12
16. SECTION B .....	12
16.1 CONTRACT PERIOD .....	12
16.2 RIGHT OF AWARD .....	12
16.3 MULTIPLE AWARD .....	13
16.4 NEGOTIATIONS .....	13
16.5 QUALITY .....	14
16.6 DELIVERY AND QUANTITIES .....	14
16.6.1 DELIVERY BASIS .....	14
16.6.2 .....	14
17. SECTION C .....	14
17.1 ROLES AND RESPONSIBILITIES .....	14



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

17.1.1	CONTRACT ADMINISTRATION .....	14
17.1.2	SUPPLIER PERFORMANCE MANAGEMENT .....	14
17.2	ORDERS AND DELIVERY .....	15
17.2.1	ORDERS .....	15
17.2.2	DELIVERY .....	15
17.3	PRODUCT ADHERANCE / BRAND CHANGE .....	15
17.4	CONTRACT PRICE ADJUSTMENT .....	16
17.4.1	Formula .....	16
17.5	FORMULA COMPONENT DEFINITIONS .....	17
17.5.1	Adjustable amount .....	17
17.5.2	Fixed portion .....	17
17.5.3	Cost components and proportions .....	17
17.5.4	Applicable indices / references .....	18
17.5.5	Base Index Date .....	19
17.5.6	End Index Date .....	19
17.5.7	Price Adjustment Periods .....	19
17.6	RATES OF EXCHANGE (ROE) – BASE AND AVERAGE RATES .....	20
18.	GENERAL .....	21
19.	BREACH OF CONTRACT .....	21
20.	PACKAGING .....	21



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 1. ABBREVIATIONS

BAC: Bid Adjudication Committee

B-BBEE: Broad-Based Black Economic Empowerment

CPA: Contract Price Adjustment

ISO: International Organisation for Standardisation

QC: Quality Control

ROE: Rate of Exchange

SABS: South African Bureau of Standards

SANAS: South African National Accreditation System

SBD: Standard Bidding Document

STATS SA: Statistics South Africa

VAT: Value- Added Tax



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 2. BID DOCUMENT CHECK LIST

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



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 3. SCOPE

The South African Police Service requires prospective suppliers to submit bids for the Accreditation of Panel / Roster of Suppliers for the provisioning of Installation, Commissioning, Warrantee and Maintenance of Closed Circuit Television (CCTV) and Access Control Systems for the South African Police Service (SAPS) Police stations and other priorities buildings nationally for a period five (5) years. Division: Technology Management Services in accordance with specification 32161/2023.

### 4. SECTION A

#### 4.1 LEGISLATIVE AND REGULATORY FRAMEWORK

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

#### 4.2 BID INFORMATION/BRIEFING SESSION

- A briefing session will be held at Supply Chain Management on 15 November 2023 AT, Phumulani Barracks, 3 Leeubekkie Street, Silverton Behind Flying Squad North Gate, Pretoria @ 10:00

#### 4.3 EVALUATION CRITERIA

The evaluation process will be conducted in phases as follows:

Phase 1	Phase 2	Phase 3	Phase 4	Phase 5
Administrative Requirements	Mandatory Bid Requirements	Technical Compliance	Site visit/Due diligence	Price and Specific goals
Compliance with Mandatory and Administrative Bid requirements. SBD forms must be completed and signed.	Compliance with Mandatory and other bid requirements. SBD forms must be completed and signed	Compliance to technical requirements / specification.	Site visit / Due diligence at bidder's premises and verification of samples	Bids evaluated in terms of the 90/10 preference system



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 4.3.1 PHASE 1: ADMINISTRATIVE AND MANDATORY BID REQUIREMENTS

#### 4.3.1.1 ADMINISTRATIVE BID REQUIREMENTS

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

ADMINISTRATIVE DOCUMENTS - NAME OF THE DOCUMENT THAT MUST BE SUBMITTED	
Invitation to Bid – SBD 1	YES – Please complete and sign the supplied form
Declaration of Interest – SBD 4	YES – Please complete and sign the supplied form.
Industrial Participation programme – SBD 5	YES – Please complete and sign the supplied form.
Preference Point Claim Form <b>SBD 6.1</b>	YES – Generally, non-submission will lead to a zero score preference points.
General Conditions of Contract	NO – Bidders <u>must only familiarise</u> themselves with the content of the document
Tax Clearance Requirements	YES – The <u>CSD</u> and the <u>tax status pin</u> are the approved method that will be utilized to verify tax compliance.
National footprint	YES – Please provide a detailed list marked as Annexure "A". Bidders are encouraged to indicate their national footprint for the ability to provide goods and services within their bid response. In the event that a bidder does not have a national footprint, bidders are requested to clearly indicate as to the various provinces that they wish and are able to bid for.
Special Conditions of Contract	YES - Bidders must sign acknowledgement that they <u>familiarise</u> themselves with the content of the document
Authorisation Declaration	YES – Bidders sourcing products from a third party must submit the authorisation declaration letter of the third party. confirm that it has familiarised itself with the item description, specifications and bid conditions
	confirm that it has familiarised itself with the item description, specifications and bid conditions
	If the bid consist of more than one item, it should be clearly indicated in respect of which item(s) the supportive letter has been issued.
	It must be indicated in the above-mentioned letter that firm supply



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

	arrangements have been made
	All financial arrangements with regard to payment between the prospective bidder and manufacturer, company or supplier issuing such a letter has been finalized and terms and conditions mutually agreed upon.
	Letter must be signed by the Authorisation Declaration manufacturer
Annexure "B" Authorisation Declaration	<b>YES</b> – Please complete and sign Annexure "B" if outsourcing from third party.
Certificates:	<b>YES</b> – Curriculum Vitae: Bidders shall provide CV's for all technicians indicating their relevant experience with references.
Specification 32161/2023	<b>YES</b> - Bidders must fully comply with specification of the bid. The bidder must indicate by writing <b>Comply or Not Comply</b>
Documentation	<b>All</b> Documentation shall be provided in soft and hard copy. Drawings softcopies shall be provided in as CAD files in dwg format. Other soft copy documents shall be provided in pdf format during submission of the bid document
Documentation	<b>YES</b> - The Successful bidder must supply at least the following documentation: Technical documentation in hard printed colour and soft copy format: the Documentation must contain comprehensive detail including. Maintenance schedules and detailed procedures Training materials for the training of technicians including system users and supervisors. A system acceptance test procedure document
Central Supplier Database registration	<b>YES</b> – Please submit CSD report to prove registration and preference points.
Track Record	<b>YES</b> – In order to establish whether the bidder has a proven track record in this field, details of users in the Republic of South Africa (RSA) to whom the bidder have successfully supplied the services and equipment offered, must be submitted with the bid documents for verification by the SAPS. <b>YES</b> – The track record shall be compiled by the bidder and labelled "Appendix C". The bidder must create their own. The details of previous clients must be included at least the following 1. Name of the Client/Organisation, 2. Full Postal and Street Address, 3. Telephone and Facsimile numbers, 4. Contact person 5. Type of quantity of equipment supplied 6. Date when contract was finally completed and equipment was handed to client, and Value of the contract in current Rand value.



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 4.3.2 PHASE 2: MANDATORY REQUIREMENTS

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

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

Certificates:	YES – The Bidder must provide competency certification for all workers employed in electrical installation as well as any required electrical certificates of compliance regarding supplied electrical installations.
	CIDB: The bidder must provide CIDB registration certificates and this certificate must be brought with bid file. submitted with the bid on or before the closing time
	YES – All bidders must provide authentic PSIRA registration certificates and must be on the name of the bidder and submitted with the bid on or before the closing time

### 4.3.3 PHASE 3: TECHNICAL COMPLIANCE

This phase entails the evaluation of bids for technical compliance.

**Specification 32161/2023.** Items must comply with standards and/or specifications as per South African Police Service specification 32161/2023 included in the bid document.

### 4.3.4 PHASE 4: SITE VISIT/ DUE DILIGENCE AND SAMPLE EVALUATION

#### 4.3.4.1 Due Diligence/Site visit will be conducted at bidder's premises.

#### 4.3.4.2 SAMPLES TO BE SUBMITTED FOR VISUAL SCREENING

- a) Samples will be requested from shortlisted bidders at the late stage only for the purpose of visual screening of products offered for compliance to specification (32161/2023) during the evaluation phase.
- b) Shortlisted bidders must submit only one sample for each item offered for physical evaluation, within the time frame of being requested to do so. Failure to submit the required sample will invalidate your bid.
- c) Representative sample should be submitted where different sizes and colour of the same product are called for against different item numbers, only one sample must be submitted but recorded/labelled accordingly to indicate all the item numbers represented.



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

- d) All samples submitted for visual screening must be a true representation of the product which will be supplied. Samples of all items awarded against this bid will be retained for the duration of the contract period
- e) Unsuccessful bidders who have submitted samples, will be informed to collect such items within 3 months of the commencement of the contract. Samples not collected within this 3-months from the commencement of the contract will be disposed of at the discretion of the South African Police Service.
- f) Failure to submit the required sample by shortlisted bidders, will invalidate the bid for the item which a sample is not submitted.
- g) Samples will ONLY be accepted on the stipulated date and time. No late samples will be accepted.
- h) The venue and date for submission of samples will be communicated to shortlisted bidders.

### 4.3.4.4 Marking and Submission of samples

The following requirements for the marking and submission of samples are applicable to samples that are submitted for visual screening as well as for samples submitted to testing institutions.

- a) Samples must be placed in suitable containers and be clearly marked with a hang tag(s) on the outside with the bid number, item number(s), and the bidder's name. This detail must appear on a label attached to each individual item package. For ease of handling during evaluation process, laminating stickers or loose papers should not be submitted with the sample as the identity of the sample can be misplaced.
- b) All samples, including the labelling requirements, must be a true representation of the product that will be supplied during the contract period.  
Once a bid has complied with technical compliance (sample evaluation), it would further be evaluated on phase 4: price and B-BBEE.

### 4.3.5 PHASE 5: PREFERENCE POINT SYSTEM AND PRICE

#### i. Preference points system 90/10

- a) In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the South African Police Service on the 90/10-preference point system in terms of which points are awarded to bidders on the basis of:  
The bid price (maximum 90 points) - Specific goals (maximum 10 points)
- b) The following formula will be used to calculate the points for price:



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

$$Ps = 90 \left( 1 - \frac{Pt - P_{\min}}{P_{\min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

P<sub>min</sub> = Price of lowest acceptable tender

c) A bidder (supplier) may claim a maximum of 10 points for specific goals, if such bidder supplier is;

Persons historically disadvantaged on the basis of race with at least 51% ownership	3 points
Persons historically disadvantaged on the basis of gender with at least 51% ownership by woman	3 points
Persons with at least 51% ownership who are youth	2 points
Persons historically disadvantaged by unfair discrimination on the basis of disability with at least 51% ownership	2 points

d) Bidders are required to complete the preference claim form (SBD 6.1).

e) The points scored by a bidder in respect of the specific goals will be added to the points scored for price.

f) Only bidders who have completed and signed the declaration part of the preference claim form will be considered for specific goals points.

g) Failure on the part of the bidder to comply with the paragraphs above will be deemed that specific goal points are not claimed and will therefore be allocated a zero (0).

h) The South African Police Service may, before a bid is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to preference.

i) The points scored will be rounded off to the nearest 2 decimals.

j) In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of specific goal points.

k) However, when functionality is part of the evaluation process and two or more bidders have scored equal points including equal specific goal points, the contract will be awarded to the bidder scoring the highest for functionality.

l) Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

m) A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 5. VALUE ADDED TAX

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

### 6. PRICING STRUCTURE AND SCHEDULE

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

### 7 AUTHORISATION DECLARATION/ LETTER FROM THE MANUFACTURER

Any bidder the actual manufacturer and will be sourcing goods or services from another company must submit an unconditional letter from the company(ies) or supplier(s) confirming firm supply arrangement(s) in this regard, which has to accompany the bid at the closing date and time of bid. The said company or supplier must:

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

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

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



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

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

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

### 8. TAX COMPLIANCE REQUIREMENTS

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

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

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

### 9. FORMAT AND SUBMISSION OF BIDS

In order to simplify the evaluation process, Bidders are required to submit their bids hard copy in the following manner: -(Take note of Paragraph 8, Supra)

SECTION	REQUIRED DOCUMENTS
Section 1	Standard bidding documents (SBD 1, SBD 4, SBD 5, SBD 6.1 and CSD report
Section 2	Authorisation Declaration and item list
Section 3	Test reports
Section 4	Any other information (e.g. Company profile etc.)

### 10. LATE BIDS

21/88TR(23)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

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

### 11. COUNTER CONDITIONS

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

### 12. FRONTING

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

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

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

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

### 13. SUPPLIER DUE DILIGENCE

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

22/88TR(2)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

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

### 14. COMMUNICATION

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

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

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

### 15. CONTACT DETAILS

#### BID & SAMPLE ENQUIRIES

Procurement Management MGP & Services

Address : 117 Cresswell Street, Weavind Park, Pretoria.

Tel: (012) 841 7070 / 7184

E-mail: [NyembeN@saps.gov.za](mailto:NyembeN@saps.gov.za) or [ZozoB@saps.gov.za](mailto:ZozoB@saps.gov.za)

### 16. SECTION B

#### 16.1 CONTRACT PERIOD

The contract period shall be for a period of five (5) years.

#### 16.2 RIGHT OF AWARD



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

The South African Police Service reserves its following rights:-

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

### 16.3 MULTIPLE AWARD

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

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

- a) Capacity to meet volume demand as per bid requirements
- b) Estimated volume to be supplied
- c) Risk to departments if the item is not available
- d) Source of the finished product, raw material and manufacturing site
- e) Previous performance of the bidder

### 16.4 NEGOTIATIONS

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



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 16.5 QUALITY

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

### 16.6 DELIVERY AND QUANTITIES

#### 16.6.1 DELIVERY BASIS

Firm lead times for delivery must be quoted for the duration of the contract period. Transit and storage conditions applicable to the relevant products must be adhered to.

#### 16.6.2 QUANTITIES

Quantities cannot be guaranteed.

### 17. SECTION C

#### 17.1 ROLES AND RESPONSIBILITIES

##### 17.1.1 CONTRACT ADMINISTRATION

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

Private bag x 254, Pretoria, 0001,

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

Full particulars of such circumstances as well as the period of delay must be furnished to the Section Head Bid Management: Supply Chain Management: SAPS – email: [SmitJ3@saps.gov.za](mailto:SmitJ3@saps.gov.za) and Tel: 012-841 7119

##### 17.1.2 SUPPLIER PERFORMANCE MANAGEMENT

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



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 17.2 ORDERS AND DELIVERY

#### 17.2.1 ORDERS

Contractors should note that the order(s) will be placed as and when required during the contract period and delivery points will be specified by the South African Police Service.

The instructions appearing on the official order form regarding the supply, dispatch and submission of invoices must be strictly adhered to and under no circumstances should the contractor deviate from the orders issued.

The South African Police Service may request that a contractor to submit a sample for approval before mass production related to that order is finalised. The cost of this sample is for the contractor.

The South African Police Service is under no obligation to accept any quantity which is in excess of the ordered quantity.

#### 17.2.2 DELIVERY

Delivery of goods must be made in accordance with the instructions appearing on the official order forms issued by purchasing institutions.

All deliveries or dispatches must be accompanied by a delivery note stating the official order number against which the delivery has been effected.

In respect of items awarded to them, contractors must adhere strictly to the delivery lead times quoted in their bids.

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

### 17.3 PRODUCT ADHERANCE / BRAND CHANGE

In the event where a bidder offers a specific brand against an item and the item is subsequently awarded to the bidder, it is required of the successful bidder to continue to supply the brand awarded throughout the contract period.

In the event that the brand is discontinued and or replaced with a new model, SAPS Contract Management must be notified of such an occurrence and upon approval, an official amendment will be issued. The contractor is required to submit supporting documents from the manufacturer substantiating the changes

It must be noted that the new brand will be required to undergo the evaluation process prior to receiving approval of the brand change issued by SAPS. The new brand must adhere to the technical specification for the item. The quality of the product must not be lower than the initial awarded product.

26/88 TR (23)



Furthermore, contractors are to take note that the price of the new brand should not be higher from the current contract price of the original product.

Contractors are not allowed to deliver a new brand other than the brand awarded to them prior to an approval of brand change from SAPS.

## 17.4 CONTRACT PRICE ADJUSTMENT

### 17.4.1 Formula

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

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

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

$Pa = (1-V) Pt \left( D1 \left[ \frac{R1t}{R1o} \right] + D2 \left[ \frac{R2t}{R2o} \right] + D3 \left[ \frac{R3t}{R3o} \right] + \dots + Dn \left[ \frac{Rnt}{Rno} \right] + VP1 \right)$		
Pa	=	The new adjusted price to be calculated
V	=	Fixed portion of the bid price (15% or 0.15)
Pt	=	Original bid price. Note that Pt must always be the original bid price and not an adjusted price
(1-V)Pt	=	Adjustable portion of the bid price (85% or 0.85).
D1 – Dn	=	= Each factor (or percentage) of the bid price, e.g., material, labour, transport, overheads, etc. The total of the various factors (or percentages) D1 – Dn must add up to 1 (or 100%).
R1t – Rnt	=	= End Index. Index figure obtained from the index at the end of each adjustment period
R1o – Rno	=	Base Index. Index figure at the time of bidding.



VPt	=	15% (or 0.15) of the original bid price. This portion of the bid price 'remains fixed, i.e. it is not subject to price adjustment.
-----	---	--

## 17.5 FORMULA COMPONENT DEFINITIONS

### 17.5.1 Adjustable amount

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

### 17.5.2 Fixed portion

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

### 17.5.3 Cost components and proportions

- a) The cost components of the contract price usually constitute the cost of materials (raw material or finished product), cost of direct labour, cost of transport and those other costs which are inclined to change. The proportions are the contribution to the contract price of each of these cost components. In this bid the following cost components will be used to calculate contract price adjustments.
- b) Bidders are requested to submit the cost breakdown of the bid price for each item with their bid. Should the cost breakdown be the same for all items on the bid, please indicate it clearly in the bid document. Successful bidders will not be allowed to change the cost breakdown of bid prices during the tenure of the contract.
- c) In a case where the same cost components are applicable to all items offered please fill out the Cost components document attached with the bid other than that cost components must be indicated on each line item when finalising pricing schedule.



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

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

### 17.5.4 Applicable indices / references

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

Cost component	Index Publication	Index Reference
D1 – Imported Raw Material / Finished product (if applicable)	Supplier / Manufacturer invoice(s) and remittance	Documentary evidence to accompany claim.
D2 - Local Raw Material / Finished product (if applicable)	STATS SA P0142.1 (PPI) Table 1	Textiles, clothing and footwear – Clothing OR Documentary evidence to accompany claim
D3 - Labour	STATS SA P0141 (CPI), Table E OR Labour agreement2	Table E - All Items OR Labour agreement to be provided
D4 – Transport	STATS SA P0141 (CPI) Table E	Table E - Transport – Other Running Cost
D5 – Housing and utilities	STATS SA P0141 (CPI) Table E	Table E – Housing and utilities Headline
D6 – other	Specify	Documentary evidence to accompany application



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

### 17.5.5 Base Index Date

The base index date applicable to the formula is defined as the date at which the price adjustment starts. In this bid the base index date is 2023-09-07

### 17.5.6 End Index Date

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

### 17.5.7 Price Adjustment Periods

Adjustment to contract prices must be applied for at the following dates:

Adjustment	CPA application to reach the office at the following dates	End Index Date	Dates from which adjusted prices will become effective
1 <sup>st</sup> Adjustment	After One year of signing the contract		Date of application of adjustment after approval was obtained
2 <sup>nd</sup> Adjustment	Second year of signing the contract		Date of application of adjustment after approval was obtained
3 <sup>rd</sup> Adjustment	third year of signing the contract		Date of application of adjustment after approval was obtained
4 <sup>th</sup> Adjustment	fourth year of signing the contract		Date of application of adjustment after approval was obtained

\* In cases where invoices are supplied as documentary evidence, it is advised that invoices closest to the Base Index date and the End Index date be submitted. It should ideally reflect the adjustment period.

\* In the absence of a labour agreement, the labour cost component will be adjusted with CPI Headline inflation.



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

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

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

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

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

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

Currency	Rates of exchange 12-month average for the contract period
US Dollar	
Pound Sterling	
Euro	
Yuan	

Should the bidder make use of any other currency not mentioned above, the bidder is requested to calculate the average for the period using the Reserve Bank published rates for the specific currency. Visit [www.reservebank.co.za](http://www.reservebank.co.za) to obtain the relevant rates. Please refer to TCBD 2 (Procedure to download historical exchange rates from the Reserve Bank website) for instructions.

Contract price adjustments due to rate of exchange variations are based on average exchange rates as published by the Reserve Bank for the periods indicated hereunder:



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

<b>Adjustment</b>	<b>Average exchange rates for the period:</b>
1 <sup>st</sup> Adjustment	Date to Date
2 <sup>nd</sup> Adjustment	Second Year of the contract
3 <sup>rd</sup> Adjustment	third Year of the contract
4 <sup>th</sup> Adjustment	fourth Year of the contract

### 18. GENERAL

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

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

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

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

### 19. BREACH OF CONTRACT

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

### 20. PACKAGING

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

NAME OF BIDDER:

.....



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/88TR (23)

NAME OF CONTACT PERSON: .....

CAPACITY: .....

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

## **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

21

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

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

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

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.

34/88 TR(23)

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

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

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

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

---

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

35/88TR(23)

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

36/88TR(23)

This document must be signed and submitted together with your bid

## THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

### INTRODUCTION

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

### 1 PILLARS OF THE PROGRAMME

- 1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:
  - (a) Any single contract with imported content exceeding US\$10 million.  
or
  - (b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2 year period which in total exceeds US\$10 million.  
or
  - (c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million.  
or
  - (d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.
- 1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a *pro-rata* basis.
- 1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.

37/88 TR (23)

1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.

## **2 REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY**

2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of **R10 million** (ten million Rands), submit details of such a contract to the DTI for reporting purposes.

2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.

## **3 BID SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF BIDDERS AND SUCCESSFUL BIDDERS (CONTRACTORS)**

3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD 5) together with the bid on the closing date and time.

3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1 (d) above and to enable the DTI in determining the NIP obligation, successful bidders (contractors) are required, immediately after being officially notified about any successful bid with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:

- Bid / contract number.
- Description of the goods, works or services.
- Date on which the contract was accepted.
- Name, address and contact details of the government institution.
- Value of the contract.
- Imported content of the contract, if possible.

3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr Elias Malapane within five (5) working days after award of the contract. Mr Malapane may be contacted on telephone (012) 394 1401, facsimile (012) 394 2401 or e-mail at [Elias@thedi.gov.za](mailto:Elias@thedi.gov.za) for further details about the programme.

## **4 PROCESS TO SATISFY THE NIP OBLIGATION**

4.1 Once the successful bidder (contractor) has made contact with and furnished the DTI with the information required, the following steps will be followed:

- a. the contractor and the DTI will determine the NIP obligation;
- b. the contractor and the DTI will sign the NIP obligation agreement;

38/88R(23)

- c. the contractor will submit a performance guarantee to the DTI;
- d. the contractor will submit a business concept for consideration and approval by the DTI;
- e. upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;
- f. the contractor will implement the business plans; and
- g. the contractor will submit bi-annual progress reports on approved plans to the DTI.

4.2 The NIP obligation agreement is between the DTI and the successful bidder (contractor) and, therefore, does not involve the purchasing institution.

Bid number .....	Closing date:.....
Name of bidder.....	
Postal address .....	
.....	
Signature.....	Name (in print).....
Date.....	

JS475wc

39/88TR(23)

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

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

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

---

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 **To be completed by the organ of state**  
(*delete whichever is not applicable for this tender*).

a) The applicable preference point system for this tender is the **90/10** preference point system.

~~b) The applicable preference point system for this tender is the **80/20** preference point system.~~

c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	90
SPECIFIC GOALS	10
Total points for Price and SPECIFIC GOALS	<b>100</b>

40/88 TR(23) Page 1 of 5

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

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) "tender" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) "price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) "tender for income-generating contracts" means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) "the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

<b>80/20</b>	<b>or</b>	<b>90/10</b>
--------------	-----------	--------------

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \quad \text{or} \quad Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. **FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT**

3.2.1. **POINTS AWARDED FOR PRICE**

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20

or

90/10

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \quad \text{or} \quad Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. **POINTS AWARDED FOR SPECIFIC GOALS**

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

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

**(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.**

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

<b>The specific goals allocated points in terms of this tender</b>	<b>Number of points allocated (90/10 system) (To be completed by the organ of state)</b>	<b>Number of points allocated (80/20 system) (To be completed by the organ of state)</b>	<b>Number of points claimed (90/10 system) (To be completed by the tenderer)</b>	<b>Number of points claimed (80/20 system) (To be completed by the tenderer)</b>
Persons historically disadvantaged on the basis of race with at least 51% ownership	3 points	Not applicable		Not applicable
Persons historically disadvantaged on the basis of gender with at least 51% ownership by woman	3 points	Not applicable		Not applicable
Persons with at least 51% ownership who are youth	2 points	Not applicable		Not applicable
Persons historically disadvantaged by unfair discrimination on the basis of disability with at least 51% ownership	2 points	Not applicable		Not applicable

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number:  
.....

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium  
One-person business/sole proprietor

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

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

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

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

SURNAME AND NAME: .....

DATE: .....

ADDRESS: .....

**AUTHORIZATION DECLARATION****NAME OF THE BIDDER:** \_\_\_\_\_**BID NUMBER:** \_\_\_\_\_**DESCRIPTION:** \_\_\_\_\_**CLOSING DATE:** \_\_\_\_\_

Are you sourcing the goods or services from a third party?

<b>YES</b>	<b>NO</b>
------------	-----------

\* If you have answered YES to the above question, please provide full details in the table below of the third party(ies) from whom you are sourcing the goods or services.

---

**1. Declaration by the bidder where the bidder is sourcing goods or services from a third party.**

The bidder hereby declares the following:-

- 1.1 The bidder is sourcing the goods or services listed in the Form 1 attached, from a third party in order to comply with the terms and conditions of the bid.
- 1.2 The bidder has informed the third party of the terms and conditions of the bid and the third party is acquainted with the said terms and the description of the goods or services listed in the Form 1.
- 1.3 The bidder has received the attached, unconditional written undertaking from the third party to supply the goods or services listed in the form 1 in accordance with the terms and conditions of the bid document for the duration of the contract. A template has been attached (Form 2) that is to be used for the purpose of the third party undertaking.
- 1.4 The bidder confirms that all financial and supply arrangements for goods or services have been mutually agreed upon between the bidder and the third party.

**2. The bidder declares that the information contained herein is true and correct.****3. The bidder acknowledges that the SAPS reserves the right to verify the information contained therein and if found to be false or incorrect may invoke any remedies available to it in the bid documents.****SIGNATURE BY THE BIDDER**

Signed at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature \_\_\_\_\_ Full name \_\_\_\_\_

Designation \_\_\_\_\_

45/88/11(23)