



agriculture, land reform & rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

Directorate Name, Department of Agriculture, Forestry and Fisheries
Private Bag X250, Pretoria 0001

Enquiries: T. Massyn Tel: 012 319-7157

THE MANAGER

Dear Sir/Madam

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR AERIAL SPRAYING OF LOCUST TO THE DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT FOR A PERIOD OF SEVEN (7) MONTHS

1. Kindly furnish the Department of Agriculture, Land Reform and Rural Development with a written quotation for the supply of the goods/services as detailed in the enclosed specification/terms of reference.
2. The quotation must be submitted on the letterhead of your business as well as the pricing schedule that is attached to the Terms of Reference that must be e-mailed in PDF format to the following e-mail address: **Quotations@daff.gov.za**.
3. The quotation number **(4.4.5.2/DEVIATION/50/21)** must be indicated in the subject line of your e-mail response.
4. Responses must reach the Department on **2 March 2022 at 16:00**. Quotations received late shall not be considered.
5. The following conditions will apply:
 - Shortlisted suppliers/service providers will be requested to complete and submit Supply Chain Management documentation;
 - Price(s) quoted must be valid for at least thirty (30) days from date of your quotation;
 - price(s) quoted must be firm for the duration of the contract and must be inclusive of all costs plus VAT;
 - a firm delivery period must be indicated; and
 - this quotation is subject to Government Procurement General Conditions of Contract (GCC) and that may not be amended.

Yours faithfully

DIRECTOR-GENERAL

LETTER SIGNED BY:

NAME: T. MASSYN

DESIGNATION: SENIOR SUPPLY CHAIN MANAGEMENT PRACTITIONER



Quotation invitation

QUOTATION NUMBER: 4.4.5.2/DEVIATION/50/22

SUBJECT: Appointment of a service provider for aerial spraying of locust to the Department of Agriculture, Land Reform and Rural Development for a period of seven (7) months.

1. GENERAL QUOTATION CONDITIONS

- 1.1 Service providers/suppliers who failed to complete the quotation terms of reference/specification in all respects will automatically be disqualified.
- 1.2 Service providers/suppliers who failed to complete and sign all the quotation documentation and/or failed to submit all the required information/documentation as requested in terms of the quotation documentation may be disqualified.
- 1.3 The quotation must conform to the minimum requirements, as set out in this document, or it must be stated clearly how it deviates from these requirements and why. Offers exceeding the minimum requirements of the terms of reference/specification are acceptable.
- 1.4 Once quotations have been obtained from prospective service providers/suppliers, the following additional documentation must be obtained from the shortlisted service providers/suppliers:
 - SBD 4 = Declaration of interest;
 - SBD 6.1 = Preference points claim form;
 - SBD 8 = Declaration of bidder's past Supply Chain Management (SCM) practices; and
 - SBD 9 = Certificate of Independent Bid Determination
- 1.5 No quotation may be awarded to any bidder whose tax status has not been declared compliant by SARS. Bidders that are not tax compliant according to the CSD must resolve their tax matters with SARS within seven (7) working days from date of request.
- 1.6 All service providers/suppliers must ensure that they are registered on the Central Supplier Database (CSD): www.csd.gov.za. Service providers/suppliers are advised to ensure that their banking details are successfully verified on the CSD.
- 1.7 The Department will not award any quotation to a service provider/supplier not registered as a prospective service provider/supplier on the CSD.
- 1.8 The successful service provider/supplier may be required to sign a written contract form (SBD 7). This document will be a binding contract between the successful service provider/supplier and the department. No service should be rendered without receipt of an official order issued by the department. No official order will be issued unless a successful service provider/supplier has been successfully registered on the Central Supplier Database of the National Treasury.
- 1.9 The official forms as per paragraph 1.4 above and the quotation terms of reference/specification must NOT be retyped. **Service providers/suppliers who retype the quotation documentation will be disqualified.**

Δ J. T.

- 1.10 This quotation is subject to Government Procurement: General Conditions of Contract, which may not be amended.
- 1.10.1 Failure to withdraw, waive and/or renounce the service provider/supplier's own quotation conditions, when called upon to do so, may invalidate the quotation.
- 1.11 During evaluation of the quotations, information may be requested in writing from service provider/suppliers. Replies to such requests must be submitted within three (3) working days or quotations may be disregarded.
- 1.12 The department may **only accept a total ceiling price** for the entire project that must be inclusive of all costs (including travel and subsistence expenses). The service provider/supplier will not be entitled to claim for travel and subsistence expenses, such items must be included in the quotation price.
- 1.13 The department will give preference to service providers/suppliers that quote firm prices for the entire duration of the contract in terms of this quotation. Non-firm prices (including prices that are subject to rates of exchange variations) may be considered if supporting documentation is submitted. **No price increase will be considered by the Department in cases where firm quotation prices have been agreed upon.**
- 1.14 The department will not be held liable for any expenses incurred by service providers/supplier in preparing and submitting quotations.
- 1.15 The department reserves the right to appoint more than one service provider/supplier, depending on conditions of the quotation.
- The award of the quotation may be subjected to price negotiation with the preferred service providers/suppliers.
- 1.16 The department hereby chooses the following street address as its *domicilium citandi et executandi* for the purpose of serving notices and legal documentation:
- Street address**
Agriculture Place
20 Steve Biko Road
ARCADIA
Pretoria
0007
- 1.17 Service providers/suppliers are required to submit proof of B-BBEE Status Level of contributor. Proof includes original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their price quotations to substantiate their B-BBEE rating claims.
- 1.18 **B-BBEE Status Level Verification Certificates submitted, must be issued by the following:**
- 1.18.1 **Service providers/suppliers other than EMEs and QSEs**
Verification agencies accredited by SANAS; or
- 1.18.2 **Service providers/suppliers who qualify as EMEs and QSEs**
Sworn affidavit signed by the EME or QSE representative and attested by a Commissioner of Oaths.

QUOTATION: 4.4.5.2/DEVIATION/50/22

SUBJECT: Appointment of a service provider for aerial spraying of locust to the Department of Agriculture, Land Reform and Rural Development for a period of seven (7) months.

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- 1.18.3 Service providers/suppliers who do not submit B-BBEE Status Level Verification Certificates or who are non-compliant contributors to B-BBEE do not qualify for preference points for B-BBEE.
- 1.18.4 A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate quotation.
- 1.18.5 Public entities and tertiary institutions must submit B-BBEE Status Level Verification Certificates together with their quotations.
- 1.19 Service providers/suppliers may be requested to submit a valid company registration certificate issued by the Registrar of Companies and copies of the ID document(s) of active director(s).

1.20 Enquiries

Technical enquiries	John Tladi	Tel. 012 319 6717 Cell: 060 973 2366/ 082 457 3741
General SCM enquiries	Theresa Massyn	Tel. 012 319 7157

- 1.21 The successful service provider/supplier must supply and deliver goods to the address as indicated in the quotation documentation.
- 1.22 The validity period of this quotation must be at least 60 days from the closing date of the quotation.

2. CONFIDENTIALITY

- 2.1 This quotation and all information in connection therewith shall be held in strict confidence by service providers/suppliers and the use of such information shall be limited to the preparation of the quotation. Service providers/suppliers shall undertake to limit the number of copies of this document.
- 2.2 All service providers/suppliers are bound by a confidentiality clause preventing the unauthorised disclosure of any information regarding the department or of its activities to any other organisation or individual. The service providers/suppliers may not disclose any information, documentation or products to other clients without the written approval of the Director-General or the delegated official.

3. COPYRIGHT

- 3.1 Copyright of all documentation in relation to this quotation belongs to the department. The successful service provider/supplier may not disclose any information, documentation or products to other clients without the written approval of the Director-General or the delegated official.

4. PAYMENTS

- 4.1 Payment shall normally be made within 30 days after receipt of an original invoice, subject to satisfactory delivery of the service as outlined in the Terms of Reference/Specification.
- 4.2 The service provider/supplier will not be entitled to claim for travel and subsistence expenses. If such expenses are applicable, these charges must be included in the quotation price.

QUOTATION: 4.4.5.2/DEVIATION/50/22

SUBJECT: Appointment of a service provider for aerial spraying of locust to the Department of Agriculture, Land Reform and Rural Development for a period of seven (7) months.

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5. NON-COMPLIANCE WITH DELIVERY TERMS

As soon as it becomes known to the service provider/supplier that he/she will not be able to perform the services/deliver the goods within the agreed time/or delivery period and/or against the quoted price and/or as specified in the contract, the department must be given immediate written notice to this effect. The department reserves the right to implement remedies as provided for in paragraph 22 of the General Conditions of Contract.

6. RETENTION

- 6.1 On termination of this agreement, the service provider/supplier shall on demand, hand over all documentation, information, etc. to the department without the right of retention.
- 6.2 No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement of the agreement to amend or vary conditions shall be in writing.

7. EVALUATION OF QUOTATIONS

Quotations will be evaluated on the following basis:

7.1 Phase 1: Compliance with minimum quotation requirements

- 7.1.1 All quotations duly lodged will be evaluated to determine compliance with the quotation requirements and conditions. Quotations with obvious deviations from the quotation requirements/conditions and not acceptable to the evaluation committee will be eliminated from the adjudication process, i.e. will not be shortlisted.

7.2 Phase 2: Evaluation for price and preference point system

- 7.2.1 Only service providers/suppliers who met all the minimum requirements in terms of paragraph 7.1.1 above will be brought on a comparative price basis in terms of the applicable preference point system prescribed in the Preferential Procurement Regulations 6 and 7 of 2017 as indicated in the SBD 6.1 form.

7.3 Phase 3: Awarding of quotation

- 7.3.1 The quotation will be awarded to the service provider/supplier who scores the highest total number of points in terms of the preference point system (Price and B-BBEE points), unless objective criteria in terms of section 2(1)(f) of the Act justify the award of the service provider/supplier to another service provider/supplier.

8. LATE QUOTATIONS

Quotations received late shall not be considered. Service providers/suppliers are therefore advised to ensure that quotations be dispatched allowing enough time for any unforeseen events that may delay the delivery of the quotation.

9. COMPULSORY SITE INSPECTION/BRIEFING SESSION

- 9.1 Service providers/suppliers not attending a compulsory site inspection/briefing session will automatically be disqualified.

QUOTATION: 4.4.5.2/DEVIATION/50/22

SUBJECT: Appointment of a service provider for aerial spraying of locust to the Department of Agriculture, Land Reform and Rural Development for a period of seven (7) months.



9.2 No late arrivals by service providers/suppliers for a compulsory site inspection/briefing session will be allowed.

10. FRAUD AND CORRUPTION

All prospective service providers/suppliers should take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No. 12 of 2004 and any other act applicable.

11. THE DEPARTMENT RESERVES THE RIGHT TO REJECT OR CANCEL QUOTATIONS

Quotations may be cancelled for any of the following reasons:

11.1 If the service provider/supplier has committed a proven corrupt or fraudulent act in competing for a particular contract.

11.2 If the service provider/supplier or any of its directors have:

- (i) Abused the SCM system of any government department.
- (ii) Failed to perform any previous contract and the proof thereof exists.
- (iii) Restricted from doing business with the public sector if such a service provider/supplier obtained preferences fraudulently or if such service provider/supplier failed to perform on a contract based on the specific goals.
- (iv) If there is proof of fraud or any other improper conduct in relation to such system.

11.3 Due to changed circumstances, there is no longer a need for the goods or services requested.

11.4 Funds are no longer available to cover the total envisaged expenditure.

11.5 No acceptable quotations are received.

11.6 Due to material irregularities in the quotation process.

QUOTATION: 4.4.5.2/DEVIATION/50/22

SUBJECT: Appointment of a service provider for aerial spraying of locust to the Department of Agriculture, Land Reform and Rural Development for a period of seven (7) months.

11.11.11

SPECIFICATIONS FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR AERIAL SPRAYING OF LOCUST TO THE DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT FOR A PERIOD OF SEVEN (7) MONTHS

1. MANDATORY REQUIREMENT

A valid Department of Agriculture, Land Reform and Rural Development Pesticide Certificate in Category (Aerial) (refer to paragraph 2.6 below).

2. SERVICE REQUIREMENTS

Please mark correct box with an "X"		YES	NO	COMMENTS
2.1	The contractor will be responsible for aerial spraying of the locust.			
2.2	The helicopter must be turbine powered with a lifting capacity of at least 300 £ in the spray tank.			
2.3	The Contractor must provide a helicopter-refuelling bowser.			
2.4	The helicopter must have a GPS-based Electronic Tracking, Guidance and Recording System.			
2.5	The pilot must have minimum of two years of spraying experience.			
2.6	Pilots must have a valid Department of Agriculture, Land Reform and Rural Development Pesticide Certificate in Category (Aerial). Proof of certificate must be submitted with the quotation documents.			
2.7	It is expected of the contractor to spray the locust at night after sun set and early in the morning before sun rise			
2.8	The contractor will quote an hourly rate for the helicopter for ferrying to and fro.			
2.9	The service provider will quote an hourly rate for spraying.			
2.10	The contractor shall quote a per kilometre rate of the approved bowser.			
2.11	The service provider shall quote a daily amount for the hotel and food allowances for the pilot and crew.			
2.12	The GPS automatic flight data recording must be submitted at the end of the spray period and according to this data the hours can be claimed from the Department.			

QUOTATION: 4.4.5.2/DEVIATION/50/22

SUBJECT: Appointment of a service provider for aerial spraying of locust to the Department of Agriculture, Land Reform and Rural Development for a period of seven (7) months.

D.J.T.

Please mark correct box with an "X"

		YES	NO	COMMENTS
2.13	The contract will be valid for a period of seven (7) months from the date of acceptance of the contract.			

3. For further information, please contact:

D.J Tladi
Directorate Climate Change and Disaster Risk Reduction
Private Bag X250
Pretoria
0001
Tel. 0609732366 OR 0824573741

I/we, the undersigned, declare that the information furnished is true and correct and warrants that he/she is duly authorised to sign on behalf of the company.

NAME AND CAPACITY: _____

SIGNATURE OF SERVICE
PROVIDER/SUPPLIER

DATE

NAME OF COMPANY: _____

QUOTATION: 4.4.5.2/DEVIATION/50/22

SUBJECT: Appointment of a service provider for aerial spraying of locust to the Department of Agriculture, Land Reform and Rural Development for a period of seven (7) months.

D.J. Tladi

PRICING SCHEDULE – FIRM PRICES

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED.

NAME OF SERVICE PROVIDER:	QUOTATION NUMBER:
CLOSING DATE:	TIME:

OFFER TO BE VALID FOR 60 DAYS (UNTIL 1 MAY 2022) FROM THE CLOSING DATE OF QUOTATION.

ITEM NO.	DESCRIPTION	QUOTATION PRICE IN RSA CURRENCY INCLUSIVE OF VALUE ADDED TAX
1.	The appointment of a service provider for aerial spraying of locust for a period of seven (7) months.	
2.	Service providers are requested to indicate the following:	
2.1	Hourly rate for the helicopter for ferrying to and fro	R..... (inclusive of all cost, VAT and firm)
2.2	Hourly rate for spraying	R..... (inclusive of all cost, VAT and firm)
2.3	Kilometre rate of the approved browser	R..... (inclusive of all cost, VAT and firm)
2.4	Daily amount for the hotel and food allowances for the pilot and crew	R..... (inclusive of all cost, VAT and firm)
3.	Home/office or base point address from where the transport costs will be calculated from	
		
4.	Period required for commencement of project after receipt of an official order	
5.	Does the offer comply with the specification	Yes/No
6.	If not to specification, indicate deviation(s)	
7.	Did you submit a Valid Certificate B-BBEE/ sworn affidavit	Yes/No
8.	B-BBEE Status Level of Contribution	 (A maximum of 20 points)

Technical enquiries may be directed to:

Mr T.J. Tladi

Tel. no.: 012 319 6717

Email: JohnTL@dalrrd.gov.za

General enquiries may be directed to:

T. Massyn

Tel. no.: 012 319 757

Email: TheresaM@dalrrd.gov.za

Handwritten signature: T.J.T.

DECLARATION OF INTEREST

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

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

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

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

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

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

"State" means –

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

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

J.T.J.

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

2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institution:

Any other particulars:

.....

.....

.....

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

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

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

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

.....

.....

.....

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

2.8.1 If so, furnish particulars:

.....

.....

.....

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

65.5

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder,
aware of any relationship (family, friend, other) between
any other 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 particulars.

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

2.11 Do you or any of the directors / trustees / 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 particulars:

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

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

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

S.T.T.

4 DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF
PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION
PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

May 2011

45.5.

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

- (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.

J.T.T.

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

Where

- P_s = Points scored for price of bid under consideration
- P_t = Price of bid under consideration
- $P_{\min}$ = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	☐	NO	☐
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7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

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

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

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

(Tick applicable box)

YES	☐	NO	☐
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v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME ✓	QSE ✓
Black people	☐	☐
Black people who are youth	☐	☐
Black people who are women	☐	☐

15.5

Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration
number:.....

8.3 Company registration
number:.....

8.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as
indicated in paragraph 1 of this form;

Handwritten signature

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.
2.

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

DATE:

ADDRESS

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	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? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/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(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		

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4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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DTJ.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

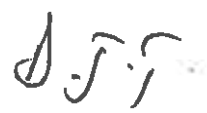
(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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



6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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