

|   |
|---|
| <b>INVITATION TO SUBMIT A PROPOSAL FOR REQUIREMENTS OF THE SOUTH AFRICAN BUREAU OF STANDARDS (SABS)</b> |
|---|

**RFP NUMBER: 20648**

**DESCRIPTION: PROVISION FOR CYBERSECURITY ASSESSMENT**

**CLOSING DATE: 26 September 2022**

**CLOSING TIME: 11:00am**

**Copyright Notice:**

This document contains information that is proprietary and confidential to SABS who has all rights of copyright in it. Any dissemination, distribution, reproduction, or disclosure in any form of the content of this document is forbidden without prior authorisation of SABS. The SABS will strictly enforce its rights against any acts of copyright infringement.

THE FOLLOWING PARTICULARS MUST BE FURNISHED  
**(FAILURE TO DO SO MAY RESULT IN YOUR PROPOSAL BEING DISQUALIFIED)**

|                         |        |  |          |  |
|-------------------------|--------|--|----------|--|
| NAME OF BIDDER          |        |  |          |  |
| POSTAL ADDRESS          |        |  |          |  |
| STREET ADDRESS          |        |  |          |  |
| TELEPHONE NUMBER        | (CODE) |  | (NUMBER) |  |
| FACSIMILE NUMBER        | (CODE) |  | (NUMBER) |  |
| CELLPHONE NUMBER        |        |  |          |  |
| E-MAIL ADDRESS          |        |  |          |  |
| VAT REGISTRATION NUMBER |        |  |          |  |

|   |  |
|---|--|
| NAME OF AUTHORISED PERSON               |  |
| SIGNATURE OF BIDDER                     |  |
| CAPACITY UNDER WHICH THIS BID IS SIGNED |  |
| DATE                                    |  |

## 1. Intent

The South African Bureau of Standards (SABS) is inviting experienced and reputable (Suppliers) Bidders to submit proposals for Provision for security guarding services for the period of 36 months.

## 2. Confidentiality

This document may not be used for any purpose by the Bidder other than for developing their response to it, and all reasonable efforts must be taken by the Bidder to ensure confidentiality of any information provided. This document and any other information of a confidential nature provided to the Bidder during the Request for Proposal (RFP) process are to be covered by the non-disclosure agreement signed between the SABS and the Bidder.

## 3. Procedural compliance

### 3.1 Intent to respond

An interested Bidder is required to advise the SABS of its intention to submit a proposal by completing and returning the "Intention to Respond" form (Appendix B) no later than **26 September 2022**. Should a party decide not to respond to this RFP, you are requested to continue to treat the information as confidential in perpetuity.

### 3.2 Responsibility for costs

Under no circumstances shall the SABS accept any responsibility whatsoever for any of the Bidder's costs associated with the preparation and/or submission of its Bid/Proposal, including any costs incurred by the Bidder prior to the signature, by both parties, of an agreement resulting from a successful bid.

### 3.3 Amendments to the RFP

Amendments to this document shall only be effective if agreed by the SABS and confirmed in a written addendum to the RFP. The SABS reserves the right to modify the scope of this document at any time prior to and after the award of the tender.

### 3.4 Delivery of proposals or bids

The Bidder is responsible for ensuring that the Bid/Proposal is submitted and delivered on time to [Tenders.Prince@sabs.co.za](mailto:Tenders.Prince@sabs.co.za). The SABS undertakes that the Bids/Proposals shall be stored in a secure place, opened at the same time and not before the deadline for submission.

***Note: The above email address should only be used for submission of proposals. No clarity seeking questions should be sent to this email address. (see 4.2 below)***

### 3.5 No obligation to proceed

The SABS reserves the right to discontinue the RFP process at any time prior to the formation of the envisaged agreement and will give written reasons for the cancellation upon written request to do so. The SABS, its subsidiaries, shareholders, advisors, directors, employees, representatives including the SABS Representative shall not be liable for any losses, claims or damages of whatsoever nature or howsoever arising that may be sustained by a Bidder or any other person as a result of its participation or any amendment, termination or suspension of the process set out in this RFP or its exclusion from participating in the tender process at any point. It is an express term that SABS shall in no way be liable for any indirect/consequential damages, loss of profits, etc. suffered by the Bidder during the RFP process, award, negotiating and/or contracting phase.

After any cancellation of the tender process or the rejection of all tenders due to non-compliance with the thresholds, SABS may abandon the proposed work and services, have it performed in any other manner, or re-issue a similar invitation to tender at any time.

### **3.6 No contract**

Bidders shall note that this RFP does not commit the SABS to any course of action resulting from the receipt of Bids/Proposals and the SABS may, at its discretion, reject any Bid/Proposal that does not conform to instructions and specifications that are contained herein or select a Bidder based upon its own unique set of criteria. SABS also reserves the right not to select a Bidder/award the tender. The SABS does not become bound by any obligations prior to the signature, by both parties, of an agreement - to be negotiated, resulting from a successful bid.

Nothing in this document shall be construed as a contract between the parties and no communication, whether verbal or written, by the SABS personnel or agents during the course of this process shall create such a contract in respect of the requirements specified in this RFP.

SABS shall not be liable for any fees incurred due to any work done/services performed by the Bidder prior to signature, by both parties, of an agreement resulting from a successful bid.

### **3.7 Validity of proposals**

The proposal shall remain valid for a period of one hundred and twenty (120) days from the submission date, where after such proposal expires. SABS retains the right, but is under no obligation, to request Bidders to extend the validity periods of their proposals, prior to expiry thereof. Such request, if any, shall be in writing. The Bidder is not obliged to extend the validity period.

### **3.8 Intellectual Property**

The Bidder undertakes that the SABS retains ownership of all Intellectual property rights on all material and processes developed that relate to the service provided for and on its behalf by the Bidder. The Bidder undertakes to transfer all said Intellectual Property Rights, whether registered and / or unregistered, to the SABS, including undertaking to sign all forms necessary to affect such transfer.

## **4. General Instructions**

### **4.1 Assumptions**

The SABS has endeavoured to provide sufficient guidance to inform Bidders' Bids/Proposals. However, it may be necessary to make some assumptions. Where assumptions have been made these must be documented in the Bid/Proposal. The SABS accepts no responsibility for assumptions made by the Bidder.

### **4.2 Requests for clarification/additional information**

Requests for additional information, questions or issues fundamental to the quality or clarity of the response should be submitted using the 'Request for Proposal Enquiry' (Appendix N). Additional information will be provided at the discretion of the SABS. The SABS also reserves the right to provide the same information to all other interested Bidders.

#### 4.3 Contact information

All enquiries regarding this RFP must be e-mailed to [prince.hlongwane@sabs.co.za](mailto:prince.hlongwane@sabs.co.za) and [Luvuyo.Tshabalala@sabs.co.za](mailto:Luvuyo.Tshabalala@sabs.co.za). Bidders must not contact any other SABS personnel regarding this RFP as this may lead to disqualification of the bid. Also note that any canvassing by Bidders regarding this RFP will result in disqualification.

#### 4.4 Timescale

The proposed timescales for the RFP process are indicated below.

| Item | Milestone  | Date                       |
|------|--|----------------------------|
| 1    | Date of RFP advertisement  | 05 September 2022          |
| 2    | Appendix C, Non-disclosure Agreement /Confidentiality Undertaking signed and submitted   | 26 September 2022          |
| 3    | Appendix B, Intention to respond released and submitted  | 26 September 2022          |
| 4    | Final Date for Bidders to submit consolidated requests for clarification (Questions)<br>Questions to be send to <a href="mailto:prince.hlongwane@sabs.co.za">prince.hlongwane@sabs.co.za</a> | 15 September 2022          |
| 5    | SABS clarification. (Not further clarification after this date)  | 15 September 2022          |
| 6    | Proposal Submission Date<br>Proposals to be send to <a href="mailto:Tenders.prince@sabs.co.za">Tenders.prince@sabs.co.za</a>   | 26 September 2022,11:00 am |
| 7    | Evaluation of proposals  | 26 – 28 September 2022     |
| 8    | Presentations  | TBA                        |
| 9    | Awarding of Tender (Next TC seating)   | TBA                        |

#### 4.5 Management summary

This section should be submitted as a separate document. The information to be provided in the Management Summary shall include, but not be limited to the following items

- Company profile
- Completed 'Statement of compliance' (Appendix K)

#### 4.6 Presentations

The SABS reserve the right to request bidders to present for clarification.

#### 4.7 Clarification and inspections

The SABS may submit clarification in writing on specific tender aspects to obtain a better understanding of the received bid/s. This may also include possible inspections of the Bidder's premises at an agreed upon date and time.

## 4.8 Submitting a response

### 4.8.1 Due date

- Proposals/ Bids are to be submitted by closing date and time as stipulated on page 1.
- Proposals/ Bids must be submitted **electronically** to [Tenders.prince@sabs.co.za](mailto:Tenders.prince@sabs.co.za) indicating the tender **reference number** and **description on the subject. Maximum size 14MB.**
- Proposals/ Bids must be submitted on **PDF Files** (compressed zipped folder if necessary).
- Proposals/Bids submitted **via a link and/or “we transfer” will not be accepted.**
- The responsibility for on-time submission rests entirely with the Bidders.
- **Late submissions will NOT be accepted.**
- **The above email address should only be used for submission of proposals. No clarity seeking questions should be send to this email address.**

### 4.8.2 Proposal format

Each proposal shall include a detailed description of the Bidder’s capabilities with regard to the requirements set out in **Appendix A and Section 5.3** of the Functionality Evaluation.

### 4.8.3 Central Supplier Database (CSD) Registration

Service providers and suppliers who wish to render services to SABS will no longer register at SABS directly. Suppliers will have to register on National Treasury Central Supplier Database (CSD) as per National Circular No 3 of 2015/6 – Central Supplier Database;

National Treasury will maintain the database for all suppliers for Government and its institutions; and All existing and prospective suppliers are requested to register on the CSD by accessing the National Treasury website at [www.CSD.gov.za](http://www.CSD.gov.za).

## 5. Evaluation

### 5.1 Returnable documents

Bidders must provide the following administrative compliance documents.

[TICK APPLICABLE BOX]

| NO | APPENDIX   | TICK |
|----|--|------|
| 1  | Appendix A Tender Requirements/ Scope of Work  |      |
| 2  | Appendix B Intention to Respond  |      |
| 3  | Appendix C SBD 4 Bidder’s Disclosure   |      |
| 4  | Appendix D Signed Non-disclosure agreement   |      |
| 5  | Appendix E SBD 6.1 Preference points claim form in terms of the Preferential procurement Regulation 2017 |      |
| 6  | Appendix F Signed SABS Terms & Conditions  |      |
| 7  | Appendix G CSD Report / Proof of banking details for international suppliers                             |      |
| 8  | Appendix H BBBEE/ Sworn affidavit  |      |
| 9  | Annexure I Quotation/ Fixed Rate   |      |
| 10 | Appendix J Management Summary (including Statement of Compliance)  |      |
| 11 | Appendix K Statement of Compliance   |      |
| 12 | Appendix L Page 2 of the RFP Document  |      |
| 13 | Appendix M Audited Financial Statements  |      |
| 14 | Appendix N Request for Proposal Enquiry  |      |

## 5.2 Disqualifying criteria is as follows:

- Bidders who do not meet all the requirements as specified on the RFP document scope of work will not be evaluated any further.
- Bidders whose solution is encumbered by any Intellectual Property rights, whether registered and / or unregistered, including but not limited to Copyrights, Patents, Know-How, Registered Designs, Trademarks, Trade Secrets and the like, will not be considered for award of the bid.
- Bidders who make a misrepresentation on the above 2 points or any other material fact.

## 5.3 Tender Evaluation Process

### ***Mandatory requirements***

Resources combined must have all the following qualifications:

- CISSP, Offensive Security Certified Professional (OSCP), Certified Ethical Hacker Practical (CEH), ISO 27001, CompTIA Security+)

Only companies that are Microsoft Silver or higher Partnership in Security will be evaluated:

- A proof of partnership certificate will be required.

### ***Functionality***

Bids will be evaluated in terms of Functionality based on the following criteria:

Bidder must clearly respond to each of the below, this will be strictly reviewed and scored according to the overall feedback provided in the proposal **and clearly numbered in the Table of contents Values: 0 = very poor: 1 = poor; 2 = Average; 3 = Good; 4 = Very Good; 5 = Excellent**

| no. | Selection Criteria  |            |        |
|-----|---|------------|--------|
|     | Functionality will be measured on a scale of 1-5. Very poor:1, Poor:2, Average:3, Good:4, Excellent:5   | sub weight | Weight |
| 1   | <b>Company Experience</b>   |            |        |
|     | Company years of experience in completing successful cybersecurity assessments in medium to large companies. This includes (external and internal penetration testing, web application penetration testing, and wireless penetration testing. Bidders must provide the proof of project e.g. <ul style="list-style-type: none"> <li>• Contracts</li> <li>• Purchase Order</li> <li>• Projects completion certificate</li> </ul> |            |        |
|     | No relevant Project   | 0          | 30%    |
|     | 1 Project   | 1          |        |
|     | 2 Projects  | 2          |        |
|     | 3 Projects  | 3          |        |
|     | 4 Projects  | 4          |        |
|     | 5 and more Projects   | 5          |        |
| 2   | <b>Company Track Record</b>   |            |        |
|     | Bidders must provide a list of contactable reference where firewall assessment and configurations have been done. <ul style="list-style-type: none"> <li>• Client name;</li> <li>• Services provided;</li> <li>• Contact person;</li> <li>• Contact details</li> </ul>  |            |        |
|     | No relevant reference provided  | 0          | 30%    |
|     | 1 relevant and contactable reference provided   | 1          |        |
|     | 2 relevant and contactable references provided  | 2          |        |

|                                 |  |   |             |
|---------------------------------|--|---|-------------|
|                                 | 3 relevant and contactable references provided   | 3 |             |
|                                 | 4 relevant and contactable references provided   | 4 |             |
|                                 | 5 and more relevant and contactable references provided  | 5 |             |
| <b>3</b>                        | <b>DEMONSTRATION OF SKILLS AND CAPACITY</b>  |   |             |
|                                 | Service provider to provide CVs, minimum of three years and qualification for staff members who will be working on the project.<br>(The candidates must have one of the following qualifications (candidates combined must cover the listed qualification): CISSP, Offensive Security Certified Professional (OSCP), Certified Ethical Hacker Practical (CEH), ISO 27001, CompTIA Security+) |   |             |
|                                 | No team member with relevant experience and/or qualification   | 0 | 40%         |
|                                 | 1 Resource   | 1 |             |
|                                 | 2 Resource   | 2 |             |
|                                 | 3 Resource   | 3 |             |
|                                 | 4 Resource   | 4 |             |
|                                 | 5 Resource   | 5 |             |
|                                 |  |   | <b>100%</b> |
| <b>Minimum threshold is 85%</b> |  |   |             |

***Bidders who obtained [85%] and more for functionality will be evaluated on the 80/20 preference point system***

#### **5.4 Preferential point system – Pricing and B-BBEE**

Only Bidders who submitted quotations as per scope of work and met mandatory requirements, met 85% threshold on functionality will be evaluated further on 80/20 preference points system of 2017. (Pricing and BBBEE)

#### **6. Feedback on Proposals**

Once the recommendation to the Tender Committee has been approved, the successful and unsuccessful bidder(s) will be notified in writing.

Successful bidder/s will be issued with a notification letter. Such notification does not constitute an agreement. The award is wholly subject to the successful Bidder entering into a duly signed contract with SABS.

#### **7. Contracting**

Successful bidder(s) will be required to enter a contract with the SABS. A formal Agreement will be signed with the successful bidder and SABS further reserves the right to amend, alter or delete clauses relating to, but not limited to insurance, indemnity, undertaking, guarantees, Intellectual Property, service levels and / or tax compliance.

SABS shall not be liable for any costs expended by the bidder prior to any formal agreement being signed. **It is therefore imperative that NO SERVICES are rendered prior to the formal agreement becoming effective.**

## **Appendix A – Scope of Work**

### **Scope of work**

The prospective vendor should perform a Cybersecurity Risk Assessment of SABS Information Technology (IT) and Operational Technologies (OT) environments. The security assessment must cover the following:

- a) Under a holistic SABS Cybersecurity Assessment including
  - i) External penetration test
  - ii) Internal penetration test
  - iii) Web application penetration test
  - iv) Wireless penetration test
- b) Assessment of the IT Firewall Configuration and Management
- c) Provide a written report highlighting the risks and vulnerabilities and make recommendations.
- d) Leverage the results of the assessment to define a SABS business-aligned Cybersecurity strategy
- e) Develop a SABS Cybersecurity Framework with appropriate policies, standards, and processes, informed by the assessment outcome and the Cybersecurity Strategy
- f) Configure the current Microsoft security investments and deploy the capabilities in accordance with the defined Cybersecurity Framework

The preferred approach is to have a single service provider who could provide the above service and solutions as a single service.

## **Appendix B**

### **Intention to respond to the Request for Proposal**

**We hereby accept / decline your Request for Proposal.**

Company: \_\_\_\_\_

Company Representative: \_\_\_\_\_

Position/Title: \_\_\_\_\_

Signature: \_\_\_\_\_

Please state a brief reason for declining this Request for Proposal \_\_\_\_\_

---

---

---

---

**1. PURPOSE OF THE FORM**

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

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

**2. Bidder's declaration**

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling 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.

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |

---

<sup>1</sup> 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.

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

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

3.1 I have read, and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or 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.

---

<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.

- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2022/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

## Appendix D

### NON-DISCLOSURE AGREEMENT

THIS AGREEMENT is made BETWEEN

The South African Bureau of Standards (SABS), an organisation established in terms of section 2 of the Standards Act (29 of 1993), whose registered office is at 1 Dr Lategan Road, Groenkloof, Pretoria, 0001, South Africa.

AND \_\_\_\_\_ (“the Bidder”),  
Registration Number: \_\_\_\_\_ whose registered office is at \_\_\_\_\_

(Hereinafter referred to as the “parties”)

WHEREAS in the course of discussions and/or negotiations with the South African Bureau of Standards, the Bidder has received, or may receive in future, information relating to **20648** for the South African Bureau of Standards and other related information hereinafter referred to as “Confidential Information”. “Confidential information” shall include, but not be limited to any information disclosed by the SABS and / or any of its affiliates, employees, agents, representatives, subcontractors and consultants to the Bidder, its employees, agents, representatives and consultants, whether orally, in writing, by graphic, pictorial or electronic format, which information includes but is not restricted to Business information, including know how, commercial and technical aspects of products, processes and services; status and capabilities of the SABS’ business; The SABS or its subcontractors’ marketing and planning programs, products specifications, Service specifications, plans, drawings, test results and findings; financial, operational and technical data; and particular types of technologies and inventions, that already currently exist or that the SABS wishes to be developed, which could be subject to intellectual property rights, whether registered and/or unregistered.

Therefore, the parties wish to agree as follows:

1. The Bidder undertakes to keep strictly secret and confidential all confidential information relayed or transmitted to it in any manner or form and will not divulge any part of the Confidential Information directly or indirectly to any person, firm or entity (other than such of its employees who have a need to know the Confidential Information for the purposes of fulfilling the Bidder’s obligation to the South African Bureau of Standards).
2. The Bidder undertakes to not make copies of the Confidential Information or otherwise disseminate any of the Confidential Information (except as may be required to fulfil specific obligations towards South African Bureau of Standards) without South African Bureau of Standards express prior written consent.
3. This agreement applies to information whether or not such information is marked as or appears to be confidential and whether or not such information is of commercial use to South African Bureau of Standards or any other party.
4. This agreement shall not apply to information which: -
  - (a) the Bidder can show had been lawfully received by it prior to disclosure under this agreement.
  - (b) is in the public domain or becomes so otherwise than through breach of this agreement;
  - (c) was disclosed to the Bidder by a third party who was under no obligation of confidence in respect thereof;

5. The Bidder further undertakes that the South African Bureau of Standards retains ownership of all Intellectual property rights on all material and processes developed that relate to the service provided for and on its behalf by the Bidder. The Bidder undertakes to transfer all said Intellectual Property Rights, whether registered and / or unregistered, to the SABS, including undertaking to sign all forms necessary to affect such transfer.
6. The Bidder acknowledges that the confidentiality obligations extend from signature of this agreement and survive the termination of the tender process, whether the Bidder is successful or not.

IN WITNESS WHEREOF the parties hereto have executed this agreement in duplicate.

Signed at.....on this.....day of .....2022

On behalf of the South African Bureau of Standards ..... (signature) Lerato  
Monyepao (Procurement)

Witness 1. .... Witness 2. ....

Signed at..... on this..... day of .....2022

Signed on behalf of the Bidder, duly authorised thereto..... (signature)

..... (name) ..... (title)

Witness 1. .... Witness 2. ....

To: [Tenders.prince@sabs.co.za](mailto:Tenders.prince@sabs.co.za)

## **Appendix F**

### **SABS STANDARD TERMS AND CONDITIONS**

Bidders must sign the terms and condition to indicate acceptance thereof. Should the bidder have a variation/s, these must be submitted as Annexure F1 indicating the clause number, the rational for not accepting that specific clause and provide an alternative clause.

<https://www.sabs.co.za/Procurement/docs/SABS%20STANDARD%20TERMS%20AND%20CONDITIONS%20FOR%20PROCUREMENT%20OF%20GOODS%20AND%20SERVICES....pdf>

**Annexure G**  
**CSD REPORT**

## **Appendix H – BBBEE Certificate/Sworn Affidavit**

## **Appendix I**

### **Quotation**

**Appendix J**  
**Management Summary**

## Appendix K

### Statement of Compliance to the Request for Proposal

Company Name: \_\_\_\_\_

Proposed Service: \_\_\_\_\_

It is hereby confirmed that the proposal response to the SABS' RFP is fully compliant with all points with the exception of the specific issues outlined below:

---

---

---

---

---

---

---

---

Signed: \_\_\_\_\_ (Authorised Signatory)

Name: \_\_\_\_\_

Position: \_\_\_\_\_

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



**Appendix M**  
**AUDITED FINANCIAL STATEMENT**

## Appendix N

### Request for Proposal Enquiry

To: [prince.hlongwane@sabs.co.za](mailto:prince.hlongwane@sabs.co.za)

From:

---

Questions:

Answers:

To: [prince.hlongwane@sabs.co.za](mailto:prince.hlongwane@sabs.co.za) and [Luvuyo.Tshabalala@sabs.co.za](mailto:Luvuyo.Tshabalala@sabs.co.za)

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

1.3 Points for this bid shall be awarded for:

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

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

|  | POINTS     |
|--|------------|
| PRICE  |            |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR                       |            |
| <b>Total points for Price and B-BBEE must not exceed</b> | <b>100</b> |

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the

purchaser.

## 2. DEFINITIONS

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

### 3. POINTS AWARDED FOR PRICE

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

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

**80/20**

**or**

**90/10**

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

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

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

| B-BBEE Status Level of Contributor | Number of points<br>(90/10 system) | Number of points<br>(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 |  |
|-----|--|----|--|

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%?
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

*(Tick applicable box)*

|     |  |    |  |
|-----|--|----|--|
| YES |  | NO |  |
|-----|--|----|--|

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

| Designated Group: An EME or QSE which is at last 51% owned by:    | EME<br>✓ | QSE<br>✓ |
|---|----------|----------|
| Black people  |          |          |
| Black people who are youth  |          |          |
| Black people who are women  |          |          |
| Black people with disabilities                                    |          |          |
| Black people living in rural or underdeveloped areas or townships |          |          |
| Cooperative owned by black people                                 |          |          |
| Black people who are military veterans                            |          |          |
| OR  |          |          |
| Any EME   |          |          |
| Any QSE   |          |          |

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 **TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

8.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

8.6 **COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

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