

REQUEST FOR PROPOSAL (RFP)

DESCRIPTION OF SERVICES: - SOURCING THE SERVICES OF A PROFESSIONAL CONSTRUCTION HEALTH & SAFETY AGENT (PRCHSA) TO ENSURE HEALTH AND SAFETY COMPLIANCE FOR A PERIOD OF 12 MONTHS FOR THE TECHNOLOGY & INNOVATION PLATFORM (TIP) BUILDING PROJECT CONSTRUCTION PHASE AT ITHEMBA LABS CAPE TOWN.

Name of Bidder: _____

RFP Number:	iLABS/RFP2021/22:17
RFP Description:	Sourcing the Services of a Professional Construction Health & Safety Agent (PrCHSA) to ensure Health and Safety Compliance for a period of 12 months for the Technology & Innovation Platform (TIP) Project Construction phase at iThemba LABS Cape Town.
Date of Issued:	11 November 2021
Optional Briefing Session	Due to security restrictions and the prevailing COVID-19 situation, confirmation of attendance of the briefing meeting is required and the interested bidders shall express their intention to attend the briefing meeting by email to scm3@tlabs.ac.za by 17 November 2021 at 11h00am . Briefing session to be held on the 19 November 2021 (the exact time will be communicated to bidders who have confirmed attendance before 17 November 2021, 11h00am). Format of the meeting: Virtual via ZOOM
Site Location:	iThemba LABS Old Faure Road Faure Somerset West 7131 South Africa
Closing Date:	25 November 2021, 11h00am

Delivery Email Address for RFQ:	<u>scm3@tlabs.ac.za</u> (only emailed submission will be accepted)
For More Information (Technical):	Mr. Eldrid Struis: ej.struis@ilabs.nrf.ac.za
For More Information (Supply Chain Management):	Mr. Odwa Mxenge: scm3@tlabs.ac.za
iThemba LABS Business Hours:	08:00 am till 16:30 pm
Date Goods/Service Required:	2 weeks after awarding date
Payment Terms	30 days from date of invoice
Validity from Closure Date:	90 Days
Awarding of Proposal date:	November 2021
Delivery of service:	Monthly, starting from the 1st of December 2021 and continue for a period of 12 Months as and when required.
Preferential Procurement System Applicable:	80:20 This RFP is subject to the Preferential Procurement Policy Framework Act 2000 and its 2017 Regulations; the General Conditions of Contract (GCC); Special Conditions of Contract (SCC), and any other applicable legislation

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1. INTRODUCTION TO THE NRF

The National Research Foundation (“NRF”) is a juristic person established in terms of the National Research Foundation Act, Act 23 of 1998, and a Schedule 3A Public Entity in terms of the Public Finance Management Act. The NRF is the government’s national agency responsible for promoting and supporting research and human capital development through funding researchers, provision of the National Research Platforms, and science outreach platforms/programs to the broader community. The NRF provides these services in all fields of science and technology, including natural science, engineering, social science, and humanities. The NRF delivers its mandate through its internal business units which are both functional and geographical diverse. All contracts flowing from bidding only apply to iThemba LABS Cape Town.

The NRF is a schedule 3A entity under the PFMA (Act 29 of 1999), which is required to plan and report on its activities and organizational performance, and which is to be audited by the AGSA on an annual basis. As part of the AGSA audit requirements, the NRF has to collect / document and store details, data and/or information of all persons and activities that form part of its performance record as proof thereof. In terms of this requirement, all persons making use of NRF facilities, platforms, equipment, tools etc., for research and related purposes are required to provide their personal details/data/information as per the template below or other similarly appropriate format. By completing your information in the template/register/record below and appending your signature thereto, you confirm your consent, in line with the Protection of Personal Information Act 4 of 2013, whereby the NRF and any of its business units may process (collect, receive, record, organize, collate, share, store, update, modify, retrieve, alter, consult, use, disseminate, distribute, merge, link, erase or destroy) the personal information you provide within and amongst its business units/functions for the purpose of fulfilling its statutory mandate, public accountability and other regulatory/legal requirements.

2. INTRODUCTION TO THE NRF BUSINESS UNIT RESPONSIBLE FOR THIS BID

iThemba LABS (Laboratory for Accelerator-Based Sciences) is a multi-disciplinary research laboratory based at two sites in the Western Cape and Gauteng respectively, these provide facilities for:

- Basic and Applied Nuclear Physics Research using Particle Beams
- Research Radiation Biophysics
- The supply of Accelerator-produced Radioactive Isotopes for Nuclear Medicine and Research

3. INVITATION FOR PROPOSAL

iThemba LABS seeks to appoint a reputable Service Provider as required by National Treasury Regulations (NTRs) and Public Financial Management Act (PFMA) through an open and competitive process so that it can realise the benefits of the strategic sourcing which includes, amongst others:

- Reducing the cost of effort and administration
- Minimising price inconsistencies

- Reducing inadequate contract management and service delivery

This Request for Proposal is intended to allow the successful bidder to specify and present their skills, expertise and price for the above-mentioned services to iThemba LABS. Final acceptance of any proposal is not guaranteed, this being the exclusive right of iThemba LABS.

The purpose of this RFP is to invite proposals for the Provision of the Services of a Professional Construction Health & Safety Agent (PrCHSA) to ensure Health and Safety Compliance for a period of 12 months for the Technology and Innovation Platform Building Project Construction phase at iThemba LABS Cape Town **with** the right to cancellation due to non – performance.

4. OBJECTIVES OF iThemba LABS

The long-term Key Strategic Objectives of iThemba LABS are well aligned with five of the six Strategic Outcomes of the National Research Foundation (NRF) as follows:

- I. iThemba LABS develops and provides to its users' leading-edge research and infrastructure platforms **to enhance impact on the research enterprise**. These state-of-the-art facilities are aimed at responding to the needs of the SA research community in subatomic science and technology, radiobiology, radiochemistry, materials research, accelerator mass spectrometry, and environmental sciences, as well as other disciplines that can benefit from ion beam analysis techniques.
- II. The availability of the leading–edge research allows iThemba LABS to contribute to **enhance impact on the research enterprise** through in-house and collaborative research projects. In addition to growing the production of globally competitive research outputs our training capacity is enhanced, leading to improvement in both quality and quantity of Human Capacity Development (HCD), and contributing to a **transformed (internationally competitive and sustainable) research workforce**. Competitive infrastructure also allows iThemba LABS and its users to forge closer ties with the South African, African and International Science and Technology, Higher Education and Research Institutions. Our facilities and skilled human resources also serve to technically and scientifically assist South African research groups that wish to use international facilities thereby contributing to a **transformed organisation that lives its culture and values**.
- III. Having world class infrastructure, conducting competitive research and having active international research collaborations serves to establish iThemba LABS and South Africa to be **globally recognised and respected for the research infrastructure platforms and people**. iThemba LABS further contributes to the societal benefit by growing and enhancing our Radionuclide Production portfolio and service offering for the health and related benefits of the SA community whilst improving cost recovery opportunities.

iThemba LABS **upholds best corporate practise** and constantly strives to deliver transparent HR/Business/Finance processes (including Health and Safety) in line with the NRF policies in support of the operations and to facilitate Strategic Decision Making.

- IV. iThemba LABS offers an extensive range of training programmes, mainly focused on post-graduate training where our research facilities are being utilized. In particular, post-graduate programmes with HDIs provide the pipeline needed to generate a **transformed research and technical workforce**, not only internal to the NRF but also in academia and the nuclear industry
- V. A small but active group at iThemba LABS engages in a variety of science outreach programmes aimed at establishing a **scientifically informed society**. Having world-class research facilities and participating in leading edge research plays an important role in instilling interest and pride in science in South Africa.

5. **REGISTRATION ON THE CENTRAL SUPPLIER DATABASE (CSD)**

The bidder must be registered on the National Treasury's Central Supplier Database at the closing date in order to do business with an organ of state or for the NRF to award a bid or contract. Registration on the CSD (www.csd.gov.za) provides a bidder with an opportunity to do business with all state organisations including provincial and municipal levels. National Treasury Contact Details: 012 406 9222 or email csd.support@treasury.gov.za

SECTION 1: Process Description & Administrative Requirements.

1.1 Mandatory and Administrative Requirements

- a) All documentation to be included:
 - PART 1:** Technical Proposal: RFP No.: iLABS/RFP2021/22:17
 - PART 2:** B-BBEE and other Mandatory Documentation:
- b) Detailed proposal and any additional information must accompany this signed Request for Proposal (RFP).
- c) Prices supplied must be fully inclusive of all costs; value added tax, delivery charges and other taxes.
- d) Prices must be in South African currency.
- e) Price summary supplied in this document is firm prices.
- f) Bidders not submitting mandatory returnable evaluation documents will not be considered for technical evaluation and will be disqualified automatically.

ADMINISTRATIVE DOCUMENTS (M = Mandatory and O=Optional)		
Please Tick Applicable		
Valid B – BBEE Certificate (or Sworn Affidavit Copy) Minimum level 4	M	YES/NO
Company Profile	M	YES/NO
CSD (Central Supplier Database) Proof of Registration (www.csd.gov.za)	M	YES/NO
SBD 4	M	YES/NO
SBD 6.1	M	YES/NO
SBD 8	M	YES/NO
SBD 9	M	YES/NO
iThemba LABS Contractual Obligation	M	YES/NO
Resolution by the Bidder authorizing signatory. If the documents are completed and signed by the Director/Owner/Partner, the resolution is not needed, but if the documents are completed and signed by any other person, then the resolution is required - as per mandatory requirement.	M	YES/NO
Proof of address to demonstrate that the bidder's satellite office is based within 60km of iThemba LABS Faure, Western Cape has been provided. (e.g. Utility Bill)	M	YES/NO
EVALUATION DOCUMENTS		
Note: Compulsory to submit all returnable documents (Where Applicable)		
Valid Letter of Good Standing issued by Compensation Commissioner OR COIDA certificate (SUBMIT PROOF)	M	YES/NO
A portfolio of previous services to plants / facilities covering similar scope of works (Restricted to a minimum of 3 in the past 5 years) – Provision of PrCHSA services to ensure Health & Safety compliance during project construction phases. The Projects must include the Value, scope of work and duration of the contract. (SUBMIT PROOF)	M	YES/NO
CV of the competent person with a qualification as Professional Construction Health & Safety Agent	M	YES/NO

(PrCHSA) who will provide the monthly service. Minimum Ten Years' Experience. (SUBMIT PROOF)		
Trade References for similar work (PrCHSA Services) in the past 5 years (Minimum of Three). Written references in the format under annexure (Page 17 - 18) or client reference letters will be accepted.	M	YES/NO
Program/plan indicating how the monthly service will be administered (Deliverables).	M	YES/NO
Proof of Registration with South African Council for the Project and Construction Management Professions (SACPCMP)	M	YES/NO

1.2 Proposal Submission

Proposal must reach iThemba LABS before the closing hour on the date shown below, and must be enclosed in a sealed envelope which must have inscribed on the outside:

RFP No : iLABS/RFP2021/22:17

Description : PrCHSA Services to ensure Health and Safety Compliance during the lifespan of the SAIF Project Construction phase at iThemba LABS Cape Town

Closing Date and Time : 25 November 2021

1.3 Delivery Instructions for Bids.

1.3.1 Delivery via Email to scm3@tlabs.ac.za.

1.3.2. Please note that this RFP closes punctually at 11:00 am on 25 November 2021. No late bids will be accepted.

1.3.3. If responses are not submitted as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE." This included bids that are submitted late.

1.3.4. No facsimile responses will be considered, unless otherwise stated herein.

1.3.5. The responses to this RFQ will be opened as soon as practicable after the expiry of the time advertised for receiving them.

- 1.3.6. iThemba LABS reserves the right to accept the whole bid/Quotation / proposal or part of your submitted bid/Quotation / proposal or any item or part of any item or accept more than one bid/Quotation / proposal (in the event of a number of items being offered).
- 1.3.7. iThemba LABS shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Quotation / proposals / information received i.e. pricing, delivery, etc. The names and locations of the Respondents will be divulged to other respondents upon request.
- 1.3.8. Each Quotation / proposal shall be valid for a minimum period of ninety (90) days calculated from the closing date.
- 1.3.9. All documentation to be included:
 - **PART 1:** Technical Proposal RFP No: iLABS/RFP2021/22:17
 - **PART 2:** Pricing Proposal, B-BBEE and other Mandatory Documentation:
- 1.3.10. Proposals submitted by companies must be signed by a person or persons duly authorised. If the documents are completed and signed by the Director/Owner/Partner, the resolution is not needed, but if the documents are completed and signed by any other person, then the resolution is required - as per mandatory requirement.

1.4. Awarding of Request for Proposal and Appointment of Bidder.

- 1.4.2. The contract will be awarded to the bidder who scores the highest total number of points during the evaluation process, except where the law permits otherwise.
- 1.4.3. iThemba LABS will award the contract to qualified bidder(s)' whose proposal is determined to be the most advantageous to iThemba LABS, taking into consideration the Technical (Functional) Solution, Price and B-BBEE.

1.5. Pre-Qualification Eligibility Criteria

NRF /iThemba Labs TRANSFORMATION			
Sector Code Applicable	Not Applicable		
Minimum status B-BBEE level or not?	Yes		
Minimum status level	4		
A bidder failing to meet any of the stipulated pre-qualifying criteria is automatically disqualified.			
Verification Certificate Submitted	<input type="checkbox"/> Yes <input type="checkbox"/> No	Sworn Affidavit Submitted	<input type="checkbox"/> Yes <input type="checkbox"/> No

There is a minimum B-BBEE threshold of Level four (4) for this Request for Proposal. A bidder failing to meet the stipulated B-BBEE threshold is regarded as non-responsive and will be automatically be disqualified.

A Bidder MUST submit a valid B-BBEE certificate/ Sworn Affidavit. To proceed through the stages of the evaluation process, bidders are to meet the minimum status level of 4 above. Therefore its critical to submit valid B-BBEE certificate/Sworn Affidavit

1.6. Evaluation Process.

Evaluation of Quotation / proposals:

- All Quotation / proposals will be evaluated by an evaluation team and SCM for administrative compliance, Functionality, Price and B-BBEE. Based on the results of the evaluation process and upon successful negotiations, iThemba LABS will approve the awarding of the contract to successful bidder.

1.6.1. Evaluation process will be followed:

- The first phase of evaluation is Pre-Qualification Eligibility Criteria (refer to **paragraph 1.5 page 9**)
- The second phase includes evaluation of mandatory and technical criteria (refer to **paragraph Error! Reference source not found. from page 7**).
- The third phase includes the evaluation of Price and B-BBEE status.
 - Pricing Quotation / proposals will only be considered after the technical phase has been adjudicated and accepted.
 - Preference points system: The 80/20 preference point system will be used where 80 points will be dedicated to price and 20 points to B-BBEE status.

1.7. Pricing Proposal:

- 1.7.1. Pricing proposal must be cross-referenced to the sections in the Technical Proposal.
- 1.7.2. Price needs to be provided in South African Rand (incl. VAT), with details on price elements that are subject to escalation and exchange rate fluctuations clearly indicated. Companies to indicate if not VAT registered where applicable
- 1.7.3. Only firm prices* will be accepted during the bid validity period. Non-firm prices** (including prices subject to rates of exchange variations) will not be considered.

1.8. Appointment of Bidder

- 1.8.1. Appointment as a successful bidder shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement iThemba LABS reserves the right to appoint an alternative supplier.
- 1.8.2. Awarding of contracts will be announced on iThemba LABS website and regret letters will be sent to unsuccessful bidders.

1.9. Communication.

- 1.9.1. Bidders are warned that a Proposal will be liable to disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer or employee of iThemba LABS in respect of this RFP between the closing date and the date of the award of the business.

- 1.9.2. For specific queries relating to this RFP, Respondents must contact SCM Office in writing. In the interest of fairness and transparency iThemba LABS response to such a query will then be made available to the other Respondents who have attended the optional clarification meeting.
- 1.9.3. After the closing date of the RFP, a Respondent may communicate with iThemba LABS Supply Chain Management Section, at scm3@tlabs.ac.za on any matter relating to its RFP proposal.
- 1.9.4. Respondents found to be in collusion with one another will be automatically disqualified and blacklisted from doing business with iThemba LABS in future.

1.10. Optional Briefing session

- Attendance of the site meeting is not compulsory.
- Bidding documentation can also be downloaded from our website (www.tlabs.ac.za/administration/supply chain management/bids).

SECTION 2: BACKGROUND

2.1 Background

iThemba LABS has identified a need to improve its business operations to cater for the needs and expectations of its customers and employees. To achieve this, an efficient and effective technical infrastructure should be in place to enable core business to achieve objectives. Based on its technological competency, Facilities Management is the internal business partner to provide these essential services. Due to the complex nature of some of these services, it is not possible to offer all services in-house, hence the need to outsource other services to external service providers.

Service Required: -

PrCHSA Services to ensure Health and Safety Compliance during the lifespan of the Technology & Innovation Platform Building Project Construction phase at iThemba LABS Cape Town

The service provider must ensure that all work performed and/or equipment used on site complies with the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations). The service provider must also submit a Health and Safety File after site establishment.

SECTION 3: SPECIFICATIONS

- 3.1. iThemba LABS (Cape Town) requires the services of a qualified and experienced Professional Construction Health and Safety Agent (PrCHSA) to assist with Legislative, Client Health and Safety and project requirement Compliance during the construction phase of its Technology and Innovation Platform (TIP) Building Project.
- 3.2. The required candidate must be:
 - 3.2.1. Qualified Professional Construction Health and Safety Agent (PrCHSA) in terms of Section 18(1)(c) of the Project and Construction Management Professions Act, 2000 (Act No. 48 of 2000)

- 3.2.2. Registered with the South African Council for the Project and Construction Management Professions (SACPCMP) as per the Construction Regulations, GNR. 84 of 07/02/2014, Section 5 (7)(b).
- 3.2.3. Provide proof of a minimum of 10 Years' experience in projects similar in value (R 8M) and type of that of iThemba LABS TIP Construction Project.
- 3.3.** The PrCHSA will be required to:
- 3.3.1. Compile a suitable, sufficiently documented and coherent site-specific Health and Safety specification for the TIP construction project to ensure that the inclusive Health and Safety and protection of all stake holders involved are considered and catered for.
- 3.3.2. Apply for construction permit in terms of the Construction Regulations, GNR. 84 of 07/02/2014, Section 3 of the Occupational Health and Safety Act, no. 85 of 1993
- 3.3.3. If required, provide Notification of construction work in terms of section 4 of the Construction Regulations of the Occupational Health and Safety Act, no. 85 of 1993
- 3.3.4. Assess and approve Health and Safety Plan/s of the Principal Contractor.
- 3.3.5. Bi-weekly (or monthly) Health and Safety Audits and prepare Reports on Principal Contractor activities as required by Construction Regulations, section 5(1)(o).
- 3.3.6. Monitoring Construction site Health and Safety standards.
- 3.3.7. Managing Construction Health and Safety compliance on behalf of the Client (iThemba LABS).
- 3.3.8. Attend one site meeting per month to convey Health and Safety information to the Client.
- 3.3.9. Stop any contractor and / or Sub-contractor for non-compliance to Health and Safety and Construction Regulations requirements and ensure implementation of all corrective measures.

EVALUATION CRITERIA (Functionality)

Responsive bids will firstly be evaluated on functionality. The minimum score for functionality is 60% and a bidder who scores below this minimum will be disqualified automatically from further evaluations.

Competence Criterion	Key Aspects of Criterion	Points Allocation		Total Points
Suitability	Experience of the service provider in related Services	Five to seven Years	0	10
		Eight to ten Years	7	
		More than eleven Years	10	
	Previous and current clients reference letters showing Capability in providing these similar Services. written references utilising the	Three references	10	20
		Between 4 to 6 written	15	
		More than six	20	

	template or client reference letters.			
	The value of the contracts rendered.	Below R100K	5	20
		Between R100K and R400K	10	
		Between R500K and R900K	15	
		R1 Million and Above	20	
Competence Criterion	Key Aspects of Criterion	Points Allocation		Total Points
Capability of staff to be used	CV of Professionally registered Safety Officer who will deliver monthly service. Minimum 10 Years' Experience.	Ten years' experience	20	50
		Between 11- and 14-Years' experience	30	
		Fifteen and more Years	50	
Total				100

3.4. PRICING SCHEDULE

ITEM NUMBER	DESCRIPTION OF SUPPLIES OR SERVICE	RATE	QUANTITY	AMOUNT (INCL. VAT)
1	Two site visits and provision of report to Client Management and Project Team regarding all safety compliance aspects on a monthly basis.	Month	12	R
2	Emergency Call-out as and when required	No. off	12	R
3	Communication with RSHEQ Management Team regarding Safety Compliance of all contractors once a month.	Month	12	R
4	Two comprehensive reports to Client management and Project Team regarding safety compliance issues.	Item	2	R
5	Provision of a Comprehensive Safety Plan to be implemented and maintained throughout the 12 months of the construction project.	Item	1	R
TOTAL PRICE (Inclusive of all items above)				R

1.

1. REFERENCE LETTER ANNEXURE			
Bidder's Letterhead			
We are submitting a bid for the contract described below. We appreciate your assistance and effort in completing on your letterhead the reference as set out below on your experience with us.			
Referee Letterhead		Referee Legal Name	
REFERENCE ON COMPANY:			
Bid Number:		iLABS/RFP2021/22:17	
Bid Description: Provision of PrCHSA services to ensure Health & Safety compliance during project construction phases			
Describe the service/work the above bidder provide to you below			
Criteria	Needs improvement	Meets requirements	Exceeds requirements
Professionalism			
Customer centricity			
Turnaround times on Emergency Call Outs			
Knowledge, understanding and experience in PrCHSA services.			
An understanding of the relevant regulatory processes applicable to Construction Works.			
Analytical and conceptual abilities and report writing skills			
Overall Impression			
No. of times used in past year		Would you use the provider again?	YES/NO
Completed by:			
Signature:			
Company Name:			
Contact Telephone Number:			

Date:	
Company Stamp:	

GENERAL CONDITIONS OF CONTRACT FOR PERFORMANCE MANAGEMENT	
GCC22	22. Penalties
	22.1. Subject to GCC Clause 25, if the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. The purchaser may also consider termination of the contract pursuant to GCC Clause 23.

Please visit <https://www.nrf.ac.za/procurement/General-Conditions-of-Contract> for the detailed GCC's which forms part of the binding contract which will be issued to the awarded bidder.

SBD 4 - DECLARATION OF INTEREST WITH GOVERNMENT	
<p>Any legal person, including persons employed by the STATE ¹, 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 an advertised competitive Bid, a limited Bid, a proposal or written price quotation). 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:</p> <p>The Bidder is employed by the STATE; and/or</p> <p>The legal person on whose behalf the Bidding Document is signed, has a relationship with persons/s person who is/are 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.</p>	

In order to give effect to the above, the following questionnaire must be completed and submitted with this Bid:	
Full Name of Bidder or his/her representative:	
Identity Number:	
Position occupied in the Company (director, trustee, shareholder, member):	
Registration number of company, enterprise, close corporation, partnership agreement:	
Tax Reference Number:	
VAT Registration Number:	
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 a separate schedule including the following questions:	
Schedule attached with the above details for all directors/members/shareholders	
Are you or any person connected with the Bidder presently employed by the STATE? If so, furnish the following particulars in an attached schedule	YES / NO
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:	

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
If Yes, did you attach proof of such authority to the Bid document?	
If No, furnish reasons for non-submission of such proof as an attached schedule	
(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the Bid.)	
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
If so, furnish particulars as an attached schedule:	
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
If so, furnish particulars as an attached schedule.	
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
If so, furnish particulars as an attached schedule:	

PREFERENCE POINTS CLAIMED (SBD 6.1)	
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:
 - 1.1.1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - 1.1.2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2.
 - 1.2.1. The value of this bid is estimated not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable

- 1.2.2. the 80/20 preference point system will be applicable to this tender
- 1.3. Points for this bid shall be awarded for:
 - 1.3.1. Price; and
 - 1.3.2. 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 CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

- 1.5. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- 2.1. “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.2. “**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;
- 2.3. “**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;
- 2.4. “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5. “**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;
- 2.6. “**functionality**” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.7. “**prices**” includes all applicable taxes less all unconditional discounts;
- 2.8. “**proof of B-BBEE status level of contributor**” means:
 - 2.8.1. B-BBEE Status level certificate issued by an authorized body or person;
 - 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 2.8.3. Any other requirement prescribed in terms of the B-BBEE Act;
- 2.9. “**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;

2.10. "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:

$$80/20 \qquad \qquad \qquad \text{or} \qquad \qquad 90/10$$

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

Where

- Ps = Points scored for price of bid under consideration
- Pt = Price of bid under consideration
- Pmin = 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	
-----	--	----	--

7.1.1. If yes, indicate:

7.1.1.1. What percentage of the contract will be subcontracted.....%

7.1.1.2. The name of the sub-contractor.....

7.1.1.3. The B-BBEE status level of the sub-contractor.....

7.1.1.4. Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1. Name of company/firm:

8.2. VAT registration number:

8.3. Company registration number:

8.4. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

 8.6. COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

- 8.8.1. The information furnished is true and correct;
- 8.8.2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- 8.8.3. 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;
- 8.8.4. 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 –
 - 8.8.4.1. disqualify the person from the bidding process;
 - 8.8.4.2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - 8.8.4.3. 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;
 - 8.8.4.4. 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
 - 8.8.4.5. forward the matter for criminal prosecution.

SBD 8 - DECLARATION OF BIDDER'S PAST SCM PRACTICES

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? If Yes, furnish particulars as an attached schedule:	YES / NO
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)? If Yes, furnish particulars as an attached schedule:	YES / NO
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? If Yes, furnish particulars as an attached schedule:	YES / NO

Was any contract between the Bidder and any NRF terminated during the past five years because of failure to perform on or comply with the contract? If Yes, furnish particulars as an attached schedule:	YES / NO
The Database of Restricted Suppliers and Register for Tender Defaulters 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.	

SBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting this Bid in response to the invitation for the Bid made by the NRF, do hereby make the following statements that I certify to be true and complete in every respect:	
I have read and I understand the contents of this Certificate;	
I understand that the Bid will be disqualified if this Certificate is found not to be true and complete in every respect;	
I am authorised by the Bidder to sign this Certificate, and to submit the Bid, on behalf of the Bidder;	
Each person whose signature appears on the Bid has been authorised by the Bidder to determine the terms of, and to sign, the Bid on behalf of the Bidder;	
<p>For the purposes of this Certificate and the accompanying Bid, I understand that the word "competitor" shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder, who:</p> <ul style="list-style-type: none"> 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 	
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 ³ will not be construed as collusive bidding.	
<p>In particular, without limiting the generality of paragraphs above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:</p> <ul style="list-style-type: none"> 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. 	

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.
The terms of this 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 the bid or to the signing of the contract.
I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to Bids and contracts, Bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of Section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation
³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of

National Research Foundation	
<p>1. Contract Management</p> <p>1.1. The NRF manages this contract fairly and objectively in accordance to the terms and conditions set out in this document.</p> <p>2. Contract Manager</p> <p>2.1. The NRF appoints a contract manager and notifies the other party in writing of the name and contact details of the appointed contract manager.</p> <p>3. Contract Communication</p> <p>3.1. The NRF communicates all communications in writing as well as through email.</p> <p>3.2. The NRF maintains all contract documentation, correspondence, etc. in a defined contract file open for inspection.</p> <p>3.3. The NRF states the contract number with secondary reference numbers i.e. purchase numbers on all communication, documentation such as purchase orders issued, etc. The NRF will consider any communication without the contract number on as not being legal communication between the parties and not enacted on by either party as a protection against fraud.</p> <p>4. Communicating “As and When” in terms of the specific contract clauses</p> <p>4.1. Where prices and/or availability need to be confirmed, a request for an updated detail quotation/information is issued and the Project Leader must complete a B52 (Request for Order). The detailed quotation together with the signed B52 must be submitted to Supply Chain Management Office for processing;</p> <p>4.2. Where specific procurement items as specified in the contract are required, the NRF issues a purchase order stating the contract number for the requirement.</p> <p>4.3. Such purchase order has the following detail (where this is not provided, the purchase order is not a valid communication in terms of this contract):</p> <p>4.3.1. Purchase Order Number</p> <p>4.3.2. Contract Number</p> <p>4.3.3. Quantity</p> <p>4.3.4. Description of the required procurement. Where detailed, reference must be made to the relevant technical document attached;</p> <p>4.3.5. Catalogue number if applicable;</p> <p>4.3.6. Unit price per this contract;</p> <p>4.3.7. Delivery Date;</p>	

- 4.3.8. Business unit code; and
- 4.3.9. The specific delivery site.

5. Communicating where incidental services are required as listed in this document

- 5.1. Incidental services are specified in the incidental services clause
- 5.2. Incidental services are priced in accordance with the incidental clause where such prices have not been set in the SBD form.

6. Communicating where spare parts are required as listed in this document

- 6.1. The spare parts services are specified in the spare parts clause

7. Performance Management

- 7.1. The NRF measures performance throughout the contract life.
- 7.2. The NRF has regular performance review with the contractor.
- 7.3. Where severe non-performance occurs will terminate the contract earlier in consultation with the contractor.

CONTRACTED BIDDER

8. Managing the Contract

- 8.1. The contracted party manages this contract fairly and objectively in accordance to the terms and conditions set out in this document.
- 8.2. The Service Provider will supervise and exercise proper control over its personnel and shall not hold the iThemba LABS liable for any loss or injury caused to the said personnel. The Service Provider will seek to resolve any problems relating to its personnel in line with the laws of the country (e.g. Labour Laws).

9. Contract Manager

- 9.1. The contracted party appoints a contract manager and notifies the NRF in writing of the name and contact details of the appointed contract manager.

10. Communication

- 10.1. The contracted party communicates in writing and through email.
- 10.2. The contracted party always state the contract number on communication, documentation such as correspondence, purchase orders issued, etc. and will not act upon any communication without the contract number or must verify such communication with the NRF prior to acting upon it.

11. Managing Stages (if applicable), Delivery Scheduling (if applicable), Milestones (if applicable)

- 11.1. Where different stages apply, the contracted party communicates in writing the commencement of the stage to the NRF.

12. Health and Safety Requirements

- 12.1. In terms of the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations), the contracted supplier is responsible for the health and safety of its employees and those other people affected by the operations of the supplier.
- 12.2. The contracted supplier ensures all work performed and/or equipment used on site complies with the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations).
- 12.3. To this end, the contracted supplier shall make available to NRF the valid letter of good conduct and shall ensure that its validity does not expire while executing this bid.
- 12.4. Prior to commencement of any work the contractor needs to complete an Indemnity form, the iThemba LABS Contractual obligations form and will be required to attend a Contractors Health and Safety induction prior to commencement of any works.

BID SUBMISSION CERTIFICATE FORM

I hereby undertake to supply all or any of the goods, works, and services described in this procurement invitation to the NRF in accordance with the requirements and specifications stipulated in this Bid Invitation document at the price/s quoted.

My offer remains binding upon me and open for acceptance by the NRF during the validity period indicated and calculated from the closing time of Bid Invitation.

<p>The following documents are deemed to form and be read and construed as part of this offer / bid even where integrated in this document:</p> <ul style="list-style-type: none"> • Invitation to Bid • Specification(s) set out in this Bid Invitation inclusive of any annexures thereto • Bidder's responses to this invitation as attached to this document • Pricing Schedule(s) including detailed schedules attached • CSD / Tax clearance letter • Declaration of Interest (SBD4); • Preference (SBD 6.1) claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011 (SBD6.1) and the BBBEE certificate • SBD 6.2 Local Content (Where applicable) • Declaration of Bidder's past SCM practice (SBD 8) • Conditions of contract as set out in this document (GCC) 	
<p>I confirm that I have satisfied myself as to the correctness and validity of my offer / bid in response to this Bid Invitation; that the price(s) and rate(s) quoted cover all the goods, works and services specified in the Bid Invitation; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.</p>	
<p>I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me in terms of this Bid Invitation as the principal liable for the due fulfilment of the subsequent contract if awarded to me.</p>	
<p>I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other Bid.</p>	
<p>I certify that the information furnished in these declarations (SBD4, SBD6.1, SBD 6.2 where applicable, SBD5, SBD8, SBD9) is correct and I accept that the NRF may reject the Bid or act against me should these declarations prove to be false.</p>	
<p>I confirm that I am duly authorised to sign this offer/ bid response.</p>	
NAME (PRINT)	
CAPACITY	
SIGNATURE	
Witness 1	
NAME	
SIGNATURE	
Witness 2	
NAME	