



REQUEST FOR QUOTATION (RFQ)

RFQ PROCESS	EXPECTED DATES
RFQ NUMBER	RFQ/IT/2022/39
RFQ ISSUE DATE	29 MARCH 2022
NON - COMPULSORY BRIEFING SESSION DATE & TIME	05 APRIL 2022 @ 11H00AM
VENUE / LINK FOR VIRTUAL BRIEFING SESSION	Click here to join the meeting
RFQ DESCRIPTION	PROVISION OF SUBSCRIPTION TO ONLINE SPECIFIC PRODUCTS FOR MEDIA LIBRARY FOR A PERIOD OF 5 YEARS
CLOSING DATE & TIME	19 APRIL 2022 @ 12H00 PM
PREFERENTIAL POINT SYSTEM	80/20
RFQ VALIDITY PERIOD	90 DAYS (COMMENCING FROM THE RFQ CLOSING DATE)

The SABC retains the right to change the timeframe whenever necessary and for whatever reason it deems fit.

RFQ ELECTRONIC SUBMISSION E-MAIL ADDRESS: RFQSubmissions@sabc.co.za

For queries, please contact **Asakundwi Nenguda @ Email address:** tenderqueries@sabc.co.za

The SABC requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. Late and incomplete submissions will invalidate the quote submitted.

SUPPLIER NAME: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

FAX NO. : _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

NOTES ON QUOTATIONS AND PROPOSALS SUBMISSION ELECTRONICALLY

1. All electronic submissions must be submitted in a PDF format that is protected from any modifications, deletions or additions.
2. Financial/pricing information must be presented in a separate attachment from the Technical / Functional Response information.
3. The onus is on the Bidder to further ensure that all mandatory and required documents are included in the electronic submission.
4. All electronic submissions should be prominently marked with the full details of the tender in the email subject line.
5. Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email
6. Tender submission emails received after submission date and time will be considered late bid submissions and will not be accepted for consideration by SABC.
7. Links for we-transfer and google drop box to expire after 30 days of the submissions.
8. SABC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:
 - receipt of incomplete bid
 - file size
 - delay in transmission receipt of the bid
 - failure of the Bidder to properly identify the bid
 - illegibility of the bid; or
 - Security of the bid data.

REQUIRED DOCUMENTS

- 1.1 Proof of Valid TV License Statement for the Company; all active Directors and Shareholder must have valid TV Licenses.
(Verification will also be done by the SABC internally).
- 1.2 Valid Tax Clearance Certificate or SARS "Pin" to validate supplier's tax matters
- 1.3 Original or Certified copy of Valid BBBEE Certificate (from SANAS accredited Verification Agency)
- 1.4 All EME's and 51% black Owned QSE's are only required to obtain a **sworn affidavit** on an annual basis, confirming the following;
 - 1.4.1 Annual Total Revenue of R10 Million or less (EME) or Revenue between R10 Million and R50 Million for QSE
 - 1.4.2 Level of Black Ownership

Note 1:

Verification Agencies and Auditors who are accredited by the IRBA (Independent Regulatory Board for Auditors) are no longer the 'approved regulatory bodies' for B-BBEE verification and therefore IRBA auditors are not allowed to issue B-BBEE certificates after 30 September 2016.

Note 2:

- Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE act as amended.**
- 1.5 Certified copy of Company Registration Document that reflect Company Name, Registration number, date of registration and active Directors or Members.
 - 1.6 Certified copy of Shareholders' certificates.
 - 1.7 Proof of Public Indemnity Cover for minimum of R1000 000
 - 1.8 Certified copy of ID documents of the Directors or Members.

NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO'S TAX MATTERS ARE NOT IN ORDER.

NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO'S COMPANY AND ALL ACTIVE DIRECTORS TV LICENCE STATEMENT ACCOUNT IS NOT VALID.

NO CONTRACT WILL BE AWARDED TO SUPPLIER WHO'S NOT REGISTERED ON CSD.

DETAILED TECHNICAL SPECIFICATION

SUBSCRIPTION TO ONLINE SPECIFIC PRODUCTS FOR MEDIA LIBRARY

1. BACK GROUND AND SCOPE OF WORK

The purpose of this document is to request proposal/s from suitable service provider/s to provide online products that the SABC's Information Library is subscribing to for a period of 5 years. The proposals must be done according to the titles, as specified on this document. Another important aspect is that the licenses for these products must be site-wide access (SABC Auckland Park and all Provinces).

The SABC's Information Library delivers an information service to all staff members of the SABC. Online products are accessible from all staff's desks via the Intranet. Staff may borrow identified hard copy magazines for a 2-day period.

The SABC is mandated by the Broadcast Act to establish and maintain libraries and archives: 8(i) of the Broadcast Act stipulates the following "to commission, compile, prepare, edit, make, print, publish, issue, circulate and distribute, with or without charge, such books, magazines, periodicals, journals, printed matter, records, cassettes, compact disks, video tapes, audio-visual and interactive material, whether analogue or digital and whether on media now known or hereafter invented, as may be conducive to any objects of the Corporation;

8(j) of the Broadcast Act stipulates, "To establish and maintain libraries and archives containing materials relevant to the objects of the Corporation and to make available to the public such libraries and archives with or without charge.

Subscription must give access to all SABC staff via the SABC's Intranet. Staff must have access to valuable products of information must enables the SABC to broadcast content of good quality. It must also enables the Information Library to request books via interlibrary loans from other libraries whenever the need for that arises. The SA Gazette alerts service is very valuable and newly published Gazettes are sent out to selected SABC staff on a daily basis.

Access to online product is a core function of the SABC's Information Library and a valuable and powerful source of information.

Products must give access to online academic articles, SA Media that consists of newspaper articles from the whole of South Africa, Government Gazettes frequently used by the News Department and Legal articles frequently used by the Legal Department.

The library has a specific code as determined by the National Library of South Africa for the interlibrary loans.

SCOPE OF WORK

SA Media

SA Media is a news research and press clipping service that retrospectively covers mainstream publications in South Africa, from 1978 to present day. At present the SA Media press clipping services collection comprises over 4,5 million articles. With an average of 2500 new articles added weekly, SA Media is a comprehensive research tool that allows you to search 30 local mainstream news publications.

SA Media comprises:

The original SA Media archive from 1977 to December 2014, consisting of over 4,5 million articles from South African publications

The new SA Media database consisting of more than 30+ publications

The benefits of SA Media includes

- Articles delivered in PDF format
- Articles are fully searchable as they have been OCR'ed
- Full colour images and photographs included in high-resolution since 2015

NETLAW

The National Legislation service, NetLaw, includes all updated and consolidated South African Principal Acts, Rules and Regulations since 1910. Although other similar services are available NETLAW is the only service with the latest consolidated (thus amended) acts.

Updated daily with new legislation or amendments, as they are released, the NetLaw service offers one consolidated version of each piece of legislation, so you can be sure that you are looking at the latest version, with all the relevant amendments.

You can also email, print and download full-text versions of the Act, Amended Acts, Rules & Regulations quickly and easily.

Incorporating all the updated and consolidated National Legislation since 1910, and currently in force, NetLaw also includes access to Amendment Acts, Drafts and Drafts for Comment. This ensures that you can always consult, advise and provide legal opinions with the guarantee that you have the most credible and accurate legislation information at your fingertips.

The benefits of National Legislation (Netlaw) includes:

- Receive weekly newsletters of new amendments, principal Acts published, and drafts for comment
- Amendments are clearly marked, making it easy for you to spot the latest amendments
- A historical view of all amendments to that Act is incorporated at the top of the Act
- Alphabetical and Chronological list of Acts in force
- Easy access to related Court Forms published in the Gazette

- Full-text regulations and draft regulations are available
- Relevant cross-linking between full-text sections of the Act and other Acts, where applicable, simplifying the effort you spend cross-referencing
- Easy on-the-go access via our free mobile NetLaw App
- Available for Android and iPhone, our mobile NetLaw App gives you easy access to the legislative information you need - when and where you need it.

REQUEST (National Inter library loan service)

A web-based resource-sharing service for Southern African libraries, the ReQuest interlending service facilitates access to the resources hosted by all participating libraries in the region, by enabling borrowing and lending between institutions. This is the only national interlending network in the region and was established by the participating libraries 37 years ago to save cost by sharing resources.

The interlending service is managed by the National Library of South Africa. The databases underpinning the service which are also fully integrated with the platform is SACat (the National Union Catalogue of South Africa compiled by participating libraries) and SA Citations (which includes ISAP which is the National Index to South African Periodicals and which is compiled by the National Library of South Africa).

A subscription to SACat and SA Citations is therefore required to participate in the national interlending scheme.

SACat Plus

SACat Plus provides bibliographic information about material stored in Southern African libraries, material published in South Africa, theses produced in South Africa (Doctoral and Masters level), and current and completed research undertaken in South Africa. The SACat is the only national resource of its kind. The SACat (also known as the National Union Catalogue of South Africa) is part of the national resource sharing network that exist between all libraries in South Africa (currently 250+) who are all participants in the network.

SA Citations

SA Citations provides extensive coverage of local and international information indexed by South African organisations.

As the only resource of its kind it provides access to content such as:

ISAP (Index to South African Periodicals) - indexed articles from more than 600 periodicals.

Kovsidex - Consists of selected articles according to the needs of the primary clients of the University of the Orange Free State. It also includes a wide range of reference works on the theory and practice of education from the database originally indexed by the Research Institute for Education Planning.

Forestry - a unique pamphlet collection from forestry, wood science and nature conservation research institutes in South Africa, the USA, South America, Europe, Australasia and certain countries of Eastern Europe. This database is compiled by the University of Stellenbosch.

Centre for Rural Legal Studies - the main focus of this database, compiled by the Centre for Rural Legal Studies, is on agriculture and agricultural workers on commercial farms in South Africa.

Cloverdex - a database of indexed periodical articles collected by the company Clover SA (Pty). It contains information primarily connected with the dairy industry in general (1980-2007).

Mintek - a bibliographic database containing the results of Mintek's original research in the fields of metals and industrial minerals. The database consists of reports, patents, special publications, and papers (1931-2005).

First Search

Increase awareness of all library collections worldwide with a powerful lens on the world's largest library catalog, WorldCat which is hosted by OCLC. FirstSearch navigates through WorldCat's 493 million bibliographic records in seconds, connecting searchers to exactly what they need. It's a direct link to the authoritative content that informs collection development decisions, solves reference questions, and meets international interlibrary loan demands.

Through FirstSearch South African libraries do not only have an insight in library holdings worldwide but international libraries also have an insight in the availability in South African collections.

Further databases available through FirstSearch includes:

- Article First
- Papers First
- Proceedings First
- Electronic Books
- Electronic Collections
- ERIC
- Medline
- OAlster

Monitoring Service (Including PARLIAMENT)

This Monitoring Services delivers accurate and reliable information on government policies and legislative developments.

With specific profiled prerequisites, the Monitoring Service offers a consistent early warning service for legislative movements in strategic industries. This service lets you stay up to date with the latest legislation as well as the potential impacts of not being compliant with the law.

Tactical links on the platform offer a holistic approach to each piece of legislation and related content is also sourced from:

- Monitoring Articles
- News Articles
- Speeches and statements
- Opinion pieces

Bill Tracker and Policy Documents

Be the first to know and get customised alerts for tracking bills and draft bills before they become Acts. By commenting on these ahead of time, you have the power to be ahead of the curve with legal compliance impacting your industry.

The service is delivered through a newsletter directly to your inbox either immediately if something of interest occurs on your selected fields of interests or on a weekly basis depending on which service you've chosen.

Bill tracker and Policy Documents

Bill Tracker and Parliamentary Documents give you the whole truth. If you're looking for all the acts and all the facts on every Bill tabled before Parliament this indispensable service is for you.

Bill Tracker and Parliamentary Documents service is updated daily as Bills are tracked every step of the way from their first discussion in Parliament as they develop from Draft Bills into Bills and are signed into law by the president and are finally consolidated and updated as Acts. In addition, we retain Committee Reports, submissions to Parliament, speeches by Ministers and other documents sourced from Parliament.

SA Gazettes

The South African Government and Provincial Gazettes (SA Gazettes) service is an easily-accessible online collection of SA Gazetted information. The SA Gazettes collection includes Government and Provincial Gazettes since 1994 as well as Parliamentary Bills from 1999, and are updated daily, as new Gazettes become available.

There is the option to search Government Gazetted information extensively either on notice level or by obtaining the complete Gazette. The Provincial Gazettes includes all nine provinces, which can be searched individually or all provinces at the same time.

Subscribers have online access to legislation, regulations, proclamations, deceased estates, legal notices, liquor notices, liquidations, road carrier permits and so much more. Subscribers can either subscribe to both Government or Provincial Gazettes or separately to each one.

The benefits of SA Gazettes includes:

- Immediate access to Gazette information, saving storage space and cost
- Easy printing, download and e-mail
- Easy search functionality
- Daily and weekly e-mail alerts, with links to the full-text

2. DELIVERY

Deliver as per the scope of work.

3. COSTING

3.1 The quotation must reflect a detailed cost breakdown, and any indirect costs associated with the rendering of required service.

3.2 RFQ Response Information

Effective Date of Bid

Vendors should state in writing in its quotation to the SABC that all furnished information, including price, will remain valid and applicable for 90 days from the date the vendor quotation is received by the SABC.

4. LOCATION OF SITE

4.1 The contract site and **delivery point** is at **SABC Radio Park**.

5. EVALUATION CRITERIA

5.1 Functionality Evaluation

5.1.1 The tender submission will be technically evaluated out of a maximum of 100.

5.1.2 A threshold of 80 out of the 100 has been set.

5.1.2 Bidders achieving less than the set threshold will be declared non-responsive.

Functionality will be evaluated based on the criteria below:

Evaluation Area	Evaluation Criteria	Min Points	Max Points	Bidders Response to Criterion
Company previous experience	<p>Not less than 5 years of proven records in delivering similar services on scope of work (Provide reference letters for similar projects undertaken with contactable references)</p> <p>More than 6 reference letters = 20 points</p> <p>➤ 3 – 5 reference letters = 10 points</p> <p>The reference letter must:</p> <ol style="list-style-type: none"> <i>1. Be on clients company's letterhead</i> <i>2. Be signed by an authorised client representative</i> <i>3. Stipulate the client contact details (name and phone number/email)</i> <i>4. Stipulate the Detailed description of actual services provided</i> <i>5. Stipulate the contract period.</i> <p>NB: Letter that does not meet all above criteria 1-5 will not be considered. Award letter cannot be used in place of reference letter.</p>	10	20	Bidder to respond in detail as to how they comply with this criterion
Innovation and creativity	Provide full details of the proposed solution and the deployment thereof: (As per the scope of work) =45 Points	45	45	Bidder to respond in detail as to how they comply with this criterion
Resources	System training for end-user = 10 points	10	10	Bidder to respond in detail as to how they comply with this criterion
System Support	<p>➤ Within 12 hours emergency system support and Provide detailed information about your call centre / service desk's operational and escalation procedures. = 10 points</p>	5	10	Bidder to respond in detail as to how they comply with this criterion

	<ul style="list-style-type: none"> ➤ More than 12 hours emergency system support and Provide detailed information about your call centre / service desk's operational and escalation procedures. = 5 points 			
Reporting	Provide SABC Library with a system to enable us to obtain usage reports (E-Journals and stats). E Journal or Stats = 10 Points E Journal and Stats= 15 Points	10	15	Bidder to respond in detail as to how they comply with this criterion
	Total	80	100	

5.2 Pricing and BBBEE

The RFQ responses will be evaluated on the **80/20** point system

5.3 Objective Criteria

5.3.1 The SABC further reserve the right not to award this RFQ to any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.

6. CONTRACT DURATION

Five (5) years.

7. ADJUDICATION USING A POINT SYSTEM

7.1 The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.

7.2 In the event that two or more bids have scored equal points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

7.3 However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality

7.4 Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

8. POINTS AWARDED FOR PRICE

The **80/20** preference point system

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

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

Where:

P_s = Points scored for comparative price of bid under Consideration
 P_t = Comparative price of bid under consideration
 P_{min} = Comparative price of lowest acceptable bid

9. B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:

B-BBEE Status Level of Contributor Number of Points

B-BBEE Status level of Contributor	Number of points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- I. Bidders who qualify as EME's in terms of the B-BBEE Act must submit a certificate issued by a verification Agency accredited by SANAS for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates or DTI Affidavit.
- II. Bidders other than EMEs must submit their original and valid B-BBEE status levels verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a verification agency accredited by SANAS.

- III. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate
- IV. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- V. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- VI. A tenderer will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intend sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.
- VII. A tenderer awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

10. COMMUNICATION

Respondents are warned that a response will be disqualified should any attempt be made by a tenderer either directly or indirectly to canvass any officer(s) or employees of SABC in respect of a tender, between the closing date and the date of the award of the business.

The closing time for clarification of queries is 3 (three) days before the deadline for RFQ submission. Bidders should take note that questions will be consolidated and published together with responses on the platforms that advertised the RFQ. All enquiries relating to this RFQ should be emailed to tenderqueries@sabc.co.za.

11. CONDITIONS TO BE OBSERVED WHEN TENDERING

The Corporation does not bind itself to accept the lowest or any tender, nor shall it be responsible for or pay any expenses or losses which may be incurred by the Tenderer in the

preparation and delivery of his tender. The Corporation reserves the right to accept a separate tender or separate tenders for any one or more of the sections of a specification. The corporation also reserves the right to withdraw the tender at any stage.

11.1 No tender shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

11.2 The Corporation reserves the right to:

Not evaluate and award submissions that do not comply strictly with his RFQ document.

11.3 Make a selection solely on the information received in the submissions, and

11.4 Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this tender.

11.5 Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders. During the evaluation process, no change in the content of the RFQ shall be sought, offered or permitted.

11.6 Award a contract to one or more bidder(s).

11.7 Accept any tender in part or full at its own discretion.

11.8 Cancel this RFQ or any part thereof at any time.

11.9 Should a bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the Corporation and not necessarily on the basis of the lowest costs, aligned to the BBBEE & Preference Point system.

12. Cost of Bidding

The Tenderer shall bear all costs and expenses associated with preparation and submission of its tender or RFQ, and the Corporation shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

END OF RFQ DOCUMENT

Annexed to this document for completion and return with the document:

- Annexure A - Declaration of Interest
- Annexure B - Consortiums, Joint Ventures and Sub-Contracting Regulations
- Annexure C - SBD Form 8 & 9

ANNEXURE A

DECLARATION OF INTEREST

1. Any legal or natural person, excluding any permanent employee of SABC, may make an offer or offers in terms of this tender invitation. In view of possible allegations of favouritism, should the resulting tender, or part thereof be awarded to-
 - (a) any person employed by the SABC in the capacity of Tenderer, consultant or service provider; or
 - (b) any person who acts on behalf of SABC; or
 - (c) any person having kinship, including a blood relationship, with a person employed by, or who acts on behalf of SABC; or
 - (d) any legal person which is in any way connected to any person contemplated in paragraph (a), (b) or (c),

it is required that:

The Tenderer or his/her authorised representative shall declare his/her position *vis-à-vis* SABC and/or take an oath declaring his/her interest, where it is known that any such relationship exists between the Tenderer and a person employed by SABC in any capacity.

Does such a relationship exist? [YES/NO]

If YES, state particulars of all such relationships (if necessary, please add additional pages containing the required information):

	[1]	[2]
NAME	:
POSITION	:
OFFICE WHERE EMPLOYED	:
TELEPHONE NUMBER	:
RELATIONSHIP	:

2. Failure on the part of a Tenderer to fill in and/or sign this certificate may be interpreted to mean that an association as stipulated in paragraph 1, *supra*, exists.
3. In the event of a contract being awarded to a Tenderer with an association as stipulated in paragraph 1, *supra*, and it subsequently becomes known that false information was provided in response to the above question, SABC may, in addition to any other remedy it may have:
 - recover from the Tenderer all costs, losses or damages incurred or sustained by SABC as a result of the award of the contract; and/or
 - cancel the contract and claim any damages, which SABC may suffer by having to make less favourable arrangements after such cancellation.

SIGNATURE OF DECLARANT

TENDER NUMBER

DATE

POSITION OF DECLARANT

NAME OF COMPANY OR TENDERER

ANNEXURE B

CONSORTIUMS, JOINT VENTURES AND SUB-CONTRACTING REGULATIONS

1. CONSORTIUMS AND JOINT VENTURES

- 1.1 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 1.2 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.

2. SUB-CONTRACTING

- 2.1 A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- 2.2 A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 2.3 A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

3. DECLARATION OF SUB-CONTRACTING

- 3.1 Will any portion of the contract be sub-contracted? YES / NO
- 3.2 If yes, indicate:
 - 3.2.1 The percentage of the contract will be sub-contracted%
 - 3.2.2 The name of the sub-contractor
 - 3.2.3 The B-BBEE status level of the sub-contractor.....
 - 3.2.4 whether the sub-contractor is an EME YES / NO

SIGNATURE OF DECLARANT

TENDER NUMBER

DATE

POSITION OF DECLARANT

NAME OF COMPANY OR TENDERER

ANNEXURE C

SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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

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6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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