



DEPARTMENT: SOUTH AFRICAN POLICE SERVICE

REPUBLIC OF SOUTH AFRICA

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

The Manager

Reference no: 19/1/9/1/104 TR (22)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

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

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

Sir / Madam

REQUIRED BY THE SOUTH AFRICAN POLICE SERVICE

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

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

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

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

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

Yours faithfully

  
BRIGADIER  
ACTING COMPONENT HEAD: PROCUREMENT & CONTRACT MANAGEMENT  
SM MAHLANGU

01 / 104 TR (22)

# PLEASE NOTE



BID NO: 19/1/9/1/104TR (22)

CLOSING TIME: 11:00 ON 2023-02-21

IT IS ESSENTIAL THAT THE FOLLOWING BID DOCUMENT AND THE RELEVANT SPECIFICATION BE COMPLETED IN FULL. FAILURE TO COMPLETE ANY PART OF THE BID OR SPECIFICATION WILL INVALIDATE YOUR BID DOCUMENT.

PLEASE NOTE AND ADHERE TO SPECIFICATION AND THE SPECIAL REQUIREMENTS AND CONDITIONS OF THE BID, FAILURE TO COMPLY WILL INVALIDATE YOUR OFFER.

NOTED BY THE BIDDER:

.....  
SIGNATURE: BIDDER

.....  
DATE

02 / 104TR (22)



### BID DOCUMENT CHECKLIST

**BID NO:** 19/1/9/1/104TR (22)

**DESCRIPTION:** BID NO 19/1/9/1/104TR (22): SUPPLY, DELIVERY, PLAN, DESIGN, IMPLEMENTATION, MAINTENANCE AND SUPPORT OF TRANSMISSION EQUIPMENT FOR THE SOUTH AFRICAN POLICE SERVICE NATIONALLY FOR A PERIOD OF THREE YEARS: DIVISION: TECHNOLOGY MANAGEMENT SERVICES

(Mark with Yes or No)

		Procurement Office	Bidder	Bid Management
NO.	REQUIREMENTS			
1	Total points for Price and specific goals SBD 6.1)	X		
2	SBD forms (1,4, 6.1 )	X		
3	SBD5 (if the threshold exceeds R10 mil)	X		
4	Pricing Schedule	X		
5	Central Supplier Database (CSD)	X		
6	Profit Margin	X		
7	Special Requirements and Conditions of the Bid	X		

**BIDDER:**

\_\_\_\_\_  
NAME IN PRINT

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**BID MANAGEMENT:**

\_\_\_\_\_  
NAME IN PRINT

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

**X = REQUIRED**

**YES = SUBMITTED / RECEIVED**

**NO = NOT SUBMITTED / NOT RECEIVED**

03/104TR(22)

# NOTICE !!!! NOTICE

ALL BID DOCUMENTS MUST  
BE HANDED IN AND  
REGISTERED AT SECURITY  
OFFICE BY THE PERSON  
HANDING IN THE  
DOCUMENTS

BY ORDERS OF: DIVISIONAL COMMISSIONER  
SUPPLY CHAIN MANAGEMENT

04/104TR(22)

## PART A INVITATION TO BID

<b>1. YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN POLICE SERVICE</b>					
BID NUMBER:	19/1/9/1/104TR (22)	CLOSING DATE:	21 February 2023	CLOSING TIME:	11:00 AM
DESCRIPTION:	SUPPLY, DELIVERY, PLAN, DESIGN, IMPLEMENTATION, MAINTENANCE AND SUPPORT OF TRANSMISSION EQUIPMENT FOR THE SOUTH AFRICAN POLICE SERVICE NATIONALLY FOR A PERIOD OF THREE YEARS: DIVISION: TECHNOLOGY MANAGEMENT SERVICES				
<b>2. BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:</b>			<b>3. BID RESPONSE DOCUMENTS MAY BE POSTED TO:</b>		
DIVISIONAL COMMISSIONER SUPPLY CHAIN MANAGEMENT SOUTH AFRICAN POLICE SERVICE 117 CRESWELL ROAD SILVERTON PRETORIA 0184			DIVISIONAL COMMISSIONER SUPPLY CHAIN MANAGEMENT SOUTH AFRICAN POLICE SERVICE PRIVATE BAG X254 PRETORIA 0001		
<b>4. BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>5. TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON		CONTACT PERSON			
TELEPHONE NUMBER		TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS		E-MAIL ADDRESS			
<b>6. SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE NUMBER:	MAAA
CENTRAL SUPPLIER DATABASE REGISTRATION REPORT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART A:8]	
<b>8. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES	<input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES	<input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES	<input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES	<input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES	<input type="checkbox"/> NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. THE BID BOX IS GENERALLY OPEN 24 HOURS A DAY, 7 DAYS A WEEK.
1.3. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.4. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES).
1.5. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION.
1.6. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.7. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
<b>3. GENERAL</b>
3.1 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH PERSONS IN THE SERVICE OF THE STATE."

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

06/104 TR(22)

**OFFICE USE ONLY**

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

Supplier Number in CSD	
------------------------	--

**SUPPLIER INFORMATION**

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

<b>C. CHECKLIST OF DOCUMENTS A</b>		<b>CROSS REFERENCE</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1)	Copy of Business entity's Registration Documents: i.e. CK2 form <ul style="list-style-type: none"> <li>For Close Corporations – a copy of the CIPRO report showing the directors/owners/members of the cc</li> <li>For Pty Ltd – a copy of the CIPRO report as well as a copy of the shareholders agreement or a letter from your auditors confirming the shareholding of the company</li> <li>Copy of shareholders/members certificates / agreements</li> </ul>	Approved on CSD			
2)	Business entity's Vat Registration Certificate	Approved on CSD			
3)	Current Business entity original Tax Clearance Certificate	Approved on CSD			
4)	Identity Documents of Shareholders/Directors/Passport Documents	Approved on CSD			
5)	Proof of CIDB Registration	Approved on CSD			
6)	Registration of bank account details	Approved on CSD			
7)	B-BBEE Status level verification certificate	Approved on CSD			
7.1	B-BBEE original/Certify copy attached				
8.	Applicable certificate for work to be executed according to the tender/quotation attached.				

07/104TR(22)



SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

**SPECIAL CONDITIONS OF CONTRACT**

**BID NUMBER: 19/1/9/1/104TR (22)**

**SUPPLY, DELIVERY, PLAN, DESIGN, IMPLEMENTATION,**

**MAINTENANCE AND SUPPORT OF TRANSMISSION**

**EQUIPMENT FOR THE SOUTH AFRICAN POLICE SERVICE**

**NATIONALLY FOR A PERIOD OF THREE YEARS: DIVISION:**

**TECHNOLOGY MANAGEMENT SERVICES**

**CLOSING DATE AND TIME OF BID:**

**DATE @ 11h00**

**BID VALIDITY PERIOD: 90 DAYS**

08/104 TR (22)



# SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

## TABLE OF CONTENTS

	Page
1. ABBREVIATIONS .....	1
2. BID DOCUMENT CHECK LIST .....	2
3. SCOPE .....	3
4. SECTION A.....	3
4.1 LEGISLATIVE AND REGULATORY FRAMEWORK.....	3
4.2 EVALUATION CRITERIA .....	3
4.2.1 PHASE 1: ADMINISTRATIVE AND MANDATORY BID REQUIREMENTS.....	4
4.2.2 PHASE 2: MANDATORY REQUIREMENTS.....	4
4.2.3 PHASE 3: SITE VISIT/ DUE DILIGENCE .....	5
4.2.3 PHASE 4: PREFERENCE POINT SYSTEM AND PRICE .....	5
5. VALUE ADDED TAX .....	6
6. PRICING STRUCTURE AND SCHEDULE .....	6
7. OTHER LEGISLATIVE AND REGULATORY REQUIREMENTS SPECIFIC TO THIS BID.....	7
7.1 AUTHORISATION DECLARATION/ LETTER FROM THE MANUFACTURER .....	7
8. RESPONSIVE BIDS .....	7
9. TAX COMPLIANCE REQUIREMENTS.....	8
10. FORMAT AND SUBMISSION OF BIDS.....	8
11. LATE BIDS.....	8
12. COUNTER CONDITIONS .....	9
13. FRONTING.....	9
14. SUPPLIER DUE DILIGENCE .....	9
15. COMMUNICATION .....	10
16. CONTACT DETAILS .....	10
17. SECTION B.....	10
17.1 CONTRACT PERIOD.....	10
17.2 RIGHT OF AWARD.....	11
17.3 MULTIPLE AWARD.....	11
17.4 NEGOTIATIONS.....	12
17.5 QUALITY.....	12
17.6 DELIVERY AND QUANTITIES .....	12
17.6.1 DELIVERY BASIS .....	12
17.6.2 QUANTITIES.....	12

09/104 TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

18.	SECTION C.....	12
18.1	ROLES AND RESPONSIBILITIES.....	12
18.1.1	CONTRACT ADMINISTRATION.....	12
18.1.2	SUPPLIER PERFORMANCE MANAGEMENT.....	12
18.2	ORDERS AND DELIVERY.....	13
18.2.1	ORDERS.....	13
18.2.2	DELIVERY.....	13
18.3	PRODUCT ADHERANCE / BRAND CHANGE.....	13
18.4	CONTRACT PRICE ADJUSTMENT.....	14
18.4.1	Formula.....	14
18.5	FORMULA COMPONENT DEFINITIONS.....	15
18.5.1	Adjustable amount.....	15
18.5.2	Fixed portion.....	15
18.5.3	Cost components and proportions.....	15
18.5.4	Applicable indices / references.....	16
18.5.5	Base Index Date.....	17
18.5.6	End Index Date.....	17
18.5.7	Price Adjustment Periods.....	17
18.6	RATES OF EXCHANGE (ROE) – BASE AND AVERAGE RATES.....	18
19.	GENERAL.....	19
20.	BREACH OF CONTRACT.....	19

10/104TR(22)



## 1. ABBREVIATIONS

BAC: Bid Adjudication Committee

CPA: Contract Price Adjustment

ISO: International Organisation for Standardisation

QC: Quality Control

ROE: Rate of Exchange

SABS: South African Bureau of Standards

SBD: Standard Bidding Document

STATS SA: Statistics South Africa

VAT: Value- Added Tax

11/104TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

### 2. BID DOCUMENT CHECK LIST

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

12/104TR(22)



# SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

### 3. SCOPE

Supply, Delivery, Plan, Design, Implementation, Maintenance and Support of Transmission Equipment for the South African Police Service nationally for a period of three years: Division: Technology Management Services: Nationally, in accordance with Specification 2718/2022 and shall commence on the date of signature of the contract by both parties.

### 4. SECTION A

#### 4.1 LEGISLATIVE AND REGULATORY FRAMEWORK

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

#### 4.2 EVALUATION CRITERIA

The evaluation process will be conducted in phases as follows:

Phase 1	Phase 2	Phase 3	Phase 4
Administrative and Mandatory Bid Requirements	Technical Compliance	Site visit and Due diligence	Price and Specific Goals
Compliance with Mandatory and Administrative Bid requirements. SBD forms must be completed and signed.	Compliance to technical requirements / specification.	Site visit and Due diligence	Bids evaluated in terms of the 90/10 preference system

13 / 104TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

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

#### 4.2.1.1 ADMINISTRATIVE BID REQUIREMENTS

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

ADMINISTRATIVE DOCUMENTS - NAME OF THE DOCUMENT THAT MUST BE SUBMITTED	
Invitation to Bid – SBD 1	<b>YES</b> – Please complete and sign the supplied form
Declaration of Interest – SBD 4	<b>YES</b> – Please complete and sign the supplied form.
Preference Point Claim Form <b>SBD 6.1</b>	<b>YES</b> – Generally, non-submission will lead to a zero score for Specific Goals
General Conditions of Contract	<b>NO</b> – Bidders <b>must only familiarise</b> themselves with the content of the document
Cost components	<b>YES</b> – Please submit the completed cost component breakdown as per example in the Special Conditions of Contract.

### 4.2.2 PHASE 2: MANDATORY REQUIREMENTS

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

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

Pricing Schedule	<b>YES</b> – Please complete the price schedule with the bid at the closing date and time. <b>Please took note that lead times (Delivery period) should be completed</b>
SBD 5 National Industrial Participation Program	<b>YES</b> – (if above R10 million )
Special Conditions of Contract	<b>YES</b> - Bidders must sign acknowledgement that they <b>familiarise</b> themselves with the content of the document
Tax Clearance Requirements	<b>YES</b> – The <b>CSD</b> and the <b>tax status pin</b> are the approved method that will be utilized to verify tax compliance.

14 / 104TR (22)



# SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

Tax Clearance Requirements	YES – The <b>CSD</b> and the <b>tax status pin</b> are the approved method that will be utilized to verify tax compliance.
Specification	YES – The bidder must indicate in writing with a <b>Comply or Not Comply</b> . Failure to comply with the specification will invalidate your bid.
ICASA Certificates	YES – Certificate of approval from ICASA as per paragraph 1.10.1.1 and 1.10.1.2 of the Bid Specification.

## 4.2.3 PHASE 3: SITE VISIT/ DUE DILIGENCE

4.2.3.1 Due Diligence and Site Visit will be conducted at bidder's premises.

## 4.2.3 PHASE 4: PREFERENCE POINT SYSTEM AND PRICE

### i. Preference points system 90/10

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

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

Where

P<sub>s</sub> = Points scored for price of tender under consideration

P<sub>t</sub> = Price of tender under consideration

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

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

Persons historically disadvantaged on the basis of race with at least 51% ownership	3 points
Persons historically disadvantaged on the basis of gender with at least 51% ownership by woman	3 points

15 / 104-TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

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

- d) Bidders are required to complete the preference claim form (SBD 6.1).
- e) The points scored by a bidder in respect of the specific goals will be added to the points scored for price.
- f) Only bidders who have completed and signed the declaration part of the preference claim form will be considered for specific goals points.
- g) Failure on the part of the bidder to comply with the paragraphs above will be deemed that specific goal points are not claimed and will therefore be allocated a zero (0).
- h) The South African Police Service may, before a bid is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to preference.
- i) The points scored will be rounded off to the nearest 2 decimals.
- j) In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of specific goal points.
- k) However, when functionality is part of the evaluation process and two or more bidders have scored equal points including equal specific goal points, the contract will be awarded to the bidder scoring the highest for functionality.
- l) Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
- m) A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

### 5. VALUE ADDED TAX

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

### 6. PRICING STRUCTURE AND SCHEDULE

- a) One price is required per item and prices quoted must be furnished on the basis of supply and delivery including Value Added Tax.
- b) The yearly prices MUST be all inclusive. This means, all direct and indirect related costs must be included in the prices and be firm for the period of one year.
- c) The pricing schedule will be accessible from the bid document. All prices must be submitted with the bid document.

16 / 104 TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

- d) Conditional discounts offered will not be used for evaluation purposes.
- e) Pricing provided for term contracts must remain firm for the first year after signing of the contract. Contract price adjustments must be applied for

### 7 AUTHORISATION DECLARATION/ LETTER FROM THE MANUFACTURER

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

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

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

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

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

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

### 8. RESPONSIVE BIDS

Bidders are required to submit responsive bids by completing all the prices, mandatory response fields and item questionnaires on the provided pricing schedule for the individual items. In this regard bidder's attention is drawn to the response field and price structure explanations and

17/104TR (22)



# SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

regard bidder's attention is drawn to the response field and price structure explanations and examples supplied in the bid document. Bidders must complete all the official SAPS documentation as issued for completion.

**Non-compliance with this condition will invalidate the bid for the item(s) concerned.**

## 9. TAX COMPLIANCE REQUIREMENTS

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

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

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

## 10. FORMAT AND SUBMISSION OF BIDS

In order to simplify the evaluation process, Bidders are required to submit their bids hard copy in the following manner:

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

## 11. LATE BIDS

18/1/04TR(22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

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

### 12. COUNTER CONDITIONS

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

### 13. FRONTING

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

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

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

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

### 14. SUPPLIER DUE DILIGENCE

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

The South African Police Service also reserves a right to conduct supplier due diligence during the contract period. Information submitted by the contractor will be verified and any



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

misrepresentation thereof the South African Police Service reserves a right to institute remedial actions available. Due diligence may include preannounced or no-announce site visits.

### 15. COMMUNICATION

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

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

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

### 16. CONTACT DETAILS GENERAL

#### Address

#### Bid Document Enquiries

Bid Management

Address: 117 Cresswell Street, Weavind Park, Pretoria.

Capt Paul and SPAC Muthula

Tel: (012) 841 7720/ 012 841 7204

E-mail: [PaulEG@saps.gov.za](mailto:PaulEG@saps.gov.za) and [Muthulabilly@saps.gov.za](mailto:Muthulabilly@saps.gov.za)

#### 16.1 Bid Queries

Col Nyembe and Lt Col Mahlaule

E-mail: [NyembeN@saps.gov.za](mailto:NyembeN@saps.gov.za) and [MahlauleG@saps.gov.za](mailto:MahlauleG@saps.gov.za)

### 17. SECTION B

#### 17.1 CONTRACT PERIOD

The contract period shall be for a period of three (3) years.

20/104TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

### 17.2 RIGHT OF AWARD

The South African Police Service reserves its following rights:-

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

### 17.3 MULTIPLE AWARD

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

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

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

21 / 104 TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

### 17.4 NEGOTIATIONS

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

### 17.5 QUALITY

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

### 17.6 DELIVERY AND QUANTITIES

#### 17.6.1 DELIVERY BASIS

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

#### 17.6.2 QUANTITIES

Quantities cannot be guaranteed.

### 18. SECTION C

#### 18.1 ROLES AND RESPONSIBILITIES

##### 18.1.1 CONTRACT ADMINISTRATION

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

The Head: Procurement and Contract Management Supply Chain Management  
Private bag x 254, Pretoria, 0001,

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

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

##### 18.1.2 SUPPLIER PERFORMANCE MANAGEMENT

22/104TR(22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

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

### 18.2 ORDERS AND DELIVERY

#### 18.2.1 ORDERS

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

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

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

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

#### 18.2.2 DELIVERY

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

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

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

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

### 18.3 PRODUCT ADHERANCE / BRAND CHANGE

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

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

23/104TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

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

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

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

### 18.4 CONTRACT PRICE ADJUSTMENT

#### 18.4.1 Formula

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

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

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

$$Pa = (1-V) Pt \left( D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + Dn \frac{Rnt}{Rno} + VP1 \right)$$

Pa	=	The new adjusted price to be calculated
V	=	Fixed portion of the bid price (15% or 0.15)
Pt	=	Original bid price. Note that Pt must always be the original bid price and not an adjusted price
(1-V)Pt	=	Adjustable portion of the bid price (85% or 0.85).
D1 – Dn	=	= Each factor (or percentage) of the bid price, e.g., material, labour, transport, overheads, etc. The total of the various factors (or percentages) D1 – Dn must add up to 1 (or 100%).

24/104TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

$R_{1t} - R_{nt}$	=	= End Index. Index figure obtained from the index at the end of each adjustment period
$R_{1o} - R_{no}$	=	Base Index. Index figure at the time of bidding.
VPt	=	15% (or 0.15) of the original bid price. This portion of the bid price remains fixed, i.e. it is not subject to price adjustment.

### 18.5 FORMULA COMPONENT DEFINITIONS

#### 18.5.1 Adjustable amount

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

#### 18.5.2 Fixed portion

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

#### 18.5.3 Cost components and proportions

- a) The cost components of the contract price usually constitute the cost of materials (raw material or finished product), cost of direct labour, cost of transport and those other costs which are inclined to change. The proportions are the contribution to the contract price of each of these cost components. In this bid the following cost components will be used to calculate contract price adjustments.
- b) Bidders are requested to submit the cost breakdown of the bid price for each item with their bid. Should the cost breakdown be the same for all items on the bid, please indicate it clearly

25/104TR(22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

in the bid document. Successful bidders will not be allowed to change the cost breakdown of bid prices during the tenure of the contract.

- c) In a case where the same cost components are applicable to all items offered please fill out the Cost components document attached with the bid other than that cost components must be indicated on each line item when finalising pricing schedule.

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

### 18.5.4 Applicable indices / references

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

Cost component	Index Publication	Index Reference
D1 – Imported Raw Material / Finished product (if applicable)	Supplier / Manufacturer invoice(s) and remittance	Documentary evidence to accompany claim.
D2 - Local Raw Material / Finished product (if applicable)	STATS SA P0142.1 (PPI) Table 1	Textiles, clothing and footwear– Clothing OR Documentary evidence to accompany claim

26/104TR(22)



SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

D3 - Labour	STATS SA P0141 (CPI), Table E OR Labour agreement2	Table E - All Items OR Labour agreement to be provided
D4 – Transport	STATS SA P0141 (CPI) Table E	Table E - Transport – Other Running Cost
D5 – Housing and utilities	STATS SA P0141 (CPI) Table E	Table E – Housing and utilities Headline
D6 – other	Specify	Documentary evidence to accompany application

**18.5.5 Base Index Date**

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

**18.5.6 End Index Date**

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

**18.5.7 Price Adjustment Periods**

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

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

27/104TR(22)



# SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104 TR (22)

1 <sup>st</sup> Adjustment	After One year of signing the contract	Date of application of adjustment after approval was obtained
2 <sup>nd</sup> Adjustment	After One year of signing the contract	Date of application of adjustment after approval was obtained

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

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

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

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

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

In the event where the RoE adjustment goes hand in hand with a material/product price increase, the material/product price (in foreign currency) will be converted to South African currency using the base for the earlier invoice and the average RoE rate for the period under review as indicated in paragraph below for the later invoice.

The imported cost component (D1) will be adjusted together with all the other cost components indicated in paragraph 18.5.3 above and at the predetermined dates indicated in paragraph Rate(s) of exchange to be used in this bid in the conversion of the bid price of the item(s) to South African currency is indicated in the table below.

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

28 / 104 TR (22)



## SPECIAL CONDITIONS OF CONTRACT 19/1/9/1/104TR (22)

rates. Please refer to TCBD 2 (Procedure to download historical exchange rates from the Reserve Bank website) for instructions.

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

Adjustment	Average exchange rates for the period:
1st Adjustment	Date to Date

### 19. GENERAL

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

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

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

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

### 20. BREACH OF CONTRACT

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

29/104TR (22)



South African Police Service

30

Request for Bid : 0000003190

Report Run By: BASETSANA LEBESE (7231205-0)

Date: 02/08/2023 12:04:45

104TR (2)

SAPS Bid No. 19/1/9/1/104TR(22)

Document No. 0000003190

Description: SUPPLY,DELIVERY,PLAN,DESING,IMPLEMENTATION ,MAINTENANCE AND SUPPORT OF TRANSMISSION EQUIPMENT FOR THE SOUTH AFRICAN POLICE SERVICE NATIONALLY FOR A PERIOD OF THREE (3) YEARS : DIVISION: TECHNOLOGY MANAGEMENT SERVICES

Currency: ZAR

No Supplier Selected, or the default contact person is not set

Company Name:

Attention:

Tel No:

Fax No: