

SBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	E1/2023/2024	CLOSING DATE:	2 JUNE 2023	CLOSING TIME:	11:00
DESCRIPTION:	PANEL REGISTRATION OF CONTRACTORS FOR THE IMPLEMENTATION OF INFRASTRUCTURE PROJECTS FOR THE FREE STATE DEPARTMENT OF EDUCATION TO ASSIST THE FREE STATE DEPARTMENT OF EDUCATION WITH THE CONSTRUCTION, RENOVATIONS AND REFURBISHMENT WORKS OF VARIOUS INFRASTRUCTURE PROJECTS (3GB, 4GB, 5GB, 6GB GENERAL BUILDING WORKS; 3SQ, 4SQ, 5SQ, SPECIAL WORKS; 3SO, SPECIAL WORKS; 3CE, 4CE CIVIL ENGINEERING WORKS; 3EB, 4EB, 5EB ELECTRICAL ENGINEERING WORKS AND 3ME, 4ME, 5ME MECHANICAL ENGINEERING WORKS), ON AN AS-AND-WHEN REQUIRED BASIS				
PERIOD:	THREE YEARS FROM DATE OF APPOINTMENT				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BID DOCUMENTS MAY BE COURIER TO OR DEPOSITED IN THE BID BOX SITUATED AT: N8 Gateway Office Park: Plot 22 C/O Rudolf Greyling & AW Louw Avenue Estoire, BLOEMFONTEIN, 9301 THE BID BOX IS ON THE OUTSIDE AND LEFT FROM THE DOORS AT ENTRANCE 3					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	K Rampai		CONTACT PERSON	Dr TG Monyane:	
TELEPHONE NUMBER	051-4041873		TELEPHONE NUMBER	051 – 404 9214	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	K.Rampai@fseducation.gov.za		E-MAIL ADDRESS	TG.Monyane@fseducation.gov.za	
SUPPLIER INFORMATION					
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 No:	MAAA.....
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
- IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ 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

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 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 PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 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 MEMBERS 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:

.....

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

STANDARD BID CONDITIONS

1. PRICES SBD 3.1/ Bill of quantities (Not applicable at this stage)

- 1.1 The bidders will be evaluated on functionality to qualify to be included in the Panel Registration of Contractors contract (E1/2023/2024).
- 1.2 Successful service providers included in/registered on the contract for panel registration (E1/2023/2024) will be invited to price on a Bill of Quantity when a need arises and will then be evaluated on either the 90/10 or 80/20 preference point system. The lowest acceptable offer will be used to determine the accurate and applicable preference point system once offers are received.
- 1.3 The 90/80 points for price and the 10/20 points for specific goals will only be evaluated as and when a Bill of Quantity is issued to successful service providers included in the Panel Registration contract.
- 1.4 The specific goals of the department of Education and the target in terms of points allocation of either 10 or 20 points (depending on the amount of the project) will only apply during the time when BOQ is issued to service providers included in the Panel Registration Contractors.

2. COMPLETION AND SUBMITTING OF BID DOCUMENT

A. STANDARD BID DOCUMENTATION FORMS (SBD) TO BE COMPLETED AND SIGNED

- 2.1 **SBD 1:**
The **SBD 1** (Bid Invitation Form) to be completed in full and signed.
- 2.2 **SBD 4:**
The declaration of interest form (SBD 4) to be completed at all times (if applicable or not) and signed by the bidder. The service providers must declare any relationship with any person employed by the Department as contemplated in the SBD 4. Failure to complete and sign the SBD 4 may disqualify your offer.
- 2.3 **SBD 6.1: (WILL BE APPLICABLE WHEN PRICES ARE REQUESTED FROM SERVICE PROVIDERS INCLUDED IN/REGISTERED ON THE PANEL)**

The Preference Point Claim form in terms of the Preferential Procurement Regulations 2022 will be applicable and should be completed and signed by service provider if points are claimed. (This form will only be taking into consideration during time of pricing on the BoQ by the successful service providers included in/registered on the Panel.)

B. CORRECTION FLUID AND CORRECTIONS TO SBD FORMS

- 2.5 Correction fluid (e.g. Tippex) must not be used in bid documents in order to correct mistakes. **Use of correction fluid (tippex) in the bid document are** not acceptable and will invalidate your bid.
- 2.6 Where a bidder wishes to correct a mistake, a single line must be drawn through it and the bidder must place his/her signature and date next to the correction, so that the original entry is still visible and legible.

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Witness 1

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- 2.7 In the case of alterations/corrections a full signature must be attached above, next to or below the said alteration or correction

C. BID FORMS

- 2.8 The bid forms should not be retyped or redrafted.
- 2.9 Only the bid documents issued by the Department of Education Free State must be used.
- 2.10 Bid documents to be completed in full.
- 2.11 Bidders shall check the numbers of the pages and satisfy themselves that none are missing, duplicated or misprinted. No liability shall be accepted in regard to claims arising from the fact that pages are missing, duplicated or misprinted.

D. SUBMITTING OF BID DOCUMENTATION

- 2.12 Unless specifically provided for in the bid document, no bid transmitted by telegram, telex, facsimile or similar apparatus shall be considered.
- 2.13 The bid must be submitted in a **sealed envelope** before the closing date and time and deposited in the bid-box at:

**Department of Education
Acquisition Management Sub-Directorate
N8 Gateway Office Park
Plot 22
C/O Rudolf Greyling & AW Louw Avenue
Estoire
BLOEMFONTEIN
9301**

THE BID BOX IS ON THE OUTSIDE AND LEFT FROM THE DOORS IN ENTRANCE 3

The bid number and closing date must be clearly indicated on the sealed envelope.

- 2.14 Bidders must ensure that bids are delivered timeously to the **correct address**.
- 2.15 Companies must ensure that their bid documentation is thoroughly binded. The Department cannot be held responsible for missing pages if your document is not binded.
- 2.16 Bid documents can be **downloaded** from the National Treasury eTender Publication Portal free of charge at the following address:

<http://www.etenders.gov.za>

(Click then on *Opportunities* and choose *Currently Advertised*) -

OR

<http://www.education.fs.gov.za>

(Click on Budget & Procurement and choose bids and then bid documents.)

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Witness 2

3. LATE BIDS

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

4. NON-COMPULSORY ONLINE ZOOM BRIEFING SESSION WILL BE CONDUCTED:

Details:

Grade 3 and 4 contractors:

Date: 18 May 2023

Time: 9:00

Join Zoom Meeting

<https://us04web.zoom.us/j/72575246598?pwd=E3FKq2TMQTWaevGFuleLjoij15kafM.1>

Meeting ID: 725 7524 6598

Passcode: 0TrDFc

Grade 5 and 6 contractors:

Date: 18 May 2023

Time: 11:00

Join Zoom Meeting

<https://us04web.zoom.us/j/79359870464?pwd=np7doRefEtXkbAeLuH4fByrHGz48pp.1>

Meeting ID: 793 5987 0464

Passcode: 5Mt80i

Meeting will start promptly as scheduled.

5. FUNCTIONALITY

The Department reserves the right to request a presentation should the need arise for this bid.

****A bidder who scored less than 60 OUT OF 100 POINTS on the total functionality points will automatically be disqualified**

6. EVALUATION ON PRICE AND PREFERENCE (80/20 OR 90/10 preference point system)

Please note that the under-mentioned will only be applicable and evaluated on when successful service providers included in/registered on the contract for panel registration (E1/2023/2024) are being invited to price on a Bill of Quantity when a need arises and will then be evaluated on either the 90/10 or 80/20 preference point system. The lowest acceptable offer will be used to determine the accurate and applicable preference point system once offers are received.

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- 6.1 Offers on Bill of Quantities will be evaluated in terms of the new Preferential Procurement Regulation, 2022 Regulation 3.1 (a) and (b).

Preferential Procurement Regulation, 2022 Regulation 3.2 (a) stipulates the following:

“If it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of— (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system. “

The following formula will be used to calculate the points for price:

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

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

- 6.2 Points will be allocated to a Bidder for specific goals as stipulated in the SBD 6.1 form.
- 6.3 Bidders are required to complete the preference claim form (SBD 6.1), and submit the proof as required for specific goals.
- 6.4 Only Bidders who have completed and signed SBD 6.1 AND who submitted the relevant proof for specific goals will be considered for preference points.
- 6.5 Failure on the part of the Bidder to comply with the above paragraphs will be deemed that preference points for specific goals are not claimed and will therefore be allocated a zero (0).
- 6.6 **Criteria for breaking deadlock in scoring:** If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals. If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

7. SPECIFIC GOALS

Please note that the 90/80 points for price and the 10/20 points for specific goals will only be evaluated as and when a Bill of Quantity is issued to successful service providers included in/registered on the Panel Registration contract.

The specific goals of the department of Education and the target in terms of points allocation of either 10 or 20 points (depending on the amount of the project) will only apply during the time when BOQ is issued to service providers appointed on the Panel Registration Contract and will be implemented as follows:

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Where points are claimed for specific goals the SBD 6.1 form should be completed and signed and the following documentation should be attached as proof that bidder qualify for the points for specific goals:

Specific goal	Total Number of Points allocated per preference point system	Documents that should be attached in order to claim points
HDI: Race: Black owned:	80/20: 10 points (1%-25% black owned= 3 points 26%-50% black owned= 5 points 51% and more black owned = 10 points) 90/10: 5 points (1%-25% black owned= 1 point 26%-50% black owned= 3 points 51% and more black owned = 5 points)	- Valid and original/originally certified sworn affidavit or valid and original/originally certified BBBEE certificate <u>AND</u> - Print out CSD report.
Locality: Free State based	80/20: 10 points 90/10: 5 points	- Proof of Free State Municipality account not older than 90 days at the closing date of the bid. Free State Municipal rates and taxes account bearing name of the director(s)/owner/company address. OR Original/Original Certified Copy of Lease Agreement. OR - Original/Original Certified Copy of Sub-Lease Agreement. (Proof that the bidder is sub - leasing a property with a main lease agreement must be submitted together with the sub – lease agreement.) If lease agreement/sub-lease agreement is submitted as proof, the following must be attached: - Certified copies of invoices (from Lessor) for the last three consecutive months; and - Proof of Payments (from the Lessee) for the last three (3) consecutive months.

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Witness 1

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8. **JOINT VENTURE**

No Joint Ventures will be allowed.

9. **PAYMENT TO SUPPLIERS**

Payments will be handled as prescribed by the PFMA and will normally be effected within 30 days of receipt of all the required documentation, which should be correct in every respect.

10. **LEGISLATION / LAWS**

Bidders must comply with the provisions of Labour Legislation as well as any other relevant legislation or legal requirement.

11. **VALIDITY PERIOD OF BID**

The period for which offers are to remain valid and binding (in order for the Department to finalize it), is indicated in the bid documents **(90 DAYS)** and is calculated from the closing time on the understanding that offers are to remain in force and binding until the close of business on the last day of the period calculated and if this day falls on a Saturday, Sunday or public holiday, the bid is to remain valid and binding until the close of business on the following working day.

12. **QUANTITIES**

Where quantities are specified in the bid documents the Department cannot guarantee that they will be ordered as such, as it depends on Departmental needs and availability of funds. The Department is not liable for any damages the contractor might suffer for not ordering specific quantities. Where quantities are specified, "as required" the quantities will be ordered as and when needed.

13. **SPECIFICATION – BIDDERS RESPONSE**

Where a specification provides for the bidders response to the different points of specification, the form must be properly completed. Where items deviate from the requirement, the deviation must be indicated.

14. **QUALIFICATIONS OF BIDDERS**

14.1 The Accounting Officer does not bind himself/herself to accept either the offer scoring the highest point or any bid and reserves the right to accept or cancel the bid which he/she deems to be in the best interest of the Department even if it implies a waiver by the Accounting Officer of certain bid requirements which the Accounting Officer considers to be of minor importance and not complied with by a bidder.

14.2 The department will disqualify any bid from a bidder whose name appears on the national list of restricted bidders/suppliers/persons.

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Employer

Witness 1

Witness 2

- 14.3 The department may terminate the contract in whole or in part if the supplier and/or representatives of the department, in the judgement of the department, committed or have engaged in corrupt or fraudulent practices during the bidding process or the execution of that contract that benefited that supplier.
- 14.4 The Department reserves the right to allocate a bid to different service providers to ensure the empowering of as many companies as possible.

15. COMPLIANCE TO CONTRACT

- 15.1 The Department may monitor compliance to the contract after adjudication of the bid that include, but need not be limited to, site inspections and the request for documentary proof of compliance with the PFMA and relevant legislation.
- 15.2 Where services are rendered, which involves minimum wages for employees in terms of the sectoral wage determination, the Department reserves the right to request copies of payslips of employees during the period of the contract.

16. JOB CREATION

- 16.1 The bid aims to meet the needs of the Department, while also contributing to, amongst other, economic development and job creation.
- 16.1.1 Indicate how many additional permanent staff members will be employed as a result of winning the bid:

- 16.1.2 Indicate how many temporary staff members will be employed as a result of winning the bid:

- 16.1.3 Indicate whether the service of Free State Citizens will be utilized:

YES ☐ NO ☐ [TICK APPLICABLE BOX]

17. CENTRAL SUPPLIER DATABASE (COMPULSORY)

Please note that bidders should be registered on the Central Supplier Database.

PLEASE SUBMIT A PRINTOUT REPORT OF YOUR COMPANY'S DETAILS AS REFLECTED ON THE CENTRAL SUPPLIER DATABASE.

18. LOCAL CONTENT

Service providers are being encouraged to make use of local production and local content.

19. MAXIMUM DELIVERY PERIOD

As indicated in specification.

Contractor

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Employer

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20. PENALTIES

If detected that a preference had been obtained on a fraudulent basis or any specified goals are not attained in the performance of the contract, an organ of state may:

- Recover all costs, losses or damages resulting from the above-mentioned contract.
- Cancel the contract and claim damages.
- Impose a financial penalty, more severe than the theoretical financial preference associated with the claim which was made.
- Restrict the contractor, its shareholders and directors from obtaining business from any organ of state for a period not exceeding 10 years.

21. SUCCESSFUL BIDDERS

- The successful bidder/s will be obliged to sign a contract with the Department.
- Companies that are awarded bids must ensure that the income tax number and VAT number (where applicable) are indicated on the Invoice.

**22. AWARDING CONTRACTS TO GOVERNMENT OFFICIALS IS NOT ALLOWED
A GOVERNMENT EMPLOYEE MUST NOT HAVE A BUSINESS INTEREST IN ANY ENTITY
CONDUCTING BUSINESS WITH THE PROVINCIAL GOVERNMENT.**

In accordance with Treasury Instruction Note 17 of 2012, an employee of the Free State Provincial Government or a provincial public entity may not have a business interest in any entity conducting business with the Provincial Government.

According to the Public Service Regulations, 2016, an employee may not do business with any organ of state.

The Provincial Government may not award any tender or enter into any contract with an employee in the employment of the State.

All bids received contrary to Treasury Instruction Note 17 of 2012 and the Public Service Regulations, 2016 (Regulation 13) shall be disqualified.

23. VALID TAX MATTERS

It is a requirement that the Tax matters of the successful contractor/s are in order when awarded an infrastructure project.

24. SUPPLIER DUE DILIGENCE

The State reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period and this may include pre-announced/non announced site visits. During the due diligence process the information submitted by the bidder will be verified and any misrepresentation thereof may disqualify the bid in whole or parts thereof.

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Witness 1

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25. DECLARATIONS

A bidder must declare that:

- Information provided is true and correct.
- The signatory to the bid document is duly authorized.
- Documentary proof regarding any bid issue will, when required, be submitted to the satisfaction of the State.

26. THE BIDDER MUST COMPLETE THE FOLLOWING:

This is to certify that the above standard conditions have been read and the bidder undertakes to comply herewith for the full duration of the contract/bid. It is further accepted that any deviation from the bid conditions, requirements and specifications as well as false information provided on any form/document may result in the termination of contract prior to expiry.

I _____ in my capacity as _____ of
_____(Company), hereby certifies that I take note and accept the
above-mentioned Standard Conditions, Special Conditions of the Contract and the General
Conditions of a Contract. I further declare that the information submitted is correct.

SIGNATURE

Contact person of company: _____

Tel. of company: (____) _____

Fax of company: (____) _____

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



SPECIFICATION

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

DEPARTMENT OF EDUCATION, FREE STATE

BID NO.: E1/2023/2024

INVITATION TO BID E1/2023/2024 FOR PANEL REGISTRATION OF CONTRACTORS FOR THE IMPLEMENTATION OF INFRASTRUCTURE PROJECTS FOR THE FREE STATE DEPARTMENT OF EDUCATION FOR A PERIOD OF THREE YEARS STARTING FROM DATE OF APPOINTMENT TO ASSIST THE FREE STATE DEPARTMENT OF EDUCATION WITH THE CONSTRUCTION, RENOVATIONS AND REFURBISHMENT WORKS OF VARIOUS INFRASTRUCTURE PROJECTS (3GB, 4GB, 5GB, 6GB GENERAL BUILDING WORKS; 3SQ, 4SQ, 5SQ, SPECIAL WORKS; 3SO, SPECIAL WORKS; 3CE, 4CE CIVIL ENGINEERING WORKS; 3EB, 4EB, 5EB ELECTRICAL ENGINEERING WORKS AND 3ME, 4ME, 5ME MECHANICAL ENGINEERING WORKS), ON AN AS-AND-WHEN REQUIRED BASIS FOR A PERIOD OF THREE (3) YEARS STARTING FROM DATE OF APPOINTMENT.

Contractor

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Employer

Witness 1

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PORTION 2: INTRODUCTION

PART T1

TERMS OF REFERENCE

It is the intention of the Free State Department of Education (FSDoE) to enter a formal contract with service providers that will carry out the services described hereunder. These Terms of Reference and the Service Provider's registration will form the basis of the Panel of contractors' agreement.

Panel of contractors' agreements are designed to allow the employer to invite bids from contractors to carry out work on an as instructed basis over a set term. Panel of contractors' agreement is between two parties that establish the terms for the supply of goods, construction works or services over period within a broad scope of work without guaranteeing any quantum of goods, services or works.

The essential elements of a Panel of contractors' agreement are:

- An agreement is only entered into with contractors who have the resources and the capacity to carry out work that is likely to be instructed.
- A Panel of contractors' agreement uses Bills of Quantities as the basis by which contractors are to be remunerated for instructed work by the employer.
- The scope of work of a Panel of contractors' agreement needs to identify the extent and location of the work covered by the contract as the employer may not instruct a contractor to provide work outside of the scope of work associated with the contract.
- Contractors may only proceed with work associated with a batch/task/package when an official batch/task/package order to do so.
- Employers are not permitted to issue an appointment letter after the end date of the term of the Panel of contractors' agreement.
- Any work commenced before the end of the term of a Panel of contractors' contract may continue until the end date provided in the batch/task/package order.
- Inclusion of bidders on the panel of registered contractors does not automatically lead to an appointment of a project, project(s) will be on a need basis.

The above-mentioned processes, methods and procedures will be provided in detail in SECTION 4.

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Witness 1

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SECTION 1: SUMMARY OF BRIEF

Panel registrations are requested from CIDB registered service providers with grading of 3GB, 4GB, 5GB, 6GB General Building Works, 3SQ, 4SQ, 5SQ Special Works, 3SO, Special Works, 3CE, 4CE, Civil Engineering Works and 3EB, 4EB, 5EB Electrical Engineering Work and 3ME, 4ME, 5ME Mechanical Engineering Works. Service providers must have experience and qualification to undertake implementation of construction, renovations, refurbishment, and other related projects for the Free State Department of Education.

SECTION 2: PROJECT DESCRIPTION

2.1 BACKGROUND

The Free State Department of Education seeks to accelerate delivery of education infrastructure and related services to improve access and meet its objective of providing quality education to all learners in the province. The Free State has approximately 1006 Public Ordinary & Farms Schools (Primary, Intermediate, Combined, and Secondary) in five (5) districts of the province. Inequalities inherited from the past have resulted in wide disparities in the state of schools in the province with historically underprivileged areas typically overcrowded and in poor condition.

Most school's facilities are either dilapidated and needs urgent refurbishment, lack basic services to meet the norms and standard requirements or there is a need of additional facilities which has resulted in overcrowding that impacts negatively on quality teaching and learning. Due to insufficient funding of education infrastructure in the previous financial years, preventative maintenance was neglected resulting in further deterioration of the conditions of facilities.

It is against this background that the Free State Department of Education is seeking to register service provider, in the form of construction companies for the implementation of infrastructure projects for period of three (3) years starting from date of appointment.

SECTION 3: PROJECT PURPOSE / OBJECTIVES

The Department of Education intends to establish a data base of service providers capable of implementing construction, renovations, refurbishment, maintenance, and other related projects in the Free State Province. To ensure that the Department consistently meet its service delivery targets as communicated through IAMP development processes, sufficient resources and effective measures need to be put in place. To achieve this, the Department needs to have a readily available pool of contractors which can be called upon to assist in the roll out of infrastructure projects as and when requested. The FSDoE would like to invite contractors to be included into a Panel of contractors' contract, with no guarantee of any quantum of works. The objective is to have a readily available pool of contractors which can be called upon to quote for work in the different classes of construction works on an as-and-when basis.

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Witness 2

To fast track the delivery and implementation of projects FSDoE would like to establish a Panel of contractors' contract with contractors that can be called upon to quote for and perform the following classes of work:

- General Building Works (GB)
- Special Works – Fencing (SQ)
- Special Works – Wet Service and Plumbing (SO)
- Civil Engineering (CE)
- Electrical Engineering – Building (EB)
- Mechanical Engineering (ME)

SECTION 4: SCOPE OF WORK

4.1 SCOPE OF WORK

The Department has various infrastructure projects that need to be implemented. The scope of work shall cover for the following:

a) General Building Works (3GB, 4GB, 5GB, 6GB)

Construction works that are primarily concerned with development, extension, installation, renewal, renovation, alteration or dismantling of a permanent shelter for its occupants or contents; or cannot be categorized in terms of the definitions provided for civil engineering works, electrical works, mechanical engineering works, or specialist works.

b) Special Works – Fencing (3SQ, 4SQ, 5SQ)

The development, extension, installation, repairs, dismantling of precast walls, installation of wire perimeter fencing, mesh reinforced epoxy powder coated security fence, diamond perimeter fencing, palisade steel fencing with posts and stay at intervals.

c) Special Works – Wet Service and Plumbing (3SO)

The development, extension, installation, renewal, removal, alteration, or dismantling or demolition of water installations and soil and wastewater drainage associated with buildings.

d) Civil Engineering Works (3CE, 4CE)

Construction works primarily concerned with materials such as steel, concrete, earth and rock and their application in the development, extension, installation, maintenance, removal, renovation, alteration, or dismantling of building and engineering infrastructure.

e) Electrical Engineering Works – Building (3EB, 4EB, 5EB)

Construction works primarily concerned with the installation, extension, modification, or repair of electrical installations in or any premises used for the transmission of electricity from a point of control to a point of consumption, including any article forming part of such an installation.

f) Mechanical Engineering Works (3ME, 4ME, 5ME)

Construction works that are primarily concerned with the development, extension, installation, removal, alteration, renewal of engineering infrastructure for gas transmission and distribution, solid waste disposal, heating, ventilation and cooling, chemical works, metallurgical works, manufacturing, food processing and material handling.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

4.2 COMPETITIVE BIDDING PROCESS

Subsequent to conclusion of a panel register of contractors, a minimum of five (5) service providers will be requested by the department to price detailed bill of quantities in a competitive bidding process which shall be in line with the Preferential Procurement Policy Panel of contractors' Act (PPPFA). Thus, Inclusion of contractors on the panel register of contractors does not automatically lead to an appointment.

4.3 REMUNERATION FOR PANEL OF CONTRACTORS'

After conclusion of the contractors who are successfully included on the panel register of contractors, and furthermore a bidding process is called and ends up with an appointment of a contractor for a specific project, service providers will be remunerated based on work completed, subject to measurement according to a priced bill of quantities, verified by the employer's delegated project manager.

4.4 SERVICE LEVEL AGREEMENT / CONTRACT

In the event that a contractor is appointed for a specific project after inclusion in the panel of contractors, the service provider shall enter JBCC (edition 6.2 2018) contract with the employer. Such document must be made available to the employer at no additional cost.

4.5 SPECIFIC GOALS

The specific goals of the Department of Education and the target in terms of points allocation of either 20 or 10 points during the competitive bidding process after establishment of the panel of contractors will be as follows:

- A. In implementing the Preferential Procurement Policy Framework Act, 2000, together with Preferential Procurement Regulations, 2022. The FSDoE will allocate preferential points as follows:
1. The promotion of enterprises located in a specific province (Free State based) for work to be done or services to be rendered in that province with point allocation of 5 points in case of 90/10 or 10 points in case of 80/20.
 2. Historically disadvantaged individuals: Black owned ownership with point allocation of:
1-25%: In case of 80/20: 3 points; In case of 90/10: 1 point
26%-50%: In case of 80/20: 5 points; In case of 90/10: 3 points
More than 51%: In case of 80/20: 10 points; In case of 90/10: 5 points

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

The department **will only** accept the following documentation for the promotion of enterprises located in a specific province (Free State based) for work to be done or services to be rendered in that province.

- Proof of relevant Free State Municipality account not older than 90 days at the closing date of the bid. Free State Municipal rates and taxes account bearing name of the director(s)/owner/company address
OR
- Original/Original Certified Copy of Lease Agreement.
OR
- Original/Original Certified Copy of Sub-Lease Agreement. (Proof that the bidder is sub - leasing a property with a main lease agreement must be submitted together with the sub – lease agreement.)

If lease agreement/sub-lease agreement is submitted as proof, the following must be attached: Certified copies of invoices (from Lessor) for the last three consecutive months; and proof of Payments (from the Lessee) for the last three (3) consecutive months.

The department **will only** accept the following documentation for Historical disadvantaged individuals:

- Valid and original/originally certified sworn affidavit or valid and original/originally certified DTI, SANAS accredited BBBEE certificate together with
- Print out CSD report.

5. FUNCTIONALITY

The bidders will be assessed for the pre-qualification as set out below. Failure to comply with the below mentioned requirements will lead to points being forfeited. Bidders scoring less than the minimum score of **60 points** for pre-qualification will automatically be disqualified:

NB: Functionality requirements must be in line with the track record of works capability according to CIDB requirements for experience and financial capacity. The department reserves the right to draw up its own additional functionality based on historical performance of the previous panel of contractors.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



information to the contractor's annual turnover during this period, to determine grading the bid will consider the contractor's best annual turnover of the two years.

The following are turnover requirements in the different grades.

GRADE	Best annual turnover	Available capital
2	-	-
3	R1 000 000	R100 000
4	R2 000 000	R200 000
5	R3 250 000	R650 000
6	R6 500 000	R1 300 000

SECTION 6: JOINT VENTURES

No Joint Ventures will be allowed.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

SECTION 7: PANEL REGISTRATION FUNCTIONALITY CRITERIA

7.1 MINIMUM REQUIREMENTS

Minimum requirements will be based on the evaluation criteria as mentioned in 7.2 below for functionality.

FUNCTIONALITY (3GB, 3SQ, 3SO, 3CE, 3EB, 3ME):

CRITERION	MAXIMUM SCORING POINTS	NUMBER OF POINTS PER SUB-CRITERION	MEANS OF VERIFICATION
1.1 Experience in similar projects	40	Number of projects completed in the past in a class of work: - Maximum Two (2) appointment letters, combined value of R1 000 000 or more = 20 pts - One (1) appointment letter of R1 000 000 or more = 25 pts - Two (2) appointment letters, each equalling to R1 000 000 or more = 30 pts - Three (3) or more appointment letters, each equalling to R1 000 000 or more = 40 pts	- Specify when, where, and for which institutions the projects were undertaken within the last 5 years. Provide proof of contractual agreements or appointment letters which must include the following information: - Contactable reference - Date of appointment - Value of work/project must be a minimum of CIDB grading for which you are tendering. The value of work/project must be a minimum of R1 000 000 (3GB, 3SQ, 3SO, 3CE, 3EB, 3ME) for each letter submitted except in case where 2 letters are required equating to a combined value of R1million.
1.2 Quality	40	Corresponding Reference letters AND Completion Certificates for the projects listed in 1.1 (Experience in similar projects within building services): - Maximum Two (2) reference letters =10pts and 2 completion certificates of appointments as per bullet one in 1.1 = 10 pts - One (1) reference letter =12,5pts and One completion certificate as per bullet two in 1.1 = 12,5 pts - Two (2) reference letters as per bullet three in 1.1 = 15 pts and Two (2) completion certificates =15pts - Three (3) reference letters as	- Corresponding reference letters (As per template provided in page 14 of this document) and completion certificates of projects indicated above as per contractual agreement or appointment letter submitted must include the following minimum information for consideration: - contactable reference - value of work done - indication if work was completed successfully

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

CRITERION	MAXIMUM SCORING POINTS	NUMBER OF POINTS PER SUB-CRITERION	MEANS OF VERIFICATION
		per bullet four = 20pts and Three (3) completion certificates = 20pts	
1.3 Proof of financial capability of the bidder equivalent to the CIDB grading	20	Signed Financial Statements prepared by Qualified and Accredited Accountant: ▪ Signed Financial Statements prepared by Qualified and Accredited Accountant or a registered Chartered accountant indicating annual turnover of R1 000 000 or more as per CIDB requirements in respect of the contractor grading (3GB, 3SQ, 3SO, 3CE, 3EB, 3ME) = 20 pts ▪ No financial statements attached = 0 pts ▪ Unsigned Financial Statements not prepared by qualified Accredited Account = 0 pts	• Financial statement signed off by a qualified and accredited accountant or a registered Chartered accountant. • Financial statement signed by accountant or registered accountant. • The department reserves the right to verify the authenticity and credibility of the Financial Statement that are submitted with the Bid.
TOTAL SCORE	100 points		

* The Department reserves the right to request a presentation should the need arise for this bid.

A bidder who scored less than **60 on the total functionality points will automatically be disqualified.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FUNCTIONALITY (4GB, 4SQ, 4CE, 4EB, 4ME): The same inputs will apply as for grading 3 above with thresholds of CIDB requirements

CRITERION	SCORING POINTS	NUMBER OF POINTS PER SUB-CRITERION	MEANS OF VERIFICATION
1.1 Experience in similar projects	40	Number of similar projects completed in the past: - One (1) appointment letter equal to R2 000 000 or more = 20 pts - Two (2) appointment letters, each equalling to R2 000 000 or more = 30 pts - Three (3) or more appointment letters, each equalling to R2 000 000 or more = 40 pts	- Specify when, where, and for which institutions the projects were undertaken within the last 5 years. Provide proof of contractual agreements or appointment letters which must include the following information: - Contactable reference - Date of appointment - Value of work/project must be a minimum of CIDB grading for which you are tendering. The value of work/project must be a minimum of R2 000 000 (4GB, 4SQ, 4SO, 4CE, 4EB, 4ME) for each letter submitted.
1.2 Quality	40	Corresponding Reference letters AND Completion Certificates for the projects listed in 1.1 (Experience in similar projects): - One (1) reference letter = 10pts and One (1) completion certificate = 10pts - Two (2) reference letters = 15pts and Two (2) completion certificate = 15pts - Three (3) reference letters = 20pts and Three (3) completion certificate = 20 pts	- Corresponding reference letters (As per template provided in page 14 of this document) and completion certificates of projects indicated above as per contractual agreement or appointment letter submitted must include the following minimum information for consideration: - contactable reference - value of work done - indication if work was completed successfully
1.3 Proof of financial capability of the bidder equivalent to the CIDB grading	20	Signed Financial Statements prepared by Qualified and Accredited Accountant or a registered Chartered accountant: Signed Financial Statements prepared by Qualified and Accredited Accountant or a registered Chartered accountant indicating annual turnover of R2 000 000 or more as per CIDB requirements in respect of the contractor grading (4GB, 4SQ, 4SO, 4CE, 4EB, 4ME) =	- Financial statement signed off by a qualified and accredited accountant or a registered Chartered accountant. - Financial statement signed by accountant or registered accountant. - The department reserves the right to verify the authenticity and credibility of the Financial Statement that are submitted with the Bid.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

CRITERION	SCORING POINTS	NUMBER OF POINTS PER SUB-CRITERION	MEANS OF VERIFICATION
		20 pts - No financial statements attached = 0 pts - Unsigned Financial Statements not prepared by qualified Accredited Account = 0 pts	
TOTAL SCORE	100 points		

* The Department reserves the right to request a presentation should the need arise for this bid.

A bidder who scored less than **60 on the total functionality points will automatically be disqualified.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FUNCTIONALITY (5GB, 5EB, 5ME 5SQ): The same inputs will apply as for grading 4 above with thresholds of CIDB requirements

CRITERION	SCORING POINTS	NUMBER OF POINTS PER SUB-CRITERION	MEANS OF VERIFICATION
1.1 Experience in similar projects	40	Number of similar projects completed in the past: - One (1) appointment letter equal to R3 250 000 or more = 20 pts - Two (2) appointment letters, each equating to R3 250 000 or more = 30 pts - Three (3) or more appointment letters, each equal to R3 250 000 or more = 40pts	- Specify when, where, and for which institutions the projects were undertaken within the last 5 years. Provide proof of contractual agreements or appointment letters which must include the following information: - Contactable reference - Date of appointment - Value of work/project must be a minimum of CIDB grading for which you are tendering. The value of work/project must be a minimum of R3 250 000 (5GB) for each letter submitted.
1.2 Quality	40	Corresponding Reference letters AND Completion Certificates for the projects listed in 1.1 (Experience in similar projects): - One (1) reference letter = 10pts and One (1) completion certificate = 10 pts - Two (2) reference letters = 15pts and Two (2) completion certificate = 15pts - Three (3) reference letters = 20pts and Three (3) completion certificate = 20pts	- Corresponding reference letters (As per template provided in page 14 of this document) and completion certificates of projects indicated above as per contractual agreement or appointment letter submitted must include the following minimum information for consideration: - contactable reference - value of work done - indication if work was completed successfully
1.3 Proof of financial capability of the bidder equivalent to the CIDB grading	20	Signed Financial Statements prepared by Qualified and Accredited Accountant or a registered Chartered accountant indicating annual turnover of R3 250 000 or more as per CIDB requirements in respect of the contractor grading (5GB, 5SQ, 5SO, 5CE, 5EB, 5ME) = 20 pts - No financial statements attached = 0 pts - Unsigned Financial Statements not prepared by qualified Accredited Account	- Financial statement signed off by a qualified and accredited accountant or a registered Chartered accountant. Financial statement signed by accountant or registered accountant. - The department reserves the right to verify the authenticity and credibility of the Financial Statement that are submitted with the Bid.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

CRITERION	SCORING POINTS	NUMBER OF POINTS PER SUB-CRITERION	MEANS OF VERIFICATION
		= 0 pts	
TOTAL SCORE	100 points		

* The Department reserves the right to request a presentation should the need arise for this bid.

A bidder who scored less than **60 on the total functionality points will automatically be disqualified.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FUNCTIONALITY (6GB): The same inputs will apply as for grading 5 above with thresholds of CIDB requirements

CRITERION	SCORING POINTS	NUMBER OF POINTS PER SUB-CRITERION	MEANS OF VERIFICATION
1.1 Experience in similar projects	40	Number of similar projects completed in the past: - One (1) appointment letter equal to R6 500 000 or more = 20 pts - Two (2) appointment letters, each equalling to R6 500 000 or more = 30 pts - Three (3) or more appointment letters, each equalling to R6 500 000 or more = 40 pts	- Specify when, where, and for which institutions the projects were undertaken within the last 5 years. Provide proof of contractual agreements or appointment letters which must include the following information: - Contactable reference - Date of appointment - Value of work/project must be a minimum of CIDB grading for which you are tendering. The value of work/project must be a minimum of R6 500 000 (6GB, 6SQ, 6CE) for each letter submitted.
1.2 Quality	40	Corresponding Reference letters AND Completion Certificates for the projects listed in 1.1 (Experience in similar projects): - One (1) reference letter = 10pts and One (1) completion certificate = 10 pts - Two (2) reference letters = 15pts and Two (2) completion certificate = 15pts - Three (3) reference letters = 20pts and Three (3) completion certificate = 20pts	- Corresponding reference letters (As per template provided in page 14 of this document) and completion certificates of projects indicated above as per contractual agreement or appointment letter submitted must include the following minimum information for consideration: - contactable reference - value of work done - indication if work was completed successfully
1.3 Proof of financial capability of the bidder equivalent to the CIDB grading	20	Signed Financial Statements prepared by Qualified and Accredited Accountant or a registered chartered accountant indicating annual turnover of R6 500 000 as per CIDB requirements in respect of the contractor grading (6GB, 6SQ, 6CE) = 20 pts - No financial statements attached = 0 pts - Unsigned Financial Statements not prepared	- Financial statement signed off by a registered Chartered accountant. - Financial statement signed by accountant or registered accountant. - The department reserves the right to verify the authenticity and credibility of the Financial Statement that are submitted with the Bid.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

CRITERION	SCORING POINTS	NUMBER OF POINTS PER SUB-CRITERION	MEANS OF VERIFICATION
		by qualified Accredited Account = 0 pts	
TOTAL SCORE	100 points		

* The Department reserves the right to request a presentation should the need arise for this bid.

A bidder who scored less than **60 on the total functionality points will automatically be disqualified.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

SECTION 8: **COMPULSORY INDICATION OF CIDB GRADING**

8.1. REQUIREMENTS

Note: Contractors do not have to mark/tick all grading levels below the highest one he/she is bidding for when indicating gradings tendering for. Meaning if you are a 6GB or higher you do not have to tick 5GB, 4GB & 3GB as you already qualify for all those grades, and being appointed as 6GB does not mean you will not be requested to quote for lower grades as stipulated by CIDB. However, contractors are strongly advised to analyze the functionality for each grade and category of work properly and choose the grading that has strong supporting evidence based on the requirements of the functionality.

It is **COMPULSORY** to complete the table below by indicating with a mark/tick the CIDB grading and the category/class of work for which you are tendering for. The contractor must tick the box for **ALL** the category/class of work he/she wishes to be registered, but **ONLY** the highest level of grading he/she wishes to be registered for on the Panel of contractors. A CIDB printout must be attached as a proof for you qualify for the grading and category/class of work that you are tendering for.

	Category / Class of work					
Level of Grading	GB	SQ	CE	EB	SO	ME
3						
4						
5						
6						

Enquiries : Dr TG Monyane
Tel. : 051 – 404 9214
E-mail : TG.Monyane@fseducation.gov.za

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

TEMPLATE: REFERENCE LETTER

EVALUATION SCHEDULE: EXPERIENCE ON PREVIOUS PROJECTS REFERENCES

The Tenderer shall provide details of his performance on each of the previous projects listed in the "Relevant Experience" returnable schedule. "Reference letters" will be completed by each of the respective Clients for the projects listed in the "reference letters" returnable schedule.

REPORT ON BIDDER'S COMPETENCE & PERFORMANCE ON A PROJECT FOR TENDER RECOMMENDATION PURPOSES

The following are to be completed by the Client and is to be supported in each case accompanied by Signed Appointment Letter; (ii) Signed and Stamped Reference (in the form issued to the tenderer)

PROJECT A

TYPE OF PROJECT e.g......

(New school, renovation of clinic, engineering, etc.)

Client.....

Contract Amount:.....

Contract Duration and Actual Contract Duration.....

Performance	Time		Quality	
Very Good	5		5	
Good	4		4	
Satisfactory	3		3	
Poor	2		2	
Not Acceptable	1		1	

Any other remarks considered necessary to assist in evaluation of the Service Provider?

.....

Client contact person.....

Telephone:.....

I hereby declare that to the best of my knowledge, information completed above is true and correct and I understand that I will be held responsible for any misrepresentation.

Client Signature:..... **Date:**.....

STAMP

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



SBD FORMS TO BE COMPLETED AND SIGNED:

- **SBD 1**
- **SBD 4**
- **SBD 6.1**

(This form will be issued with each
project in order to claim points.)

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES/NO

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

SBD 4

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

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

² 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.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

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

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 To be completed by the organ of state

Either the 90/10 or 80/20 preference point system will be applicable as and when a Bill of Quantity is issued to successful service providers appointed on the Panel Registration contract. The lowest acceptable offer will be used to determine the accurate system once offers are received.

1.3 Points for projects invited under this bid (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for projects issued under this tender will be allocated as follows:

	POINTS
PRICE (will only be evaluated as and when a Bill of Quantity is issued to successful service providers included in/registered on the Panel Registration contract.	90 or 80
SPECIFIC GOALS will only be evaluated as and when a Bill of Quantity is issued to successful service providers included in/registered on the Panel Registration contract.	10 or 20
Total points for Price and SPECIFIC GOALS	100

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

SPECIFIC GOALS <u>(The specific goals of the department of Education and the target in terms of points allocation of either 10 or 20 points (depending on the amount of the project) will only apply during the time when BOQ is issued to service providers included in/appointed on the Panel Registration Contract and will then be implemented as follows:</u>	Maximum Number of points allocated (90/10 system) (To be completed by the organ of state)	Maximum Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
HDI: Race: Black owned:	5 points: (1%-25% black owned=1 point 26%-50% black owned= 3 points 51% and more black owned = 5 points)	10 points : (1%-25% black owned= 3 points 26%-50% black owned= 5 points 51% and more black owned = 10 points)		
Promotion of enterprises located in a specific province (Free State based companies)	5 points	10 points		

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:
- 4.5. TYPE OF COMPANY/ FIRM
- ☐ Partnership/Joint Venture / Consortium
 - ☐ One-person business/sole propriety
 - ☐ Close corporation
 - ☐ Public Company
 - ☐ Personal Liability Company
 - ☐ (Pty) Limited

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

- ☐ Non-Profit Company
☐ State Owned Company
[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
 - (a) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

Contractor	Witness 1	Witness 2	Employer	Witness 1	Witness 2

AUTHORITY OF SIGNATORY

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category and attach any supporting documentation to the relevant schedule.

A Company	B Partnership	Joint Venture	C Sole Proprietor	D Close Corporation
		NOT ALLOWED		

A. Certificate for Company

....., chairperson of the board of directors of
in the capacity of, was authorized to sign all documents in
connection with this tender and any contract resulting from it on behalf of the company.

As witnesses:

1. Signature : Sole owner :
2. Date :

Tenderers must attach a copy of the Resolution of the Board - refer to Schedule 2.....

B. Certificate for Partnership

We, the undersigned, being the key-partners in the business trading as
..... hereby authorize Mr/Ms
acting in the capacity of to sign all documents in connection with
this tender and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

NOTE: This certificate is to be completed and signed by all of the key-partners upon who rests the direction of the affairs of the Partnership as a whole.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



c. Certificate for Sole Proprietor

I, hereby confirm that I am the sole owner of the business trading as
.....

As witnesses:

Signature : Sole owner

1. :
Date
2. :

D. Certificate for Close Corporation

We, the undersigned, being the key members in the business trading as
..... hereby authorize Mr/Ms
acting in the capacity of, to sign all documents in connection with this tender and
any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

NOTE: This certificate is to be completed and signed by all of the key-members upon who rests the
direction of the affairs of the cc as a whole.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



ATTACH:

- **PROOF OF REGISTRATION ON**
CSD

PRINT OUT REPORT OF CSD

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



ATTACH CIDB PRINT OUT THAT REFLECTS YOUR GRADING

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



1.1 FUNCTIONALITY

ATTACH:

APPOINTMENT

LETTERS

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



1.2 FUNCTIONALITY

ATTACH:

**REFERENCE LETTERS AND
COMPLETION CERTIFICATES
THAT CORRESPOND WITH
APPOINTMENT LETTERS**

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



1.3 FUNCTIONALITY

ATTACH:

- Financial statement signed off by a registered Chartered accountant.
- Financial statement signed by registered accountant.

The department reserves the right to verify the authenticity and credibility of the Financial Statement that are submitted with the Bid.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



ATTACH:

1) CERTIFIED COPY OF COMPANY REGISTRATION CERTIFICATE REFLECTING ACTIVE MEMBERS

(CK1/CK2)/TRUST DEED/PTY LTD MEMORANDUM OF
INCORPORATION/CERTIFICATE OF INCORPORATION/ PARTNERSHIP
AGREEMENT ETC.

2) ID DOCUMENTS OF DIRECTORS/OWNERS

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



CHECK LIST:			
SUMMARY OF FORMS TO BE COMPLETED AND REQUIREMENTS			
PLEASE ENSURE THAT YOU SIGN AND COMPLETE THE FOLLOWING DOCUMENTS:			
SBD FORM	DESCRIPTION	TO BE COMPLETED BY	COMMENTS ON COMPLIANCE BY SERVICE PROVIDER
STANDARDIZED BID FORMS			
SBD 1	Invitation to bid	To be completed and signed by the service provider.	
SBD 4	Declaration of interest	To be completed and signed by the service provider.	
SBD 6.1	Preference points claim form	To be completed and signed by the service provider in order to claim points. <u>Point system will only be applicable as and when a Bill of Quantity is issued to successful service providers appointed on the Panel Registration contract.</u>	
CIDB REQUIREMENT			
Attach a printout of the grading of your company.			
CSD REPORT			
CSD PRINT OUT SARS PIN	Ensured that it is attached.		

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



GENERAL CONDITIONS OF CONTRACT IS APPLICABLE

www.treasury.gov.za

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract.pdf>

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2