



**SOUTH AFRICAN BROADCASTING SABC SOC LIMITED**  
(“the SABC”)

**REQUEST FOR PROPOSAL (RFP)**

**RFP NUMBER: RFP/LOG/2024/10245973/31**

**RFP TITLE: SUPPLY, INSTALLATION, COMMISSIONING AND MAINTENANCE OF A STANDBY GENERATOR  
IN THE NORTH-WEST PROVINCE**

**EXPECTED TIMEFRAMES**

<b>BID PROCESS</b>	<b>EXPECTED DATES</b>
<b>Bid Advertisement Date</b>	<b>1 November 2024</b>
<b>Bid Documents Available From</b>	National Treasury’s tender portal ( <a href="http://www.etenders.gov.za">http://www.etenders.gov.za</a> ) SABC Website ( <a href="http://www.sabc.co.za/sabc/tenders/">http://www.sabc.co.za/sabc/tenders/</a> )
<b>Compulsory Briefing Session &amp; Site Visit Date &amp; Time</b>	<b>10am-1pm on 8 November 2024</b>
<b>Briefing Session Venue &amp; Site Visit</b>	SABC Mahikeng Office, Cnr Dr Albert Luthuli & James Moroka Drive, Mahikeng
<b>Bid Closing Date and Time</b>	<b>22 November 2024 @ 12 noon</b>
<b>Contact details</b>	<a href="mailto:tenderqueries@sabc.co.za">tenderqueries@sabc.co.za</a>

NOTE: Non-attendance of the scheduled compulsory briefing session and site visit will result in automatic disqualification of bids to be submitted.

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

**BIDS DELIVERY**

All bids must be submitted electronically via email [rfpsubmissions@sabc.co.za](mailto:rfpsubmissions@sabc.co.za)

Late Bid submissions will not be accepted for consideration by the SABC.

## 1. REQUIRED MANDATORY DOCUMENTS

1.1 Valid registration with the CIDB with a minimum of Grade 5 EP or 4 EP PE.

**NON-SUBMISSION OF THE MANDATORY DOCUMENTS WILL RESULT IN AUTOMATIC DISQUALIFICATION**

## 2. REQUIRED DOCUMENTS

- 2.1 SARS "Pin" to validate supplier's tax matters
- 2.2 Original or Certified copy of Valid BBBEE Certificate (from SANAS accredited Verification Agency)
- 2.3 All EME's and 51% black Owned QSE's are only required to obtain a **sworn affidavit** on an annual basis, confirming the following:
  - 3.3.1. Annual Total Revenue of R10 Million or less (EME) or Revenue between R10 Million and R50 Million for QSE
  - 3.3.2. Level of Black Ownership

### Note 1:

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

### Note 2:

Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE act as amended and SABC shall reject the tender..

- 2.4 Proof of Valid TV License Statement (Company's, Shareholders and all Directors'), or affidavit proving that company and/or officials are not in possession of TV licence. Verification will also be done by the SABC internally.
- 2.5 Certified copy of Company Registration Document that reflects Company Name, Registration number, date of registration and active Directors or Members.
- 2.6 Certified copy of Shareholders' certificates.
- 2.7 Certified copy of ID documents of the Directors or Members.
- 2.8 Last three years audited/reviewed financial statements OR the Companies Management Accounts.

**NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDER WHOSE TAX AND TV LICENCE MATTERS ARE NOT IN ORDER.**

**THE WINNING BIDDER IS REQUIRED TO MAINTAIN OR IMPROVE THE B-BBEE LEVEL AT WHICH THE TENDER WAS AWARDED.**

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## DOCUMENT A

### CONDITIONS TO BE OBSERVED WHEN BIDDING

#### 1.0 LODGING OF PROPOSALS

1.1 Bidders are required to complete and sign the RFP Document and initial all pages (including proposal and brochures).

1.2.2. Electronic submission:

Bids must be submitted electronically must adhere to the following:

- The single point of entry for queries is [tenderqueries@sabc.co.za](mailto:tenderqueries@sabc.co.za).
- Submissions must be submitted in a PDF format that is protected from any modifications, deletions or additions via the address [rfpsubmissions@sabc.co.za](mailto:rfpsubmissions@sabc.co.za).
- All submissions must be prominently marked with the full details of the tender in the email subject line namely Bidder's Name, Tender No and Tender Title.
- Bidders are advised to email submissions at least 60 minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time
- Tender submissions received after submission date and time will be declared late bid submissions and will not be accepted for consideration by SABC.

1.4 The SABC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:

- Receipt of incomplete bid
- File size
- Delay in transmission or late receipt of the bid
- Failure of the Bidder to properly identify the bid
- Illegibility of the bid; or
- Security of the bid data.

1.5 Bidders must ensure that bids are delivered timeously to the correct address. Bids not received in a specified manner, and by the specified time and date as set out in this RFP document will be rejected.

#### 2.0 COMPLIANCE WITH CONDITIONS OF PROPOSAL

2.1 No alteration, amendment or variation of the submitted proposal post the closing date of this bid shall be permitted nor accepted.,

#### 3.0 COMPLIANCE WITH TECHNICAL SPECIFICATIONS

- 3.1 All bidders are required to submit bids in accordance with stipulated technical specification as indicated on this bid document. Failure to comply with the required technical specification will result in disqualification of the bid.

#### **4.0 SCHEDULE OF QUANTITIES**

- 4.1 Bidders are required to submit a detailed Schedule of Quantities indicating how the bid amount is composed. This schedule shall contain itemised descriptions, quantities, and unit prices.

#### **5.0 BID PRICES**

- 5.1 No change in the submitted bid prices shall be accepted and/or approved by the SABC after receipt and before award of this bid.
- 5.2 All prices are to be quoted in the Republic of South African Rand with VAT.
- 5.3 All local suppliers quoting in foreign currency must convert the currency to Rands and indicate the exchange rate applicable.
- 5.4 The prices quoted should be inclusive of all costs needed to perform the specified services, not limited to, all kinds of local guaranteed bonds, taxes and duties, customs, customs clearance, inland transportation, storage, unpacking, positioning, installation, integration and testing. The prices quoted should be inclusive of all costs for the duration of the project.
- 5.5 This bid document is not an offer to purchase, order or contract.
- 5.6 Prices must be fixed for the first year and shall, where applicable, be subject to an increase of not more than the applicable CPI.
- 5.7 Bid prices for supplies in respect of which installation/erection/assembly is a requirement, shall include ALL costs on a basis of delivery on site as specified.
- 5.8 Any response submitted by a Bidder is subject to negotiation and review by the SABC.

#### **6.0 SOURCE OF SERVICE AND MATERIAL**

- 6.1 In the case of equipment/goods, which are partially or completely designed and/or manufactured in the Republic of South Africa, Bidders shall state the local content percentage.
- 6.2 Documentation certifying the local content percentage shall be submitted.

#### **7.0 ACCEPTANCE OF PROPOSALS**

- 7.1 The SABC does not bind itself to accept the lowest or any bid/proposal, nor shall it be responsible for or pay any expenses or losses which may be incurred by the Bidders in the preparation and delivery of its/his/her bid/proposal. The SABC reserves the right to accept a separate bid/proposal or separate bids/proposals for any one or more of the sections of a specification. The SABC also reserves the right to withdraw the bid at any stage.
- 7.2 No bid shall be deemed to have been accepted unless and until a formal contract/ letter of award is prepared and signed by SABC and the winning bidder.
- 7.3 The SABC reserves the right, should it deem it necessary, to monitor every stage of the contract to ensure:
- that the directors who were awarded the bid are in control of the company and/or that changes in directors does not affect delivery of the goods/services/work adversely;
  - that, if there are changes in the control of the company, these should be brought to the attention of the SABC;
  - that in the event that the bid or any part thereof is to be subcontracted to another company or organisation after the bid was awarded, the Bidder/s must immediately advise the SABC and the SABC shall approve same as it deems fit;
  - successful delivery of the goods/services/works in terms of the contract, or timeous termination of the contract should such action be in the best interest of the SABC;
  - audit the successful Bidder's contract from time to time.
- 7.4 This bid will remain valid 180 (one hundred and eighty) days from the date of bid closing.

## **8.0 DEFAULT BY BIDDERS**

- 8.1 If Bidders purport to withdraw their bid(s)/proposals within the period for which they have agreed that their bid/proposal shall remain open for acceptance, or fails to enter into a written contract when called upon to do so, or fails to accept an order in terms of the bid, the SABC may, without prejudice to any other legal remedy which it may have, accept their bid(s) notwithstanding the purported withdrawal, or proceed to accept any other less favourable bid or call for bids afresh and may recover from the defaulting Bidders any additional expense it has incurred for the calling for new bids or the acceptance of any less favourable bid.

## **9.0 AMPLIFICATION OF PROPOSALS**

- 9.1 The SABC may, after the receipt of bids, call on the Bidder to amplify in writing any matter which is not clear in the Bidder's submission and such amplification shall form part of the original bid.
- 9.2 In the event of the Bidders failing to supply such information within the specified timeframe, the bid will be liable to rejection.

9.3 The SABC reserves the right to:

- contact any Bidder during the evaluation process, in order to clarify any information, without informing any other Bidders. During the evaluation process, no change in the content of the bid shall be sought, offered or permitted;
- cancel this bid at any time on the following conditions:
  - i) Change in business requirements of the Corporation.
  - ii) Budget unavailability
  - iii) Identified tender irregularity.
  - iv) Non-responsive bids

Should Bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the SABC and not necessarily on the basis of the lowest costs.

## 10.0 IMPORT/EXPORT PERMITS

10.1 Bidders are required to include complete information on equipment and/or components requiring export/import permits.

## 11.0 COST OF BIDDING

11.1 The Bidder shall bear all costs and expenses associated with preparation and submission of its bid/proposal, and the SABC shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

## 12.0 COMMUNICATION

12.1 The SABC has provided a single point of entry for any questions or queries that the Bidder may have. All queries must be submitted in writing and directed to authorised contact person. **Unauthorised communication with any other personnel or member of staff of the SABC, with regard to this bid is strongly discouraged and will result in disqualification of the respective Bidder's bid/proposal submission.**

12.2 Should there be a difference of interpretation between the Bidder and SABC; SABC reserves the right to make a final ruling on such interpretation.

12.3 The closing time for clarification of queries is 3 (three) days before the deadline for bid/proposal submission. The Bidders should take note that questions together with responses will be sent to all Bidders who attended compulsory Briefing Session.

### 13.0 AUTHORISED CONTACT PERSONS

13.1 All enquiries in respect of this bid must be addressed to:

**Tender Office**

SCM Division  
Radio Park Office Block  
Henley Road  
Auckland Park  
Johannesburg  
South Africa  
E-mail: [tenderqueries@sabc.co.za](mailto:tenderqueries@sabc.co.za)

### 14.0 BROAD-BASED BLACK ECONOMIC EMPOWERMENT

- 14.1 According to the 2013 B-BBEE Revised Code of Good Practice the Exempted Micro Enterprise (EME) is only required to produce a sworn affidavit signed by the Commissioner of Oaths as per the requirement in the Justice of Peace and Commissioners of Oaths Act, 1963 (Act No. 61 of 1963) or the Companies and Intellectual Property Commission ("CIPC") certificate on an annual basis.
- 14.2 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS.
- 14.3 Only South African Accreditation Systems (SANAS) is the authorised body to issue B-BBEE certificates
- 14.4 IRBA and Accounting Officers are **not** allowed to issue B-BBEE affidavit or certificates to EMEs and QSEs as it was under 2007 Codes
- 14.5 EME's and QSE's must submit an affidavit confirming that the entity's turnover is below R10 million and percentage of black ownership to claim B-BBEE points
- 14.6 QSEs have to comply with all elements
- 14.7 Start-up enterprises are verified similar to EMEs, but can opt to be rated using the QSE and Generic Scorecard
- 14.8 QSE with at least 51% black ownership or above are only required to obtain a sworn affidavit on an annual basis with a confirmation of turnover and black ownership
- 14.9 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that B-BBEE status level certificate under the consortium name is submitted.
- 14.10 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.



- 14.11 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

A bidder will not be disqualified if they do not submit evidence to claim a specific goal, but rather they will score zero for specific goal/s if they did not provide evidence supporting the awarding of the points.

## **15.0 MISREPRESENTATION AND FRONTING IS PROHIBITED**

Fronting means a deliberate circumvention or attempted circumvention of the B-BBEE Act and the Codes. Fronting commonly involves reliance on data or claims of compliance based on misrepresentations of facts, whether made by the party claiming compliance or by any other person.

It is an offence to misrepresent or provide false information regarding a company's information or engaging in a fronting practice. If there is any contravention of some sought, the SABC may open a criminal and/or civil case/s against the bidder and its directors/members in terms of applicable legislation, and restrict the bidder & its directors/members from doing business with the SABC for a pre-determined period.

It is important to note that any proposal that does not conform fully to the instructions and requirements in this RFP will be disqualified.

Bids, which do not meet the technical requirements, will not be considered for further evaluation.

**END OF DOCUMENT A**

## **DOCUMENT B**

### **GENERAL CONDITIONS OF PROPOSAL**

#### **1.0 COMPLIANCE WITH COMPLETION OF PROPOSAL**

- 1.1 The bid forms should not be retyped or redrafted, but photocopies may be prepared and used.
- 1.2 Bid forms must be signed in the original form; in ink and forms with photocopied signatures or other such reproduction of signature will be rejected.
- 1.3 Should bid forms not be filled in by means of mechanical devices, for example typewriters, ink, preferably black, must be used to fill in bid.
- 1.4 Bidders shall check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability shall be accepted in regard to claims arising from the fact that pages are missing or duplicated. Incomplete bids will result in disqualification.

#### **2.0 COMPLIANCE WITH TECHNICAL SPECIFICATIONS**

- 2.1 Unless a departure is clearly stated by the Bidder at the time of bidding, the works shall be taken as complying in detail with the Technical Specifications, and the Bidder shall be held liable on all the terms and conditions of the contract as if this bid contained no departures. Technical specifications contained in any brochures, or any other descriptions submitted shall apply for acceptance test purposes.

#### **3.0 WARRANTY**

- 3.1 If there are any defects arising from failure of goods to meet the specifications within the period specified in the contract, the Bidder shall replace the defective items at his expense or shall refund the SABC such costs as the SABC may incur in replacing such defective item. The Bidder shall also bear the cost of transporting replaced/repared items to the place of destination.

#### **4.0 INSPECTION**

- 4.1 The Bidder shall permit and assist the SABC's representatives in carrying out any inspections that are called for in the proposal or specifications.

#### **5.0 PACKAGING**

- 5.1 Goods purchased on this bid must be adequately protected and securely packaged during shipment and until delivery at the destination.

- 5.2 Goods must be clearly marked with the Bidder's name, description of contents and the SABC's order number and delivery address.

## **6.0 RISK**

- 6.1 The Bidder will be responsible for losses that SABC incurred due to Bidder's negligence or intention and Bidder must provide Liability Insurance. This will be a condition of contract.

## **7.0 DELIVERY**

- 7.1 Delivery will be to the Stores of the SABC Auckland Park, Johannesburg, Republic of South Africa. The contractual delivery date must be strictly complied with and each delivery must be preceded or accompanied by delivery note. If delivery does not take place within the period stipulated, the SABC may cancel the contract concluded with the bidder without further notice to the Bidder and with immediate effect without prejudice to any other course of action available to the SABC to recover any damages out of such delay. Receipt of the goods by the SABC will not be regarded as acceptance thereof until the goods have been accepted, and tested in compliance with the Technical Specifications.

## **8.0 PAYMENT**

- 8.1 Payment, in currency other than South African Rand, will be made by means of a telegraphic or wired bank transfer.

The Bidder must provide:

- Name and address of their bank.
- Company account number to be credited.
- Sort/swift code of bank.

- 8.2 The SABC's standard payment terms are 30 days from date of Invoice.

## **9.0 ASSIGNMENT OF CONTRACT**

- 9.1 The Bidder shall not have the right to cede any right or delegate any obligation in terms of this contract to any third party unless with the prior written approval of the SABC.

## **10.0 PROPOSALS ARE CONSIDERED TO BE BINDING ON THE BIDDERS**

- 10.1 Representations made in the bid/proposal, including claims made in respect of commitments to dates of delivery, shall be considered binding on the Bidder on acceptance of the bid/proposal by the SABC and same will be form part of the contract to be concluded, unless specifically noted by the Bidder in the bid/proposal that same maybe subject to change;

## **11.0 COMPLIANCE WITH SABC POLICIES**

- 11.1. SABC will not procure any goods, services, works or content from any employee or employee-owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 11.2. SABC will not procure any goods, services, works or content from any SABC Independent Contractor or Independent Contractor-owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 11.3. No former employees, SABC's Non-Executive members and Independent Contractors will be awarded contracts with the SABC within 24 months after resigning from SABC employment or not being engaged with the SABC.
- 11.4. Should former employees, SABC's Non-Executive members and Independent Contractors resign from the employment of the SABC or not being engaged with the SABC and become directors of other businesses bidding with SABC, such bid will not be considered until the cooling off period of two years has expired.
- 11.5. "The SABC has a zero tolerance to theft, fraud and corruption. Such activities will be investigated and stringent action institutes such as laying of criminal charges or even removal from the SABC database of service providers. Should you suspect or become aware of any suspicious acts of fraud, theft or corruption involving SABC employees or other suppliers rendering services to the SABC, contact the SABC whistleblowers' hotline at **"0800 372 831"**

## **12.0 FAILURE TO COMPLY WITH THESE CONDITIONS**

- 12.1 These conditions form part of the bid and failure to comply therewith will invalidate a bid.

## **13.0 RFP SCHEDULE**

- 13.1 Bidders will be contacted as soon as practicable with a status update. At this time, short-listed Bidder/s may be asked to meet with SABC representatives. Bidders should provide a list of persons and their contact details who are mandated to negotiate on behalf of their company.

## **14.0 ADDITIONAL NOTES**

- 14.1 All returnable documents as indicated in the bid form must be returned with the response.
- 14.2 Changes by the Bidder to his/her submission shall not be permitted after the closing date.
- 14.3 The person or persons signing the bids must be legally authorized by the Bidder to do so. A list of the person(s) authorized to negotiate on your behalf must be submitted along with the bid.
- 14.4 SABC reserves the right to undertake post-bid negotiations with the preferred Bidder or any number of short-listed Bidders.

**FAILURE TO OBSERVE ANY OF THE ABOVE-MENTIONED REQUIREMENTS WILL RESULT IN THE BID BEING DISQUALIFIED.**

## 15.0 DISCLAIMERS

- 15.1 Bidders are hereby advised that the SABC is not committed to any course of action as a result of its issuance of this Bid and/or its receipt of a bid in response to it. In particular, please note that the SABC may:
- 15.2 change all services on bid and to have Supplier re-bid on any changes.
- 15.3 reject any bid which does not conform to instructions and specifications issued herein
- 15.4 disqualify bids after the stated submission deadline
- 15.5 not necessarily accept the lowest priced bid
- 15.6 reject all bids, if it so deem fit
- 15.7 award a contract in connection with this bid at any time
- 15.8 make no award of a contract.

Kindly note that SABC will not reimburse any Bidder for any preparation costs or other work performed in connection with this bid, whether or not the Bidder is awarded a contract.

**END OF DOCUMENT B**

**DOCUMENT C****QUESTIONNAIRE TO BE COMPLETED WHEN BIDDING**

If the information required in respect of each item cannot be inserted in the space provided, additional information may be provided on a separate sheet of paper with a suitable reference to the questionnaire number concerned.

1. Company's Treasury CSD unique registration reference number.	
2. Have your company been issued with a SARS Compliance Status PIN.	
3. If yes, please provide PIN number. The provision of the PIN will be construed as your permission to SABC Procurement to access your tax status on-line.	
4. Are you registered in terms of section 23(1) or 23(3) of the Value-added Tax Act, 1991 (Act 89 of 1991)?	
5. If so, state your VAT registration number and original current tax clearance certificate to be submitted	
6. Are the prices quoted fixed for the full period of contract?	
7. Is the delivery period stated in the bid firm?	
8. What is the address in the Republic of South Africa where an item of the type offered by you may be inspected preferably under working conditions? (Where Applicable)	
9. What is the approximate value of stock in the Republic of South Africa for this particular item? (If required).	
10. Where are the stock held?	
11. What facilities exist for servicing the items offered?	

12. Where are these facilities available?	
13. What are the names and addresses of the factories/suppliers where the supplies will be manufactured and may be inspected, if required?	

\*

ALSO INDICATE WHICHEVER IS NOT APPLICABLE

END OF DOCUMENT C

**DOCUMENT D**  
**SBD-4**  
**DECLARATION OF INTEREST**

1.0 Any legal person, including persons employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2.0 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number: .....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):

.....

2.4 Company Registration Number: .....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

2.6.1. The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / personnel numbers must be indicated in paragraph 3 below.

<sup>1</sup>"State" means –

- a. any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999)
- b. any municipality or municipal entity;
- c. provincial legislature;
- d. national Assembly or the national Council of provinces; or
- e. Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.



2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed

.....

Position occupied in the state institution: .....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain **YES/NO** the appropriate authority to undertake remunerative work outside employment in the state?

2.7.2.1 If yes, did you attached proof of such authority to the bid **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid).

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES /NO**

2.8.1 If so, furnish particulars:

.....

.....

.....

.....

2.9

Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

YES / NO

2.9.1 If so, furnish particulars.

.....

.....

.....

2.10

Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

YES/NO

2.10.1 If so, furnish particulars.

.....

.....

.....

2.11

Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:

.....

.....

3.0 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Pers. Number

4.0 DECLARATION

I, THE UNDERSIGNED (NAME)

.....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

**END OF DOCUMENT D**

## DOCUMENT E



## FUNCTIONAL SPECIFICATION

**1 INTRODUCTION**

The SABC seeks to appoint a service provider to supply, install, commission and service one (1) standby Generator at the SABC Provincial Office in the North-West. The capacity of the Standby Generator must be 1250KVA.

**2 BACKGROUND**

The SABC is South Africa's national public broadcaster. Its objectives are to provide a comprehensive range of distinctive programmes and services with the view to inform, educate, entertain, support, and develop culture in all 11 official languages. Its principal activities comprise of television and radio broadcasting utilising 19 radio stations, 6 television channels and a range of digital platforms.

The SABC strives to maintain a leading role in the broadcasting industry. As such, the broadcaster is heavily reliant on its infrastructure for the effective usage of broadcast equipment and the consistent production of content.

**3 SCOPE OF WORK**

This RFP seeks to appoint a service provider who will provide the following services:

- 3.1 supply, install, commission and maintain one (1) standby generator
- 3.2 upgrade existing control panel and associated electrical work
- 3.3 maintain and service new machine after the lapse of the 12-month warranty

**3.4 Standby Generator**

SABC NW is using two standby generator units (830 KVA and 1030 KVA). Each of these generators has a specific load to carry during power outages. The service provider must install a 1250kVA standby generator unit and associated controls and changeover switches as follows.

- 3.4.1 One (1) x 1250 KVA standby generator
- 3.4.2 Change over panel and controllers
- 3.4.3 Cable links between generator and switch gears
- 3.4.4 Trunking and cable ladders

**DETAILED SPECIFICATION IS PROVIDED AS ANNEXURE A TO THIS RFP DOCUMENT**

### 3.5 Standards or Requirements

Supplier/manufacturer specifications/standards and South African electrical standards:

- 3.5.1 The generator serves as backup to the electrical supply
- 3.5.2 Broadcast machines require constant power supply
- 3.5.3 IT and broadcast equipment require constant power supply that will be backed by the UPS installed already and standby generator during electricity supply outages

## 4 MAINTENANCE

The installation and equipment supplied under this contract shall be guaranteed and maintained for a period of twelve months (12-month guarantee) from the date of acceptance by SABC in all respects and commissioned for continuous service. The bid price shall include the above, which will entail call outs during and after hours.

A separate five-year maintenance and service contract shall be priced separate in the bill and shall commence after the warranty period expires.

## 5 EVALUATION CRITERIA

Bidders should note that only bids who meet the Mandatory Criteria of the bid shall be evaluated further for Functionality (where indicated) and Price and Specific Goals.

Responses will be evaluated using a predetermined set of evaluation criteria. The evaluation criteria is designed to reflect the SABC's requirements in terms of identifying a suitable service provider and ensure the selection process is transparent and affords all the bidders a fair opportunity for evaluation and selection.

During the evaluation process, the SABC may require a bidder's representative to answer questions regarding the proposal and/or require certain bidders to make a formal presentation to the evaluation team.

### 5.1 PHASE 1 - TECHNICAL EVALUATION

The technical evaluation will be evaluated using the following criteria and points:

- 5.1.1 The tender submission will be evaluated on whether bid is compliant in ALL respects.
- 5.1.2 Bidders must indicate with reference to page numbers whether their bid is compliant or not.
- 5.1.3 The technical criteria stated is the minimum required for the full functionality of the unit. Bidders are thus required to achieve full points for the technical criteria to progress to the next phase of the evaluation.

## Technical Criteria:

Item	Description	Tick Applicable Box to indicate Compliance		Page Number in Tender Submitted
		Yes	No	
1	<b>Generator</b>  Bidders to submit supporting documents i.e., detailed brochures, for the below requirements			
1.1	Supply, Installation and Commissioning of minimum 1250 KVA prime rated open generator set.			
1.2	<b>Controller Functionality:</b>			
1.2.1	Generator Volts L1-N, L2-N, L3-N			
1.2.2	Generator Amps L1, L2, L3			
1.2.3	Generator Frequency Hz			
1.2.4	Generator Current and power monitor (kW, kvar, kVA & pf)			
1.2.5	Engine Hours Run			
1.2.6	Short circuit protection			
1.2.7	Governor & AVR control			
1.2.8	Remote monitoring			
1.2.9	SMS messaging			
1.2.10	Start & stop via remote monitoring system			
1.3	<b>Any one of the engines below is acceptable Tick applicable box</b>			
1.3.1	Cummins			
1.3.2	CAT			
1.3.3	Volvo			
1.3.4	Deutz			
1.3.5	Perkins			
1.3.6	MTU			
1.3.7	Scania			
1.3.8	Mitsubishi			
1.3.9	Rolls Royce			
1.3.10	Kohler			
1.4	<b>Any one of the below alternators are acceptable with output (400V/230V) Tick applicable box</b>	Yes	No	Page Number in Tender Submitted

1.4.1	Leroy Somer			
1.4.2	Stamford			
1.4.3	Marathon			
1.4.4	Marelli			

**Bidders must meet all the requirements listed above. Failure to comply with any of the above will result in automatic disqualification and will not be evaluated further.**

## 5.2 PHASE 2 - FUNCTIONALITY EVALUATION

The evaluation is based on functionality, which will be evaluated using the following criteria and points:

- 5.2.1 The tender submission will be functionally evaluated out of a maximum of 80 points.
- 5.2.2 A minimum threshold of 52 out of 80 points has been set.
- 5.2.3 All bidders achieving less than the set threshold will not be evaluated further and will be deemed non-responsive.

## 5.3 Functionality Criteria:

Evaluation Area	Evaluation Criteria	Min. Points	Max. Points
Relevant Company Experience with Standby Generators	<b>Bidder must submit a company profile indicating the company's years' of experience in supplying, installing, and commissioning standby diesel generators with a minimum size of 150kVA</b>		
	<ul style="list-style-type: none"> <li>Less than 5 years' experience = 0 points</li> </ul>	10	15
	<ul style="list-style-type: none"> <li>5 – 9 years' experience = 10 points</li> </ul>		
	<ul style="list-style-type: none"> <li>More than 10 years = 15 points</li> </ul>		
	<i>Bidders must provide documentary evidence to prove their years of experience</i>		
Reference Letters/ Completion Certificates	<p><b>Bidder must submit reference letters and/or completion certificates of successfully completed projects from their current or previous clients.</b></p> <p><b>Reference Letters/Completion Certificates must fully comply with the below:</b></p> <ul style="list-style-type: none"> <li>on the client's letterhead</li> </ul>	20	30

Evaluation Area	Evaluation Criteria	Min. Points	Max. Points
	<ul style="list-style-type: none"><li>• reflect the nature of project</li><li>• duly signed</li><li>• contactable email address and telephone number</li><li>• stipulate project values for a generator capacity of a minimum of 150KVA</li><li>• NOT older than 10 years at the closing date of the RFP</li></ul> <ul style="list-style-type: none"><li>• 0-1 letters = 0 points</li><li>• 2-3 letters = 20 points</li><li>• 4 or more letters = 30 points</li></ul>		
	<p><i>Appointment/Award letters do NOT constitute Reference Letters/Completion Certificates.</i></p> <p><i>(The above information can also be provided via the referees' corporate email address. Free domains such as Yahoo, Gmail, etc are not acceptable)</i></p>		
Response time	<b>Bidder must provide a Maintenance Response Plan that will meet the callout response time (time to site) during normal working hours, as follows:</b>		
	· More than 3 hours response time = 0 points	7	10
	· 2 – 3 hours response time = 7 points		
	· Less than 2 hours Response time = 10 points		
CVs of Key Personnel	<b>Bidder must provide a comprehensive CV of Electrician/Team Leader with a valid wireman's license and minimum of three (3) years' experience in electrical installations. The CV must have contactable references.</b>		
	· less than 3 years' experience = 0 points	10	15
	· 3 – 5 years' experience = 10 points		
	· greater than 5 years' experience = 15 points		



Evaluation Area	Evaluation Criteria	Min. Points	Max. Points
Warranty	State the time from which the warranty for the generator and related equipment will be effected i.e. once commissioned or delivered:		
	<ul style="list-style-type: none"> <li>Standard warranty (12 months) = 5 points</li> <li>Extended warranty over the standard warranty of 12 months = 10 points</li> </ul>	5	10
Total		52	80

**Bidders achieving less than 52 points will not be evaluated further for financial stability test.**

### PHASE 3 - FINANCIAL ANALYSIS

The financial stability evaluation is used to assess the financial risk of the shortlisted bidders.

Respondents are required to submit their audited financial statements for the past 3 years with their Proposal/Bid in order to enable the SABC to establish financial stability as follows:-

Area	Assessment Criteria
Financial Due Diligence	Bidders financial due diligence will be assessed based on submitted audited financial statements using financial ratios, where applicable.

**Note: Management Accounts will not be accepted for this RFP.**

<b>Financial Ratios</b> (Financially stable companies must score at least 6.2 points in the financials provided, fair will be between 2 and 4 points, poor will be less than 2 points)	<ul style="list-style-type: none"> <li>➤ Poor – 0 points</li> <li>➤ Fair – 5 points</li> <li>➤ Good – 10 points</li> </ul>
<b>Proof of Surety of at least R10 million</b> (The SABC reserves the right to confirm such with institution providing the cover. Bidders must submit a formal letter or formal corporate email with clear contactable referee from the institution)	<ul style="list-style-type: none"> <li>➤ Not provided – (0 points)</li> <li>➤ Provided – 10 points</li> </ul>

**Bidders who obtain less than a minimum threshold of 10 points will be declared non-responsive and will be eliminated. Successful bidders will then be evaluated on Price and Specific Goals.**

**5. PHASE 4 - PRICE AND SPECIFIC GOALS**

The bid responses will be evaluated on the 80/20-point system. Bidders are to provide detailed breakdown of all direct and indirect costs associated with the contract, including additional fees if any. Bidders must provide original or certified B-BBEE certificates or sworn affidavits in order to get preference points.

- a. The 80/20 preference point system will apply to evaluate responses.
- b. The award of the tender will be based on presentation evaluation.
- c. The Price and BEE (Specific goals) will be applicable to award the highest scoring bidder.

**PRICE AND SPECIFIC GOALS APPLICATION DURING CONTRACT IMPLEMENTATION**
**d. PRICE**

The 80/20 preference point system

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

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

Where:

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

**e. BEE (SPECIFIC GOALS)**

SPECIFIC GOALS	80/20
EME/SME 51% owned by Black people	10
51% owned by Black people;	5
51% owned by Black people who are women	3
Black Youth	2

- NB: All tenders will be issued to the market with all specific goals, and these will be scored in accordance with the evidence as submitted by the bidder. The bidder who does not meet the specific goals will not be disqualified but score zero.

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**6. OBJECTIVE CRITERIA**

6.1 The SABC will not to consider proposals from bidders who are currently in litigation with the SABC.

6.2 The SABC will not award bidders who fail the financial stability assessment.

6.3 The SABC will not award this tender to any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.

6.4 Bidders who are blacklisted or have committed other acts of fraud and misrepresentation of facts e.g. tax compliance, BBBEE, company financials, etc. will be eliminated from the bid process.

6.5 Conditions related to former employees, SABC's Non-Executive members and Independent Contractors:

- No SABC former employees shall be awarded contracts with the SABC within 24 months after termination of employment with the SABC.
- Should employees resign or retire from the employment of the SABC and become directors of other businesses tendering with the SABC, such tender shall not be considered until the cooling off period of 6 (six) months has expired.
- Should the employee be dismissed from the SABC employment, such employee shall be prohibited from conducting business with SABC for a period of 5 (five) years from the date of dismissal.
- Should the employee be found guilty in a court of law due to criminal conduct/act, such employee will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged.
- The SABC shall not procure any goods, services, works or Content from any Board member or Board member owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- Should the SABC's Board members no longer serve on the SABC Board but become directors of other companies, the SABC shall not conduct business with those companies until the cooling off period of 6 (six) months has expired.

- Should the Board member be found guilty in a court of law due to criminal conduct/act, such Board member will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged.
- The SABC shall not procure any goods, services, works or Content from any independent contractor or independent contractor owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- Should the Independent Contractor no longer be contracted to the SABC but become directors of other companies, the SABC shall not conduct business with those companies until the cooling off period of 6 (six) months has expired.
- Should the Independent Contract be found guilty in a court of law due to criminal conduct/act, such employee will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged

**ANNEXURES TO DOCUMENT E:**

**Annexure A:** Generator Technical Specifications

**Annexure B:** Bill of Quantities/Materials

**Annexure C:** Schedule of Drawings

**END OF DOCUMENT E**

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**DOCUMENT F**

**CONFIDENTIALITY**

All information related to this bid both during and after completion is to be treated with strict confidence. Should the need however arise to divulge any information gleaned from the service which is either directly or indirectly related to the SABC, written approval to divulge such information will have to be obtained from SABC.

The bidders must ensure that confidential information is: maintained confidential; not disclosed to or used by any unauthorised person; so as to prevent any disclosure or unauthorised use with at least the standard of care that bidders maintain to protect their own confidential information; only used for the purpose of considering and responding to this RFP; and not reproduced in any form except as required for the purpose of considering and responding to this bid. Bidders must ensure that: access to confidential information is only given to those of its partners, officers, employees and advisers who require access for the purpose of considering and responding to this RFP; and those partners, officers, employee and advisers are informed of the confidential information section and keep that information confidential. This bid remains at all times the property of the SABC. No rights other than as provided in this bid and in respect of the confidential information are granted or conveyed to bidder/s

NAME OF BIDDER: \_\_\_\_\_

PHYSICAL ADDRESS: \_\_\_\_\_

\_\_\_\_\_

Bidder's contact person:

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

Telephone : \_\_\_\_\_

Mobile : \_\_\_\_\_

Fax.: \_\_\_\_\_

E-mail address : \_\_\_\_\_

**END OF DOCUMENT F**

**DOCUMENT G****SBD 6.1****PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Specific Goals.

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.**

**1.0 GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to all bids:

- the **80/20** system for requirements with a Rand value above R50 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed R50 000 (all applicable taxes included) and therefore the.....**80/20**.....system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

	<b>POINTS</b>
<b>1.3.1.1 PRICE</b>	<b>80</b>
<b>1.3.1.2 Specific Goals</b>	<b>20</b>
<b>Total points for Price and Specific goals must not exceed</b>	<b>100</b>

## 2.0 DEFINITIONS

- 2.1 “**all applicable taxes**” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad - Based Black Economic Empowerment Act;
- 2.3 “**B-BBEE status level of contributor**” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 “**bid**” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 “**comparative price**” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 “**consortium or joint venture**” 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;
- 2.8 “**contract**” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 “**EME**” means any enterprise with an annual total revenue of R10 million or less as per the Amended Codes of Good Practice (COGP).
- 2.10 “**Firm price**” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 “**functionality**” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 “**non-firm prices**” means all prices other than “firm” prices;
- 2.13 “**person**” includes a juristic person;



- 2.14 “**rand value**” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 “**total revenue**” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.16 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.17 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### **3.0 ADJUDICATION USING A POINT SYSTEM**

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 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.
- 3.5 If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

### **4.0 AWARDED FOR PRICE**

#### **4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

**80/20                      or                      90/10**

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

Where

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

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

#### **4.2 Points awarded for Specific Goals**

In terms of Regulation 4 (1) 5 (1) and 6 (1) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for submitting evidence for specific goals claimed in accordance with the table below:

#### 4.3 SPECIFIC GOALS TABLE

<b>SPECIFIC GOALS</b>	<b>80/20</b>	<b>90/10</b>
EME/SME 51% owned by Black people	10	4
51% owned by Black people;	5	3
51% owned by Black people who are women	3	2
Black Youth	2	1

NB: Bidders must submit evidence for every specific goal claimed and points will be awarded in accordance with the evidence as submitted by the bidder. The bidder who does not meet the specific goals will not be disqualified but score zero.

#### 5.0 BID DECLARATION

5.1 Bidders who claim points in respect of Specific Goals must complete the following:

#### 5.2 SPECIFIC GOALS POINTS CLAIMED IN TERMS OF SPECIFIC GOALS TABLE

5.3 **Specific Goals Points claimed :..... = .....(maximum of 10 or 20 points)**

(Points claimed in respect of paragraph 5.3 must be in accordance with the table reflected in paragraph 4.3 and must be substantiated by means of evidence as described table 5.4

#### 5.4 EVIDENCE TO BE SUBMITTED FOR SPECIFIC GOALS

<b>Specific Goals</b>	<b>Acceptable Evidence</b>
B-BBEE	Valid BEE Certificate / Sworn Affidavit (in case of JV, a consolidated scorecard will be accepted)
Black Women Owned	Certified ID Documents of the Owners/shareholder
Black Youth owned	Certified ID Documents of the Owners
EME or QSE 51% Black Owned	Annual Financial/ Management Accounts/ B-BBEE Certificate / Affidavit/ Certified ID Documents of the Owners/shareholder
51% Black Owned	CIPC Documents / B-BBEE Certificate/Affidavit/ Certified ID Documents of the Owners/shareholder
South African Enterprises	CIPC Documents

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**6.0 DECLARATION WITH REGARD TO COMPANY/FIRM**

6.1 Name of company/firm:

.....

6.2 VAT registration number:

.....

6.3 Company registration number

.....

6.4 Type Of Company/ Firm

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

[TICK APPLICABLE BOX]

6.5 Describe Principal Business Activities

.....

.....

.....

.....

6.6 Company Classification

- ☐ Manufacturer
  - ☐ Supplier
  - ☐ Professional service provider
  - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

6.7 Total number of years the company/firm has been in business? .....

6.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the SABC that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the SABC may, in addition to any other remedy it may have;
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

**WITNESSES:**

1. ....

.....  
SIGNATURE(S) OF BIDDER(S)

2. ....

DATE: .....

ADDRESS: .....

.....

.....

.....

**END OF DOCUMENT G**

## DOCUMENT H

## SBD 8

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

**RFP NUMBER: RFP/LOG/2024/10245973/31**

**RFP TITLE: SUPPLY, INSTALLATION, COMMISSIONING & MAINTENANCE OF A STAND-BY GENERATOR IN THE NORTH-WEST PROVINCE**

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

## CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

**END OF DOCUMENT H**

**DOCUMENT I**

**ACCEPTANCE OF CONDITIONS OF BID**

By signing the BID document, the Bidder is deemed to acknowledge and accept that all the conditions governing this BID, including those contained in any printed form stated to form part thereof and SABC Limited will recognize no claim for relief based on an allegation that the Bidder overlooked any such condition or failed properly to take it into account for the purpose of calculating bided prices or otherwise.

SIGNED at \_\_\_\_\_ this \_\_\_\_\_ day of

\_\_\_\_\_ 2024

NAME OF COMPANY \_\_\_\_\_

NAME OF THE SIGNATORY (IES) \_\_\_\_\_

CAPACITY: \_\_\_\_\_

Are you authorised to sign on behalf of the company (YES/NO) \_\_\_\_\_

**WITNESSES:**

1. \_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_

**END OF DOCUMENT I**

**END OF THE REQUEST FOR PROPOSAL DOCUMENT**