



an agency of the
Department of Sport, Arts and Culture

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR THE REQUIREMENT OF SOUTH AFRICAN STATE THEATRE

RFQ NUMBER:	SAST/2022/INTERNET SERVICE PROVIDER
DESCRIPTION:	APPOINTMENT OF AN INTERNET SERVICE PROVIDER (ISP) FOR THE PROVISION OF INTERNET CONNECTIVITY SERVICES AND SUPPORT AND MAINTENANCE OF UTM FIREWALL, INCLUDING FIREWALL CYBERSECURITY MONITORING, AT THE SOUTH AFRICAN STATE THEATRE FOR 24 MONTHS.
PUBLISH DATE:	11 May 2022
CLOSING DATE:	26 May 2022@16:00 PM
VALIDITY PERIOD	60 days after closing date
SITE INSPECTION	By arrangement
DELIVERY ADDRESS	BID DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT: 320 Pretorius Street PRETORIA (at reception, on the lower ground)
ENQUIRIES:	Ms. Lerato Mmatloa Email: scm@statetheatre.co.za Tel: 012 392 4000

NB: Bidders must ensure that they sign the register at the reception when delivering their bids

BIDDER NAME:

Table of contents

SECTION 1

1. Introduction

- 1.1 Objective
- 1.2 Background
- 1.3 Scope of work and deliverables
- 1.4 Pricing Schedule

SECTION 2

2. Instruction to Bidders

- 2.1 General
- 2.2 Bidder information
- 2.3 Consortium
- 2.4 Sub-contracting
- 2.5 SAST Bidding rights
- 2.6 Bidding process
- 2.7 Bid Submission requirements
- 2.8 Evaluation Process

SECTION 3

3. Returnable documents checklist

- 3.1 Mandatory Documents
- 3.2 Compliance Documents
- 4. Bidder information
- 5. Annexures (SBD Documents)

SECTION 1

INTRODUCTION

THE RENAISSANCE THEATRE, trading as THE SOUTH AFRICAN STATE THEATRE, a cultural institution in terms of the provisions of section 3(1) of the Cultural Institutions Act, 1998, also a Schedule 3A Public entity under the Public Finance Management Act, 1999. SAST is a statutory agency tasked with the development, promotion, and mainstreaming of Arts, Culture and Heritage programmes to contribute to the sector's economic growth and foster social cohesion in Tshwane, greater Gauteng all the citizens of our Society.

The South African State Theatre (SAST) seeks to appoint a suitably capable and licensed Internet Service Provider (ISP) for the provision of internet connectivity services and the maintenance and support of the Unified Threat Management (UTM) Firewall including the Cybersecurity Monitoring for its offices, located at 320 Pretorius Street, Pretoria, Gauteng, South Africa.

All the supported and supplied components, and related equipment and software must be continuously upgraded to the latest version for the duration of the contract at no cost to SAST.

SAST seeks to conclude a service contract, supported by a Service Level Agreement, for the detailed design, supply, installation, configuration, commissioning, and maintenance, including support of the dedicated internet fibre, UTM Firewall, and Firewall Monitoring and reporting 365 24/7.

1.1 OBJECTIVE

To appoint a suitably capable and licensed Internet Service Provider (ISP) for the provision of internet connectivity services and the maintenance and support of the Unified Threat Management (UTM) Firewall including the Cybersecurity Monitoring for its offices, located at 320 Pretorius Street, Pretoria, Gauteng, South Africa.

1.2 BACKGROUND

Currently, SAST has 100 Mbps fibre, which is on a ratio of 1:1. The current contract end on 30 April 2022. SAST intends to replace the current dedicated, uncapped and unshaped fibre with a similar or equivalent bandwidth and Direct Internet Access (DIA) speed of 100 Mbps. The appointed service provider will be expected to guarantee the Quality of Services through a Service Level Agreement (SLA) and monthly and quarterly meeting reports. SAST plans and strategy incorporates a business growth plan, and as such, the appointed service provider is expected to cater to additional growth requirements. The implemented fibre solution will cater to existing SAST Business requirements, which include, but are not limited to data replication

to a secure, offsite data center, hosted Office 365 exchange services and application services, hosted Email Security by Mimecast services, inhouse Live Video Streaming services provided by Artistic Videography team. The Firewall deployment and configuration must consider the SAST network, which comprises of Netgear Network Switches and Ubiquiti Networks Wi-Fi access points (APs). SAST does not have a developed network schematic layout, and this will also be expected as a deliverable by the appointed service provider. Currently, the SAST Internet perimeter firewall is protected and managed by a (FortiGate 100E) device, which has reached its End of Order Date (EOO) by the OEM (Original Equipment Manufacturer).

1.3 SCOPE OF WORK AND DELIVERABLES

SAST seeks to appoint a service provider to design, supply, install, configure, commission, and maintain a scalable Internet Connectivity Service, with a last mile, UTM Firewall managed services with Cybersecurity for backend firewall services at SAST offices located at 320 Pretorius Street, Pretoria, Gauteng, South Africa, for (24) months.

The successful service provider will be required to provide SAST with the following:

- a) Provide (DIA) service through a dedicated bandwidth.
- b) The SAST Office and the hosted SAST systems will share Internet connectivity, including all SAST Theatres.
- c) Ensure that provided services are monitored 24/7/365.
- d) Enable the SAST ICT team to have access to comprehensive monitoring (e.g., utilisation, status, quality, uptime, and performance) dashboard with clear indicators for all the connected endpoints and monitored users.
- e) Alert the SAST nominated staff of any warnings, faults, and alarms via SMS, e-mail, etc.
- f) Monthly and Quarterly reports must be provided to SAST ICT Manager to report performance and Cybersecurity Vulnerabilities to SAST ICT Steering and Strategic Committee. The reports must include a minimum: of uptime, utilisation; and performance against Service Level Targets, including any cyber threats attempting to gain access to the SAST perimeter firewall and network.
- g) A service manager or account manager must be allocated to SAST to handle all service-related queries and escalations.
- h) Implement, support, and maintain UTM firewall by replacing the current Firewall with an outright purchased firewall.
- i) The appointed service provider is expected to plan and conduct the installation of the project with minimal impact on daily SAST operations and business interruptions.

TECHNICAL SPECIFICATIONS

4.1 Fibre DIA

The appointed service provider will provide uncontested, unshaped, and uncapped Internet Service Provision for the SAST offices. The service is expected to be highly scalable and reliable, with no less than 99% overall uptime supplemented by a secondary failover connection.

The appointed service provider shall provide all the required hardware, software and other services required, which includes but is not limited to the following:

- a) A dedicated fibre leased line of a minimum bandwidth of 100 Mbps with (DIA) on 1:1 ratio with CIR (1:1) - Committed Information Rate, one is to one must always be guaranteed for equal internet bandwidth and data rate for both downstream and upstream at all times, this configuration must have a secondary failover connection.
- b) For a redundant connection, the appointed service provider will be expected to provide a separate connection from the primary connection through fibre optic or an equivalent Microwave connection. The internet traffic must automatically be routed via the secondary link if the primary link fails.
- c) A subnet of at least six static publicly routable IP addresses is required
- d) Service reliability must be ensured. Overall uptime should not be less than 99%.
- e) All necessary hardware, cabling, and software (if required for Internet service) should be provided, and setup costs should be included in the offer.

Addition Services – To be provided on an ad-hoc basis (SAST may opt to add these services anytime during the contract period):

- a) Provide internet hotspots as an added service (provide wireless internet access to SAST Theatres).
- b) Provide co-location services (hosting physical and Hyper V-based virtual servers, storage arrays, and tape libraries).
- c) Allow for future remote branch connectivity (private VPN service via MPLS network).

4.2 Network Support

- a) The appointed service provider must ensure that the provisioned DIA equipment on the LAN must be distributed through the below network infrastructure, which comprises of the Network switches and Wi-Fi Access Points; below is the network peripherals already deployed by SAST ICT:

Service	Brand	Model Name	Quantity
Wi-Fi	(Similar)UniFi Network	(Similar)UniFi AP-AC-Mesh-Pro	X 2 Opera Theatre
Wi-Fi	(Similar) UniFi Network	(Similar)UniFi AP-AC-LR	X 21 Corporate Wi-Fi
LAN Switch	(Similar)NetGear	(Similar)GS728TPv2	X 3 Network Switches
LAN Switch	(Similar)NetGear	(Similar)GS724TPv2	X 5 Network Switches

4.3 Firewall Support and Deployment

- b) The appointed service provider will be required to supply, support, and maintain a UTM next-generation firewall, the Firewall will be retained as SAST asset at the end of the 24 months contract.
- c) UTM next-generation firewall should have a break and fix warranty and a loan unit if the primary Firewall fails.
- d) The service provider will also advise and assist in the development of secured configuration Standards of the Firewall from configuration to deployment and decommission of the Firewall.
- e) The service provider should have the capability to prioritize network traffic according to SAST business requirements to allow for scalability and prioritizing SAST events.
- f) The service provider should be able to differentiate classes of service that manage traffic types effectively, ensuring that mission-critical traffic receives the required bandwidth throughput and performance.
- g) Technical support and active network management, such as traffic usage statistics, network status, and performance visibility reports, must be made available on request, monthly, and quarterly reports.
- h) The implemented solution should allow for scalability for business requirements change and organisational growth demand.
- i) The deployed Firewall be maintained as a managed service with Cybersecurity and future video conferencing and allow SAST users remote access through the VPN.

1.4 Pricing Schedule

Price Validity must be for 90 days, and all prices must be VAT inclusive.

Quantity	PRODUCT/SERVICE	Price per Month VAT Inclusive	Total amount (over 12 months)	Total amount (over 24 months)
1	100 Mbps Primary Link			
1	100 Mbps Secondary Link			
1	UTM Firewall supply, support, and maintenance			
1	Network Schematic Design and Layout			
	Any other disbursements (please specify)			
Total (VAT)				

SERVICE LEVEL AGREEMENT

Maintenance must be included in the Service Level Agreement for a period of Twenty-four months (24) which must cover all aspects of the solution, including hardware, software, data, and service support. The commencement date is **01 July 2022**.

6.1 The SLA must make provision for the following:

- a) 100 Mbps dedicated uncontended internet access
- b) Support and Maintenance call center 24/7/365.
- c) Firewall Cybersecurity 24/7/365 monitoring.
- d) SMS or e-mail notifications alert SAST ICT staff of errors, faults, warnings, and alarms.
- e) OTP for Two-factor authentication (2FA).
- f) Allocated account and service manager.
- g) Escalation procedures with contact details.
- h) Required uptime for provisioned services; and
- i) Response and resolution times for events and service requests.

6.2 Required Uptime

MTR AND MTF			
a.	Any fault that impacts on connectivity services (electrical supply, physical security breaches, lightning)	2 hrs	4 hrs
b.	Any fault that impacts both WAN links (excluding cable breaks)	2 hrs	4 hrs
c.	Any fault that impacts one of the WAN links (excluding cable breaks)	2 hrs	8 hrs
d.	Any non-emergency change request (excluding network design related changes)	4 hrs	8 hrs
e.	Any emergency change request (excluding network design related changes)	1 hr	2 hrs
f.	Any non-emergency change request relating to network design changes	8 hrs	5 days
g.	Any emergency change request relating to network design changes	4 hrs	8 hrs
h.	Account related queries	8 hrs	5 days

6.3 Support

The appointed service provider is required to support the provided services 24/7/365. The Services Level Agreement (SLA) must include remote and onsite response times as well as hourly rates for any non-maintenance service request items.

6.4 Reporting

A "Service Level Performance Report" will be required quarterly in electronic format to a designated representative of SAST. The following minimum reporting requirements will be required to be reported on:

- Number of Incidents and Service Requests logged which is summarized by entitlement, priority and whether the Service level was met or breached.
- Internet resources utilization and availability; and
- detailed analysis of all downtime.
- Internet Vulnerabilities reporting
- Attempted firewall access reports by intruders.

2. INSTRUCTIONS TO BIDDERS

2.1 General

Bidders must familiarize themselves with and comply with the mandatory requirements and ensure their availability for site visits and presentations, as required, on the appropriate dates.

2.2 Bidder Information

The successful bidder shall demonstrate to SAST that adequate pre-employment screening, including security screening was performed on the employees/sub-contractors (staff).

2.2.1 The pre-employment screening shall as a minimum be:

2.2.1.1 Authenticate that staff are who they claim to be.

2.2.1.2 Confirm that staff have a right to work in the RSA.

2.2.1.3 Obtain written declaration from staff of any criminal record; and

2.2.1.4 Confirm that staff possesses the relevant qualifications to undertake the duties effectively and safety.

2.2.2 The successful bidder shall deploy competent staff, supervision and labour who are:

2.2.2.1 Appropriately experienced and trained for the work they are to undertake.

2.2.3 SAST and its representatives may seek formal assurance to this effect (including a formal (audit) at any time during the contract period.

2.3 Consortium

2.3.1 Bidders forming part of a Consortium must submit with their bid a copy of their Consortium agreement in a separate attachment. This must clearly indicate:

2.3.1.1 The form of agreement.

2.3.1.2 The respective roles and responsibilities of the members.

2.3.1.3 The identity of the lead company which will have overall responsibility.

2.3.1.4 The name and address of the officer acting as a single point of contact for

2.3.1.5 Communications between SAST and the tenderers. He shall be fully empowered to act on behalf of all members; and

2.3.1.6 The member's agreement to be jointly and severally liable to SAST for the performance of the contract.

2.4 Sub-contracting

- 2.4.1 Bidders must detail any work to be sub-contracted, the proposed sub-contractor(s) to be used,
- 2.4.2 SAST reserves the right to reject the use of any of the bidder's proposed subcontractors and any subcontractor proposed during the contract term.
- 2.4.3 Bidders are advised that SAST will not respond any direct approach from potential sub-contractors for details in respect of any particular item in this bid.

2.5 SAST Bidding rights

- 2.5.1 SAST reserves the right to:
 - 2.5.1.1 extend the closing date.
 - 2.5.1.2 verify any information contained in a proposal.
 - 2.5.1.3 Request documentary proof regarding any bid issue.
 - 2.5.1.4 Give preference to locally manufactured goods or locally sourced services.
 - 2.5.1.5 Issue follow-up or supplementary questions during the response period or after receipt of tenders.
 - 2.5.1.6 Make known to all bidders any questions submitted by a bidder including commercial and technical clarifications, together with answers given to any individual bidder, if it is considered to be relevant to the tender; and
 - 2.5.1.7 Cancel or withdraw this request for tender as a whole or in part.

2.5.2 Evaluating Authorities' (BEC) of the evaluation process SAST may require bidders to arrange and/or participate in one or more of the following:

- 2.5.2.1 Interviews with, or written references from nominated references.
- 2.5.2.2 Reference site visits to the location(s) of nominated reference.
- 2.5.2.3 Interviews with bidder personnel who would be involved in the contract execution (day-to-day operations of the site);
- 2.5.3 Negotiations with the bidders.
- 2.5.4 Appoint one bidder or more than one bidder where necessary.

2.6 Bidding process

2.6.1 Bidders must familiarize themselves with and comply with the procurement time table and ensure their availability for the site visit and presentations, as required, on the appropriate dates.

2.6.2 Bidders are required to:

2.6.2.1 respond in the English language.

2.6.2.2 A cover letter on the bidder's company letterhead with clear reference to the bid of interest should accompany both the technical and pricing proposals.

2.6.2.3 All copies of the tender response must be signed on each page.

2.6.2.4 Ensure that all document attachments are clearly marked and bound in a clear, logical and well-marked format with a table on context ensuring ease of finding individual documents or sections; and

2.6.2.5 The original document must be signed in black ink by an authorized person, agent or representative and each and every page of the bidding documents shall contain the initials of the same signatory.

2.6.3 All costing and information must be typed and signed by the bidder, no handwritten costing/pricing will be accepted.

2.7 Bid submission requirements

2.7.1 Bidders must submit their responses and all supporting documents in properly labelled and sealed envelopes

Bidders must submit one (1) pack of original proposals including a Pricing schedule, marked in a sealed envelope. Bidder must also submit an ***ELECTRONIC SUBMISSION of their bid document (USB) in the same envelop.***

Bids must be submitted in sealed envelopes clearly labelled to reflect the RFQ number and description, submission date and closing time.

Bids must be bound, indexed and set out in a tabulated format. Unbound or loose papers will be rejected.

2.8 EVALUATION PROCESS

2.8.1 Evaluation criteria

Bids that meet MANDATORY requirements will be evaluated in two stages, which includes functionality (Stage 1) and Pricing and B-BBEE Status (Stage 2).

2.8.2 Compliance with MANDATORY requirements

All bids duly lodged will be examined to determine compliance with bidding requirements and conditions (completion and attachment of compulsory documents).

BIDDER WHO FAILS TO COMPLY WITH ALL MANDATORY REQUIREMENTS WILL BE DISQUALIFIED

2.8.3 Elimination of proposals on grounds of functionality

Bids that score less than 70 points for functionality will be eliminated from further participation in the Bid Evaluation process (Stage 2).

2.8.2.1 Mandatory requirements

Bidders who fail to comply with the following mandatory requirements will be disqualified. Evidence must be submitted.

		Yes	No
2.1.1	Submit a valid SARS Tax Pin issued by SARS		
2.1.2	Joint venture or Sub-contractor, valid tax Pin for each member (if applicable)		
2.1.3	Submit CSD (Central Supplier Database) report		
2.1.4	Submit Certified Company registration documents. Submit Certified ID copies of all directors listed on the Company reg. document.		
2.1.5	The equipment deployed must be ICASA certified, as well as a certified partnership letter of confirmation will be accepted.		

SPECIAL CONDITIONS OF THE RFQ

1. The supplier should have carried out at least four similar projects in the past five years.
2. The supplier should provide major client list. (3 Reference letters)
3. The supplier must be accredited and have all valid and/or necessary licences or accreditations and any other requirements that are required by the laws of The Republic of South Africa to supply, install, and provide the stipulated services.
4. The supplier should be in existence for at least five years.

Stage 1

TECHNICAL EVALUATION CRITERIA

The RFQ response is required to achieve a minimum score of 70 points on functionality to qualify to be evaluated on BBEE & Price.

Criteria	Sub criteria	Weight
Bidder's Experience in providing Similar Solutions	<p>The service provider must have experience in providing similar solutions (internet connectivity) and recently implemented this requirement with similar criteria).</p> <ul style="list-style-type: none"> • 5 years or above 'experience – 10 points • 3–4 years' experience – 5 points • 2–3 years' experience- 3 points • Less than 2 years' experience – 1 point 	10
	<p>The service provider requested to provide the following: Three (3) letters on a letterhead from their clients where Internet Connectivity Services have recently been implemented with similar criteria. The service provider must make sure that the letters are signed, and contact details are fully completed. The contact details must include the contact number and email address of the referee. The reference must not be older than 36 months from the date of the RFQ submission.</p> <ul style="list-style-type: none"> • 3 x letters of reference – 15 points • 2 x letters of reference – 10 points • 1 x letter of reference – 5 points • No letter of reference – 0 points <p>NOTE: SAST will verify the information provided.</p>	15
Project Implementation Plan	<p>Fully detailed project implementation plan based on the timelines provided (i.e.: 20 days from date of delivery to full implementation) which includes: -</p> <ul style="list-style-type: none"> ▪ All tasks and activities ▪ Resources. ▪ Milestones and contingency plan to manage milestones <ul style="list-style-type: none"> • Delivery within 4 weeks – 10 points • Delivery within 6 weeks – 5 points • Delivery above 6 weeks – 0 points 	10
	<p>The service provider must provide a comprehensive SLA for onsite/remote support for a period of two (2) years, with TWO (2) HOURS response time</p> <ul style="list-style-type: none"> • The service provider must include SLA maintenance and support for a 2-year period with 2 hours' response time with next business day resolution – 10 points • Bidder has not included SLA maintenance and support for 2 years with 2 hours' response time. - 0 points 	10

Solutions Approach	<p>The service provider must provide full details of the proposed installation for the provision of leased Internet Connectivity Services, UTM firewall, and Firewall Cybersecurity Monitoring for SAST.</p> <ul style="list-style-type: none"> • Detailed methodology that highlights: (i) tasks, (ii) timeframe from placing an order to SAST receiving the service, (iii) implementation of the professional services, and (iv) architectural design of the internet connectivity solution- (2,5 points per item, up to a maximum of 10 points) • Provide a detailed plan on the implementation of a failover line in case the primary line is disrupted – 10 points • Provide a detailed work plan on how to take over the current services from the current service provider without affecting operations – 5 points • Proposed Quality Assurance Approach (i.e., Testing, bandwidth quality, latency, jitter, etc.) – 3 points • The equipment deployed must be ICASA certified, as well as a certified partnership letter of confirmation will be accepted – 2 points • Not attached – 0 points 	30
Transition plan	<p>SAST expects the installation of the new system to have little or no impact to ongoing operations. The service provider is expected to have experience in this area and to provide SAST with a plan to accomplish this as follows:</p> <ul style="list-style-type: none"> • The service provider is expected to create a design for the new internet services, UTM firewall, and network management with less disruption to staff and to create a pre-planned schedule for notification purposes. – 10 points • The service provider is expected to provide how (and validate procedure) the parallel process will migrate from old fibre to new fibre. – 10 points • All documentation, installation, reports, and materials must be provided to SAST prior to commencement of installation, followed by submission of any Moves, Adds, Changes (MAC). – 3 points • SAST currently works with Liquid Telecom Group as the outsourced internet service provider, the service provider will be expected to interface as needed with Liquid Telecom for a smooth service take over. – 2 points 	25
TOTAL:		100

SECTION 3

2 RETURNABLE DOCUMENTS

Please indicate that all mandatory documents are included in this bid by ticking the boxes in the checklist below. Responses received without all required documents will be considered invalid.

Please also indicate where additional documents have been submitted to the main tender response.

5. Returnable Mandatory Compliance Documents

Please **indicate** that all mandatory documents are included in this bid by ticking the boxes in the checklist below. Responses received without all required documents will be considered invalid.

Please also indicate where additional documents have been submitted to the main tender response.

		Yes	No
3.1	SBD 4 Declaration of Interest		
3.2	SBD 6.1 Preference points claim form i.e., PPR 2017		
3.3	SBD 8 Declaration of Bidder's Past Supply Chain Management Practices		
3.4	SBD 9 Certificate of Independent Bid Determination		
3.5	General conditions of contract {initial on each page} Obtainable from the National Treasury website		

6. BIDDER INFORMATION

The following particulars must be furnished (failure to do so shall result in your bid being disqualified)

Indicate the type of Bidding structure by marking with an 'X':	
Individual bidder	
Joint venture	
Consortium	
Using Subcontractors	
Other	

If individual bidder, indicate the following:	
Name of bidder	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

If Joint Venture or Consortium, indicate the following:	
Name of prime contractor	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

If Joint Venture or Consortium, indicate the following: <i>(To be completed for each JV/ Consortium member)</i>	

Internet service provider _____

Name of Joint Venture/ Consortium member	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

If using subcontractors, indicate the following: <i>(To be completed for each subcontract)</i>	
Name of subcontractor	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

Internet service provider

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, 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. **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, shareholder²):

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 / persal numbers must be indicated in paragraph 3 below.

¹“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.

²“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**

Internet service provider _____

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 the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **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**

Internet service provider

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 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Reference Number	Tax	State Number	Employee / Persal Number

4 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.

.....

Internet service provider _____

Signature

Date

.....

.....

Position

Name of bidder

May 2011

Internet service provider

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

- 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

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- | | | | |
|----|---|----------------------|--------|
| 1) | level certificate issued by an authorized body or person; | B-BBEE | Status |
| 2) | prescribed by the B-BBEE Codes of Good Practice; | A sworn affidavit as | |
| 3) | requirement prescribed in terms of the B-BBEE Act; | Any | other |
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 **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 price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
---	----------	----------

Internet service provider _____

Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....
.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 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

Internet service provider _____

paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (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) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES
1.
2.

..... SIGNATURE(S) OF BIDDERS(S)
DATE:
ADDRESS
.....
.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

Internet service provider _____

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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

Internet service provider

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

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Internet service provider _____