

REQUEST FOR PROPOSAL
for the supply of
PEST CONTROL SERVICES (36 MONTHS CONTRACT).

For

Artscape Theatre Centre

A National Public entity established in terms of the Cultural Institutions Act (Act No 119 of 1998)

1. INTRODUCTION AND BACKGROUND

Artscape is a facilitator of stage performances, community arts activities, training programmes, as well as audience development activities to sustain all forms of the performing arts. It is home to community arts programmes and houses the major independent performing arts companies in the Western Cape including Cape Town Opera, Cape Philharmonic Orchestra, Jazzart Contemporary Dance Company, Cape Town City Ballet, and Unmute Dance Company, most of which have their offices within the complex. In addition, Fine Music Radio has their broadcasting station within the Theatre Centre and the restaurant and bar facilities are franchised to Fedics.

The theatre complex comprises two major wings, the “opera” and “theatre” wings, five floors high. The building houses the theatre venues described above, offices, rehearsal rooms, store rooms, maintenance workshops, staff restaurant, large foyer spaces, public restaurant, conference rooms and Fine Music Radio Studios.

Artscape decided to do a consolidated procurement for the procurement of Pest Control Services for Artscape Theatre Centre and Epping Office so that it can realise the benefits of the strategic sourcing which includes the following:

- Realising Economies of scale (EOS)
- Reducing the cost of effort and administration
- Minimising price inconsistencies
- Increasing standardisation of common goods and services
- Reducing inconsistencies in application of policies
- Reducing inadequate contract management and service delivery
- Reducing inadequate inventory management

To supply pest control service in identified areas at the Artscape Theatre Centre and Epping Office.

The parties will agree, provided an agreement can be reached to the mutual satisfaction of each in regard to matters such as the specifications of the goods, the price to be paid therefore, the performance required and the delivery date.

2. SITE LOCATION FOR DELIVERY

Artscape Theatre Centre

DF Malan Road
Foreshore
Cape Town
8000

Epping Office

32 Losack Avenue
Epping Industrial
Cape Town
8000

3. PROGRAMME FOR THE SUPPLY AND DELIVERY

The following key dates are applicable to this contract:

- Awarding of proposal: **September 2022**
- Issue an official order: **September 2022**
- Delivery of service: **As mutually agreed between Artscape and successful bidder**
- Terms of Payment: **30 days from date of acceptance of invoice or statement whichever is agreed upon.**

4. SECTION 1: SCOPE OF WORKS AND DETAILED SPECIFICATIONS.

4.1 Intent of the document

To outline the requirements for the supply of pest control service in identified areas at the Artscape Theatre Centre DF Malan Street, Foreshore, Cape Town and Epping Office, 32 Losack Avenue, Epping Industrial.

4.2 Summary of Scope of Work and Pricing

4.2.1 Specifications:

The necessary Treatment required should be for:

- Cockroaches
- Rodents
- Fleas
- Servicing of Bait stations. We have 50 bait stations at Artscape premises.

ARTSCAPE EPPING OFFICE

Delivery of Service: Losack Avenue, Epping Industria

Areas to be treated against Rodents and Cockroaches on a Monthly basis.

LOCATION	SERVICE TYPE REQUIRED	PRICING
Admin Building	Flies	
Reception and Office	Flies	
Manager's Office	Flies	
Staff Canteen	Cockroaches /Flies	
Props Hiring Store	Flies / Cockroaches / Mice	
Props Hiring Office	Flies / Cockroaches / Mice	
Kitchen	Cockroaches / Flies	
Ladies Toilets	Flies	
Gents Toilets	Flies	
Storerooms	Cockroaches	
First Aid Room	Cockroaches / Flies	
Two (2) Offices	Flies	
UPSTAIRS		
Prop Storage	Flies / Cockroaches / Mice	
Orchestra Library	Flies / Cockroaches / Mice	

PAINT SHOP		
Work Area	Cockroaches / Mice	
Paint Shop Office	Mice / Flies	
Canteen	Cockroaches / Flies	
Workshop	Cockroaches / Mice	
Canteen	Flies	
X2 Offices	Flies	
Prayer Area	Flies	
X4 Toilets	Flies	
Floor Area	Cockroaches / Mice	
Set Storage	Flies	
Prop Storage	Flies	
Total Per Month		

Note: Treatment against Fleas need to be carried out every 3 Months on a Quarterly basis.

ARTSCAPE THEATRE CENTRE

DF Malan Road, Foreshore, Cape Town

Areas to be treated against Rodents, Fleas, Flies and Cockroaches on a regular basis

LOCATION	SERVICE TYPE REQUIRED	PRICING Year 1	PRICING Year 2
Opera 5th Floor	Flies		
Administration Block–All Carpet Areas	Flies / Cockroaches		
Kitchen	Cockroaches		
Ladies Toilet	Flies		
Gents Toilet	Flies		
Toilet for Disabled	Flies		
Lift Motor Room	Cockroaches		
Electrical / Fire Ducting	Cockroaches / Mice		
Filing Storeroom	Cockroaches / Flies		
X2 Fan Rooms	Cockroaches / Mice		
Side Slots & Cross Over Walkway	Cockroaches		
Follow Spot Lights	Cockroaches / Flies		

Opera 4th Floor			
Admin Offices	Flies		
Kitchenette	Cockroaches		
Electrical Ducting	Cockroaches / Mice		
Laundry Room	Cockroaches		
Opera Auditorium/Theatre and Arena Auditorium	Flies		
3rd Floor			
Rehearsal Rooms	Cockroaches / Flies		
Ladies Toilet	Cockroaches / Flies		
Gents Toilet	Cockroaches / Flies		
Disabled Toilet	Cockroaches / Flies		
Rehearsal Rooms 301/, 306, 308	Cockroaches / Flies		
Air Condition Ducting	Cockroaches / Mice		
Wardrobe Room	Cockroaches / Flies		
Kitchen	Cockroaches		
Office	Flies		

2nd Floor			
Office Area	Fleas / Flies		
Kitchen	Flies / Cockroaches		
Manager's Office (Supercare)	Fleas / Flies		
Ladies Toilet	Flies / Cockroaches		
Gents Toilet	Flies / Cockroaches		
Electrical & Pipe ducting	Flies / Cockroaches		
Dressing rooms	Cockroaches / Flies		
1 st Floor			
Green Room / Dressing Rooms	Cockroaches / Flies		
Electrical & Pipe Ducting	Cockroaches / Mice		
Ladies Toilet	Flies		
Gents Toilet	Flies		
Kitchen	Cockroaches / Flies		
IT Room Ducting	Cockroaches		
Open Plan Office	Flies		
Kitchenette	Cockroaches / Flies		
Boardroom	Flies		

Marble Foyer			
Ladies Toilet	Flies		
Gents Toilet	Flies		
Store under Stairs	Cockroaches		
Isibaya Room	Flies		
Isibaya Kitchen	Cockroaches		
FMR Storerooms	Cockroaches		
Ground Floor			
Ladies Toilet	Flies		
Gents Toilet	Flies		
Cloakroom	Cockroaches		
Technical Workshop	Cockroaches		
Boiler Room	Cockroaches		
Technical Office	Cockroaches / Flies		
Restaurant Manager's Office	Cockroaches / Flies		
Electrical Ducting	Cockroaches / Mice		
Security Control Room	Fleas /		

	Cockroaches		
Electrical /Pipe Ducting	Cockroaches / Mice		
Dressing Rooms	Flies		
Ladies Toilets	Flies		
Gents Toilets	Flies		
Open Dock Door	Mice		
X2 Lighting Storerooms	Mice / Cockroaches		
Restaurant	Cockroaches / Mice		
Bar Area	Cockroaches / Mice		
Kitchen	Cockroaches / Mice		
Store & Dishwasher Area	Cockroaches / Mice		
Chandelier Foyer Balcony – Carpeted Areas	Flies		
Ladies Toilets	Flies		
Gents Toilets	Flies		
Electrical/Pipe ducting	Cockroaches / Mice		
Opera Ground Floor			
Boiler Room	Cockroaches / Mice		
Stage Mechanical Control Room	Cockroaches /		

	Mice		
Electrical Department	Cockroaches / Mice		
Stage Electrical Control Room	Cockroaches / Mice		
Orchestra Rehearsal Rooms 3, 4,5 &6	Cockroaches / Flies		
Ladies Toilets	Flies		
Gents Toilets	Flies		
Stage-hands Cloak Room & Toilets	Cockroaches		
First Aid Room	Flies		
Storeroom	Cockroaches		
Stage Door			
Aircon Ducting	Cockroaches / Mice		
Fire Hose Ducting	Mice		
Electrical DB	Mice / Cockroaches		
Storerooms	Mice / Cockroaches		
Waste Bin area	Rats		
Opera			
Bar & Kitchen	Mice / Cockroaches		
Storeroom	Mice /		

	Cockroaches		
Wash-Up Area	Mice / Cockroaches		
Serving Area	Cockroaches		
Theatre Section 4th Floor			
Project Office	Flies		
Server Room	Cockroaches		
Kitchen	Cockroaches		
Open plan office	Flies		
Project Office Boardroom	Flies		
Business Manager Office	Flies		
Ladies Toilets	Flies		
Gents Toilets	Flies		
Reception Area	Flies		
Instruments Room	Cockroaches		
Kitchenette	Cockroaches		
Jazz Art 5th Floor			
Rehearsal Rooms 551,552,553	Cockroaches		

Office	Flies		
Boardroom	Flies		
Kitchenette	Cockroaches		
Electrical Ducting	Cockroaches / Mice		
Fire Hose Ducting	Cockroaches / Mice		
Storeroom (551)	Cockroaches / Mice		
Unmute			
Ladies Toilet	Flies		
Gents Toilet	Flies		
Disabled Toilet	Flies		
Elect/Aircon Ducting	Cockroaches / Mice		
H/T Room	Mice / Cockroaches		
Maintenance Storeroom	Mice / Cockroaches		
All Toilets	Flies		
Thyristor Room	Mice / Cockroaches		
Boiler Room	Mice / Cockroaches		
Electrical Ducting	Mice / Cockroaches		
Laundry Room	Mice / Cockroaches		

Tunnel Area	Mice / Cockroaches		
Security Cloakroom	Mice / Cockroaches / Flies		
Cleaners Cloakroom & Toilets	Mice / Cockroaches / Flies		
Resource Centre			
Reception	Cockroaches / Flies		
Boardroom	Flies		
Manager's Office	Flies		
Open plan Area	Cockroaches / Flies		
Storeroom	Cockroaches		
Creative Space	Cockroaches / Flies		
Artscape live			
Seating Area	Flies		
Scullery	Cockroaches / Flies		
Food Service Area	Cockroaches / Flies		
Food Preparation Area	Cockroaches / Flies		
Db Closet	Cockroaches		
Chemical Store	Cockroaches		

Manager's Office	Cockroaches / Flies		
Dry Goods Store	Cockroaches / Mice		
Electrical /Pipe Ducting	Cockroaches / Mice		
Total per month			

ADMINISTRATIVE AND STATUTORY DOCUMENTS Please Tick Applicable	
SBD 4	YES/NO
SBD 6.1	YES/NO
SBD 8	YES/NO
SBD 9	YES/NO
CSD (Central Supplier Database) Proof of Registration (www.csd.gov.za)	YES/NO
Certified BBBEE Certificate	YES/NO
SARS TAX STATUS PIN	YES/NO
RETURNABLE DOCUMENTS SCHEDULE Note: Compulsory to submit all returnable documents	
Company Profile	YES/NO
The bidder must submit a portfolio reflecting the resources available to execute the project.	YES/NO
A Portfolio of projects covering a similar scope and works (Restricted to a minimum of 3 projects)	YES/NO
A List of 3 (three) contactable references contacted for quality of work delivered	YES/NO

Proof of address to demonstrate that primary place of business is based within 60km of Artscape has been provided	YES/NO
Public Liability Insurance	YES/NO
Health and Safety Plan	YES/NO

4.2.2 Service and Activities Reports

- Individual reports for each area to be issued after each service

5. EMERGENCY CALL - OUTS

Appointed service provider should be available when called out for any emergencies.

6. GEOGRAPHICAL REQUIREMENTS

The head office of the service provider must be within a 60km radius from Artscape Theatre Centre.

7. DISQUALIFICATION

No late submissions will be considered.

8. INTELLECTUAL PROPERTY

All the information contained in this document is intended solely for the purposes of assisting bidders to prepare their proposals. Any use of the information contained herein for other purposes than those stated in this document are prohibited.

9. SAFETY AND HEALTH ADMINISTRATION

The contracted supplier is solely responsible for the safety and well-being of its employees when working at Artscape.

10. GENERAL OBLIGATIONS

10.1 Client (Operational Responsibilities)

All services to be undertaken by the service provider, whether it is routine maintenance, or attendance to failure, shall be inspected by SHE Manager. Only after the successful inspection of such work shall payment certification is made. It shall be the service provider's responsibility to advise the SHE Manager of the completion of all such work that it is ready for inspection. Completed work will have to be supported with work works instructions, closing times and execution survey forms.

All instructions given to the service provider shall be by the SHE Manager. Instructions will be generated by the SHE Services Division and forwarded to the Service provider's office where after the service provider is expected to immediately signs the Services Instruction and return the same to SHE Manager's office as acknowledgement of receipt thereof. The SHE Manager and his duly appointed assistants who will monitor the service provider's performance with respect to response time in attending to any instruction.

It shall be SHE Manager's responsibility to provide a job-tracking system to ensure that services is effectively carried out and satisfactorily completed.

The SHE Manager reserves the right to call on professionals to provide diagnostic reports in the case of serious violations and malpractice on the part of the service provider

10.2 Client (Administrative Responsibilities)

The Client will make payments for works completed to the satisfaction of the Client. The Client's SHE Manager will be responsible for Client liaison and various other duties as follows:

- To provide access to all areas at programmed dates or as required.
- To maintain a service completed register. No agreement as to the time spent or the quality of the work is inferred.
- Monitoring and supervision of all work, materials used, and labor spent shall be undertaken by the SHE Manager of the Client.

- The SHE Manager will be notified timeously by service provider's staff in the event of breakdowns in order to instruct the on-site maintenance team accordingly.
- Water and electrical power required for carrying out the service contract be provided free of charge by the Client.

10.3 SERVICE PROVIDER (Operational Responsibilities)

The Service provider shall take all reasonable steps to ensure that the service is carried out in an efficient and economic manner and with a minimum of inconvenience to the Client's operations. The Client shall provide such facilities and shall accede to such requests as may be considered reasonable to enable the Service provider to achieve the above objectives.

The Service provider shall perform all services during normal working hours (08:00 am till 16:30 pm) and shall endeavor to keep his/her/their operations operable at all times. Where this is not possible, down times shall be at an absolute minimum.

The Service provider shall carry out his/her/their services as and when required by the Client. The Client's SHE Manager reserves the right to obtain the services of an alternative service provider should the service provider fail to carry out the service within the scheduled time frame, unless the Service provider is prevented from carrying out his obligations by factors beyond its control.

The Service provider undertakes to carry out his/her/their work to the best of his/her/their ability and with due diligence. Should the Service provider fail in this obligation towards the Client, the Client reserves the right, to immediately employ the services of an alternative service provider and terminate the contract agreement.

The service provider shall use only trained personnel with experienced in their particular field. The service provider shall be equipped fully with regard to skilled labour, the necessary materials on site, plant and equipment. The Service provider's rates shall include all the above including his profit and overheads. The Service provider shall be responsible for any damage to the Client's building, plant and equipment arising directly from negligence on his part.

The Service provider will ensure that all materials purchased for the job shall be of good quality and the best available.

10.4 SERVICE PROVIDER (Administrative Responsibilities)

The agreed price for work undertaken shall be fixed for 36 months and subject to renegotiation if the contract is renewed.

At the outset, the Service provider must provide the Client with the services of a competent Pest control service team and supervisors to be constantly in charge of all services to be undertaken.

The supervisor will be responsible for the quality of workmanship. Furthermore the supervisor must check that all services has been properly undertaken

The Service provider will be responsible to the Client as follows:

- Confirming programmed work dates are acceptable.
- Processing invoices promptly.

The Service provider shall ensure that all services done shall be in conformity with the special requirement regarding the environmentally sensitive areas. Comply with SHE Management Quality Control Mechanism.

11. HANDLING OF CHEMICALS

Only effective insecticides and rodenticides should be used. Insecticides and rodenticides must be clearly labelled as prescribed. Empty poison containers must be effectively disposed of as per legislation.

Label Colour	Trade Name	Active Ingredient	Reg. No	Formulation	Target Pests	Concentration
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COLOR CODES

TOXIC / GIFTIG
HARMFUL / SKADELIK
CAUTION / VERSIGTIG
SAFE

12. PENALTY FOR LATE DELIVERY.

Artscape shall apply a monetary penalty based on the contract price and calculated using the current prime interest rate for every day of late deliver of goods or service. (Reference: to Clause 22 of the General Conditions of Contracts (GCC) of the National Treasury).

13. SUBMISSION AND CLOSING DATE AND TIME

Final signed Request for Proposal, including supporting documentation, must be emailed on or before **13 September 2022 at 13:00**. The Request for Proposal must be emailed to natasjap@artscape.co.za

14. CONTENTS OF PROPOSALS

Proposals shall include all relevant information about the bidder, which is thought appropriate to assist Artscape to assess its capabilities, capacity, outputs, value adding abilities, competitive advantage, etc.

Signed _____

Company _____

Name _____

Date _____

Central Supplier Database Registration (CSD) no:

M										
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CSD 36 digit security

code: _____

(Company Stamp)

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 / personal 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

YES	NO
-----	----

the state?

2.7.1 If yes, 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 attach proof of such authority to the bid document?

YES	NO
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(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 yes, 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 yes, 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 yes, 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
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2.11.1 If yes, 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, (FULL NAME) _____, THE
UNDERSIGNED, 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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.

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 The value of this bid is estimated not to exceed R50 000 000 (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) B-BBEE Status Level of Contribution.
- 1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTION	20
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 contribution 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

- 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 **“EME”** means any 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;
- 2.7 **“functionality”** means the ability of a tender to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.8 **“prices”** includes all applicable taxes less all unconditional discounts;
- 2.9 **“proof of BBEE status of contribution”** means:

2.9.1 BBBEE Status level certificate issued by an authorized body or person;

2.9.2 A Sworn affidavit as prescribed by the BBBEE Codes of Good Practice;

2.9.3 Any other requirement prescribed in terms of the BBBEE Act;

2.10 **“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;

2.11 **“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 PREFERENCE POINT SYSTEMS

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

80/20

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

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

4 Points awarded for B-BBEE Status Level of Contribution

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 (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	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 CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contribution: =(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 contribution.

7 SUB-CONTRACTING

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

(Tick applicable box)

YES		NO	
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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		NO	
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(v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in term Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdevelopment 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 contribution of contributor indicated in paragraph 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 paragraph 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 contribution 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) 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.

.....

BIDDER(S)

SIGNATURE(S)

OF

4.

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	<p>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?</p> <p>(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).</p> <p>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.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
4.1.1	<p>If so, furnish particulars:</p>		
4.2	<p>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)?</p> <p>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.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

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

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

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
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.
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