




Food & Beverages Manufacturing
Sector Education and Training Authority

Your Skills Partner



 13 Autumn Street | Rivonia | 2128

 05 April 2022

RFQ - REQUEST FOR QUOTATIONS

THE PROVISION FOR JOB EVALUATION, PROFILING, GRADING AND SALARY BENCHMARKING SERVICES

The Food & Beverages Manufacturing Sector Education and Training Authority's (FoodBev SETA) hereby invites suitable service providers to submit quotations for the appointment of a service provider to provide job analysis, profiling, grading, and evaluation services as follows:

Closing date of submission	11 April 2022
Closing time of submission	11:00 a.m. (Telkom time)
Quotes to be e-mailed to	scm@foodbev.co.za
All quotes must be valid for at least	30 days
Delivery address for the goods	7 Wessels, Rivonia Johannesburg

All queries/ clarifications can be sent in writing, citing the bid reference above to the under-mentioned person before the closing date for the quote:

Queries address to	Mabolane Mankga
Telephone Number: Landline	011 253 7300
e-mail address to send queries	Enosm@foodbev.co.za



www.foodbev.co.za



+27 11 253 7300



info@foodbev.co.za

1. BACKGROUND

- 1.1. Food and Beverages Manufacturing SETA ("FoodBev SETA") is a Schedule 3A Public Entity established in terms of the Skills Development Act 97 of 1998. FoodBev SETA is currently operating in Johannesburg at Number 07 Wessels Street, Rivonia Sandton. FoodBev SETA's function is to promote, facilitate and incentivize skills development in the food and beverages manufacturing sector. FoodBev SETA is one of the 21 Sector Education and Training Authorities (SETAs) across the economy mandated to deliver on the National Skills Development Plan (NSDP) outcomes.
- 1.2. FoodBev underwent an organisational structure enhancement process, triggered by the demand for service delivery, high competition in the industry and stakeholder expectations. The enhancement process was aimed at addressing internal capacity issues in order to improve efficiency, ensure accountability and organisational effectiveness in order to deliver and achieve the SETA's strategic objectives.

2. PURPOSE

- 2.1. A service provider with expertise and capacity will be required to undertake the following activities broken down in two parts:

PART 1

- 2.1.1. Conduct all relevant consultation sessions with Management and Human Resources.
- 2.1.2. Review and develop 14 job profiles.
- 2.1.3. Conduct job evaluation process for 14 positions using the Paterson grading system.
- 2.1.4. Provide documentary evidence of the process followed to arrive at a job grade;
- 2.1.5. Consider inputs from Management and/or HR and make final submissions of the job evaluation report that will include grade and levels of jobs identified in the job analysis;
- 2.1.6. Provide and preset the final report of the new grades that correlate with the Paterson model to Management and the Board.

PART 2

- Conduct a salary benchmarking exercise to determine FoodBev's position in the market in respect of its current remuneration scales. The benchmark should propose a set of market related pay scales for FoodBev.
- Determine criteria for reviewing grades of all positions, and validate the grade based on available information.
- Determine criteria for reviewing grades of all positions, and validate the grade based on available information.
- Undertake job grading using a Patterson Job Grading System.
- Compare, through a sample, existing positions aligned to a particular job family within the Paterson grading system, benchmarked against other SETA's and Schedule 3 entities.

- Evaluation exercise to look at other SETA's and Schedule 3 entities which are in competition with FoodBev for skills.
- Benchmark process should include a detailed report on other elements of total rewards such as benefits (pension, group life, disability benefits, housing allowance and medical aid) to ensure that we are in line with what other similar companies offer employees as part of their Total Rewards Package.
- Review Pay scales i.e., Establish the distribution of the current remuneration within FoodBev, per grade.
- Cost the implications of adopting the new pay scales.
- Design a pay scale for FoodBev in support of the FoodBev's strategy and culture, using current salaries (pay-grade averages) to inform mid-points, apply different pay ranges for normal staff vs management grades, using the Patterson methodology.
- Provide and present the final report of the new salary scales that correlate with the Patterson model to Management and the Board.

3. SCOPE OF WORK AND DELIVERABLES

- 3.1. The provider is required to provide job analysis, profiling, grading, and evaluation of the following 14 positions (the successful provider will be given the list of positions).
- 3.2. The provider is required analyze FoodBev's current salary structure and conduct a benchmarks exercise against other SETA's, and Schedule 3 entities determine FoodBev's position in the market in respect of its current remuneration scales.

4. DURATION

- 4.1. The estimated time frame for the project shall be 2 months.

5. EVALUATION PROCEDURE

The following criteria will be adhered to:

- 5.1. **Criteria 1:** Compliance evaluation – bidders will first be evaluated in terms of compliance that is meeting minimum requirements. Bidders who do not fulfil all the requirements or do not submit required documents using the required format, will be disqualified and not move onto the next stage of evaluation
- 5.2. **Criteria 2:** Functional criteria – Functionality points are equal to **100.00 points**. Bidders are required to achieve a minimum score of **70.00 points** on functionality evaluations in order to qualify to be evaluated on Price. All bidders who do not score the minimum points will be disqualified.
- 5.3. **Criteria 3:** Price

6. CRITERIA 1 - COMPLIANCE EVALUATION

The Bidders must submit:

- 6.1. Must be registered on the National Treasury CSD (Central Supplier database): A full report must be submitted.
- 6.2. Standard Bidding Documents (SBD) forms: (SBD 1, SBD 4, SBD 6.1, SBD 8 & SBD 9): completed and signed by the duly authorized person
- 6.3. Tax clearance certificate and Pin.
- 6.4. Failure to submit the above documents will result in the bidder being disqualified.

7. CRITERIA 2 - FUNCTIONALITY EVALUATION

Functional criteria	Weight
1. Company experience <p>The bidder must provide at least five (5) reference letters from contactable clients for similar services provided in the last (5) years. The reference letters must be on the bidder's client's letterhead, duly signed by the authorized person, reflecting the level of service and performance provided by the bidder. The recommendation letters needs to address the following areas of work requested namely.</p> <ol style="list-style-type: none"> a) Salary Benchmark of Remuneration b) Total Rewards Benchmark c) Payscale development (HR tool used for appointing employees at market related salaries) (Annual) d) Job Evaluation and Grading of new and existing positions <ul style="list-style-type: none"> ▪ Zero (0) reference letters = 0.00 points ▪ One (1) reference letter = 10.00 points ▪ Two (2) reference letters = 20.00 points ▪ Three (3) reference letters= 30.00 points ▪ Four (4) reference letters= 40.00 points ▪ Five (5) or more reference letters = 50.00 points 	50.00
2. Experience of Project Team Project Team Leader <p>The Project Team Leader should have at least 5 years' experience in conducting similar projects and possess at least an NQF level 8 relevant qualification in Human Resources / Business Management or equivalent.</p> <p>CV of the Project Team Leader clearly detailing experience in job grading, evaluation, and profiling must be submitted. Certified copy of academic qualification(s) must also be submitted.</p> <ul style="list-style-type: none"> ▪ No experience = 0.00 points ▪ CV showing one (1) to two (2) years' experience = 05.00 points ▪ CV showing three (3) to four (4) years' experience= 10.00 points ▪ CV showing five (5) years' experience or more = 20.00 points <p>CVs with no certified qualifications will not be allocated points.</p>	20.00
Project Team	

Functional criteria	Weight
<p>The Project Team to be allocated to this project, must clearly detail their experience in conducting similar projects. The project team members should possess an NQF level 7 qualification in Human Resources/ Business Management or equivalent.</p> <p>At least one (1) technical resources with a minimum of three (3) years relevant experience in the services required.</p> <p>CVs of the Project Team clearly detailing experience in job grading, evaluation, and profiling must be submitted. Certified copies of academic qualification(s) must also be submitted.</p> <ul style="list-style-type: none"> ▪ No experience = 0.00 points ▪ One (1) member with experience illustrated in the CV and relevant qualifications = 10.00 points ▪ Two (2) members with experience illustrated in the CV and relevant qualifications = 20.00 points <p>CVs with no certified qualifications will not be allocated points.</p>	20.00
3. Methodology	
<p>Company profile including detailed methodology</p> <ul style="list-style-type: none"> ▪ No company profile submitted = 0.00 points ▪ Submission of company profile including detailed methodology = 5.00 points 	5.00
4. Project Plan	
<p>A detailed implementation plan in response to the terms of reference</p> <ul style="list-style-type: none"> ▪ No project plan submitted = 0.00 points ▪ Submission of project plan = 5.00 points 	5.00
Total	100.00

Note: the minimum score for functionality is 70.00 points.

- Please note that the Evaluation Committee will use their own discretion to assess quality of all bid proposals received in relation to above functionality criteria and may further verify information submitted from relevant sources/your clients and use their own discretion to score the bidders proposal accordingly.
- It is the responsibility of the bidder to seek clarity by enquiry before submission of the final bid, where the criteria are construed to be ambiguous or confusing. Should there be a difference of interpretation between the bidders and FoodBev SETA, the SETA reserves the right to make a final ruling on such interpretation.
- FoodBev SETA may request clarification or additional information regarding any aspect of the tender document or proposal submitted. The bidders must supply the requested information within forty-eight (48) hours after receipt of written request from supply chain office. Failure to submit such information may result in disqualification or non-award of functionality points.

8. PREFERENCE POINTS ALLOCATION

8.1. Bidders who score the minimum functionality score of 70 points will be evaluated further on price.

CRITERIA	SUB-CRITERIA	POINTS
Price	Detailed budget breakdown	100
Total Points		100

9. CONDITIONS OF CONTRACT

The successful service provider undertakes:

- 9.1. To treat all relevant and available data and/or information provided by the FoodBev SETA and its employees strictly confidential;
- 9.2. Not to discuss or make any information available to any member of the public, press or other service provider/consultant or any other unauthorized person(s) except as authorized by the FoodBev SETA;
- 9.3. Not to copy or duplicate any software or documentation for private use;
- 9.4. To give back to the FoodBev SETA all documentation, reports, programmes etc. upon completion of the project;
- 9.5. General conditions of tender, contracts and orders will be applicable in the execution of the contract;
- 9.6. Parking and travel between the prospective service provider's home/office and the FoodBev SETA will be borne by the Service Provider;
- 9.7. Failure to adhere to the above conditions will lead to the invalidation of the quotation;
- 9.8. The FoodBev SETA reserves the right to discontinue work on any element of the quotation at any given time in consultation with the Senior Manager: Human Resources of the FoodBev SETA, for example the quality of work delivered is poor or the service provider is unduly delaying delivery of service;
- 9.9. Enter into a Service Level Agreement with the FoodBev SETA before the final acceptance of the tender proposal.
- 9.10. The Contract/SLA may be finalized within a period of maximum of five (5) working days for signature before commencement of the work. Bidders must note that FoodBev SETA contracts are vetted by outsourced lawyers therefore it is important to note that it is the responsibility of the bidder to also vet their contract before signing it off.

10. IMPORTANT INFORMATION TO NOTE - GUIDELINES

10.1. Disclosures

- a) Bidder to disclose if they have been subject to proceedings or other arrangements relating to bankruptcy or insolvency.

11. DISCLAIMER

- 11.1. FBS reserves the right not to appoint a service provider
- 11.2. Not to appoint a bid that scored the highest points i.e. award a bid, on reasonable and justifiable grounds, to a bidder that did not score the highest points
- 11.3. Award the contract or any part thereof to one or more service providers
- 11.4. Reject all bids
- 11.5. Decline to consider any bids that do not conform to any aspect of the bidding requirements
- 11.6. Request further information from any bidder after closing date for clarity purposes
- 11.7. Cancel this RFQ or any part thereof at any time
- 11.8. Require the shortlisted bidders to make presentations at the venue communicated with the bidder and this presentation will be made by bidder at their own cost
- 11.9. Points scored will be rounded to 2 decimals

12. CONFIDENTIALITY

- 12.1. Bids submitted will not be revealed to any other bidders and will be treated with utmost confidentiality
- 12.2. All information pertaining to FBS obtained by the bidder as a result of participation in this RFP is confidential and must not be disclosed without written authorisation from the FBS
- 12.3. The project lead will abide by FBS Code of Conduct and all laws, rules and regulations that govern the SETA

13. Miscellaneous

- 13.1. The service provider should include any additional information deemed useful to the FoodBev SETA in evaluating the proposal.

14. Negotiations

- 14.1. FoodBev SETA will enter into negotiations to agree on fees, scope of work, scope of service, and other salient commercial terms with the preferred bidder.

15. Validity

- 15.1. The proposal provided to FoodBev SETA in terms of this request for quotations will be valid for a period of 90 days from the date of submission with the exception of the Tax and B-BBEE certificates which must still be valid at the time of award.
- 15.2. Should there be a need to request extension of the finalization of the award of the bid, the bidders will be duly informed, and the tender/proposal will remain valid except for items mentioned above.

16. Conditions of payment

- 16.1. No service should be provided to FoodBev SETA before an official purchase order has been issued to the supplier. An invoice supported by all relevant documentation must be submitted to FoodBev SETA for certification and authorization before payment can be made. Invoices will be payable 30 days after receipt of the invoice and statement.

17. Cost of tendering/ providing quotations

- 17.1. The bidders shall bear all costs and expenses associated with the preparation and submission of the tender document/proposal. FoodBev SETA shall under no circumstances be responsible and/or liable for any such costs, regardless of, and without limitation to the conduct or outcome of the tendering, evaluation and selection process. The bidder will have no claim against FoodBev SETA where bids are cancelled for whatever reason.

18. Unsuccessful bidders

- 18.1. Please note FoodBev SETA decision on the selection of the successful bidder is final and FoodBev will not enter into any further correspondence and/or negotiations with any unsuccessful bidder.

19. COMPULSORY BRIEFING SESSION

- 19.1. Not Applicable

20. PROCEDURES FOR SUBMITTING QUATATIONS

- 20.1. **The closing date for proposals is 11th April 2022 @ 11h00.**
20.2. Suppliers must reach the FoodBev SETA before or on the closing date and time. Bidders must email a soft copy of their proposal to: scm@foodbev.co.za. Any queries relating to this request for quotation must be in writing and must be addressed to email: Enosm@foodbev.co.za

Prepared by: Mr D Smith (Manager: HR)

Signature:



Date:

Reviewed and approved by: Ms P Ngwasheng (Senior Manager: HR)

Signature:



Date:

STANDARD BIDDING DOCUMENTS

SBD 1.					
YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FOOD AND BEVERAGE MANUFACTURING SETA					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL	TICK APPLICABLE BOX]		B-BBEE STATUS LEVEL	SWORN AFFIDAVIT	[TICK APPLICABLE BOX]

VERIFICATION CERTIFICATE	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS			
<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</p>			

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND

TAX STATUS.

- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

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

DATE:

SBD 3.3.
Pricing Schedule: Professional Services

NAME OF BIDDER:
BID NO.
CLOSING TIME
CLOSING DATE

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
1.	The accompanying information must be used for the formulation of proposals.	
2.	Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.	R.....

3. PERSONS WHO WILL BE INVOLVED WITH THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST RENDERED IN TERM HEREOF)

4. PERSONS AND POSITION	HOURLY RATE	DAILY RATE
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN DAYS TO BE SPENT

.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....

- 5.1. Travel expenses (specify, for example rate/km and total km, class of air travel, etc.). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF THE EXPENSES	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....

- 5.2. Other expenses, for example accommodation (specify, e.g. Three-star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). Based on these, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF THE EXPENSES	RATE	QUANTITY	AMOUNT
.....	
.....	
.....	
.....	

TOTAL: R.....

6. Period required for commencement with the project after acceptance of bid

7. Estimated man-days for completion of project

R.....

8. Are the rates quoted firm for completion of project? *YES/NO

9. If not firm for the period, provide details of the basis on which adjustments will be applied for, for example consumer index.'

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

Any enquiries regarding bidding process may be directed to –

FoodBev SETA
13 Autumn street
Rivonia, Sandton
2128

Tel:
Or for technical information –
(Name and contact person)
Tel:

SBD 4.1 - 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 bid, 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 –
 - 1.1. The bidder is employed by the State; and/or
 - 1.2. The bidder is a Management Board member of FoodBev SETA and/or
 - 1.3. 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.

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;
- (e) Parliament.

- 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, etc²): _____
- 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
- 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 the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

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

2.7.2.1. If yes, did you attach 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.)

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

2.8. Did you or your spouse, or any of the company's directors/shareholders/members or their spouses conduct business with the State in the previous twelve (12) months? **YES / NO**

2.8.1. If so, furnish the following 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 the following particulars.

2.10. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the 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 the following particulars.

2.11. Do you or any of the directors/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 the following particulars.

.....

.....

.....

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

Full Name	Identity Number	Personal Tax Reference No	State Employee Number/ Persal Number

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

SBD 6.1 - PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable;
- 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	80
B-BBEE Status Level of Contributor	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 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) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{array}$$

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
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 6.1 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		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	
-----	--	----	--

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

Designated Group: An EME or QSE which is at least 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 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

(Tick applicable box)

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

8.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

.....

.....

.....

8.6 **COMPANY CLASSIFICATION**

(Tick applicable box)

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

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 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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>	<p>.....</p> <p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>.....</p> <p>ADDRESS:</p> <p>.....</p> <p>.....</p> <p>.....</p>
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SBD 8 - Declaration of Bidder's Past Supply Chain Management Practices

- 1 This declaration will be used by institutions to ensure that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 2 The bid of any bidder may be disregarded if that bidder, or any of its directors have:
 - a. abused the FoodBev SETA'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.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
3.1	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 homepage.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.1.1	If so, furnish particulars:		
3.2	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 homepage.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.2.1	If so, furnish particulars:		
3.3	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"/>
3.3.1	If so, furnish particulars:		
3.4	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"/>
3.4.1	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

I, the undersigned, in submitting the accompanying bid:

[Subject] - [Abstract]

(Bid Number and Description)

in response to the invitation for the bid made by:

FOODBEV SETA

(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:
 - ☐ has been requested to submit a bid in response to this bid invitation;
 - ☐ could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and



- ☐ 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. Without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- ☐ prices;
 - ☐ geographical area where product or service will be rendered (market allocation)
 - ☐ methods, factors or formulas used to calculate prices;
 - ☐ the intention or decision to submit or not to submit, a bid;
 - ☐ the submission of a bid which does not meet the specifications and conditions of the bid; or
 - ☐ 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

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.



.....
Position

.....
Name of Bidder



www.foodbev.co.za



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info@foodbev.co.za