

REQUEST FOR PROPOSAL (RFP): Manufacture and Delivery of Custom-Made Rubber Seal Components to iThemba LABS (NRF), Cape Town for a Period of Five (5) Years

Supplier name:

RFP Number:	iLABS/RFP2022/23:04
RFP Description:	Manufacture and Delivery of Custom-Made Rubber Seal Components to iThemba LABS (NRF), Cape Town for a Period of Five (5) Years
Date of Issue:	11 May 2022
Site Location:	iThemba LABS Old Faure Road Faure Cape Town 7131
Closing Date:	25 May 2022 at 11:00 am
Delivery Address for RFP:	Scm3@tlabs.ac.za (Proposal must be sent via email only)
For More Information, (Technical):	Mr. Ceazer Thenjwayo Email: scm3@tlabs.ac.za Tel: 021 843 1000
For More Information, (Supply Chain Management):	Mr. Odwa Mxenge Email: scm3@tlabs.ac.za Tel: 021 843 1000
iThemba LABS Business Hours:	08:00 am till 16:30 pm
Date Services Required:	Immediately After Issuing of Purchase Order
Validity from Closure Date:	30 Days
Awarding of Proposal:	April 2022

Contract Period:	Three (3) years
Preferential Procurement System Applicable:	80:20 This RFP is subject to the National Research Foundation SCM Policy; the General Conditions of Contract (GCC); Special Conditions of Contract (SCC), and, if applicable, any other legislation.

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1. INTRODUCTION TO THE NRF

The National Research Foundation (“NRF”) is a juristic person established in terms of the National Research Foundation Act, Act 23 of 1998, and a Schedule 3A Public Entity in terms of the Public Finance Management Act. The NRF is the government’s national agency responsible for promoting and supporting research and human capital development through funding researchers, provision of the National Research Platforms, and science outreach platforms/programs to the broader community. The NRF provides these services in all fields of science and technology, including natural science, engineering, social science, and humanities. The NRF delivers its mandate through its internal business units which are both functional and geographical diverse. All contracts flowing from bidding only apply to iThemba LABS Cape Town.

The NRF is a schedule 3A entity under the PFMA (Act 29 of 1999), which is required to plan and report on its activities and organizational performance, and which is to be audited by the AGSA on an annual basis. As part of the AGSA audit requirements, the NRF has to collect / document and store details, data and/or information of all persons and activities that form part of its performance record as proof thereof. In terms of this requirement, all persons making use of NRF facilities, platforms, equipment, tools etc., for research and related purposes are required to provide their personal details/data/information as per the template below or other similarly appropriate format. By completing your information in the template/register/record below and appending your signature thereto, you confirm your consent, in line with the Protection of Personal Information Act 4 of 2013, whereby the NRF and any of its business units may process (collect, receive, record, organize, collate, share, store, update, modify, retrieve, alter, consult, use, disseminate, distribute, merge, link, erase or destroy) the personal information you provide within and amongst its business units/functions for the purpose of fulfilling its statutory mandate, public accountability and other regulatory/legal requirements.

2. INTRODUCTION TO THE NRF BUSINESS UNIT RESPONSIBLE FOR THIS RFP

iThemba LABS (Laboratory for Accelerator-Based Sciences) is a multi-disciplinary research laboratory based at two sites in the Western Cape and Gauteng respectively, these provide facilities for:

- Basic and Applied Nuclear Physics Research using Particle Beams
- Research Radiation Biophysics
- The supply of Accelerator-produced Radioactive Isotopes for Nuclear Medicine and Research

The Infrastructure and Projects department of iThemba Labs Cape Town is responsible for this RFP.

3. INVITATION FOR PROPOSAL

iThemba LABS seeks to appoint a reputable Service Provider as required by National Treasury Regulations (NTRs) and Public Financial Management Act (PFMA) through an open and competitive process so that it can realise the benefits of the strategic sourcing which includes, amongst others:

- Reducing the cost of effort and administration
- Minimising price inconsistencies
- Reducing inadequate contract management and service delivery

This Request for Proposal is intended to allow the successful bidder to specify and present their skills, expertise and price for the above-mentioned services to iThemba LABS. Final acceptance of any proposal is not guaranteed, this being the exclusive right of iThemba LABS. The purpose of this RFP is to invite proposals for the **MANUFACTURE AND DELIVERY OF CUSTOM-MADE RUBBER SEAL COMPONENTS TO ITHEMBA LABS (NRF), CAPE TOWN** with the right to cancellation due to non – performance.

4. OBJECTIVES OF iThemba LABS

The long-term Key Strategic Objectives of iThemba LABS are well aligned with five of the six Strategic Outcomes of the National Research Foundation (NRF) as follows:

- iThemba LABS develops and provides to its users' leading-edge research and infrastructure platforms to **enhance impact on the research enterprise**. This state-of-the-art facility is aimed at responding to the needs of the SA research community in subatomic science and technology, radiobiology, radiochemistry, materials research, accelerator mass spectrometry, and environmental sciences, as well as other disciplines that can benefit from ion beam analysis techniques.
- The availability of the leading–edge research allows iThemba LABS to contribute to **enhance impact on the research enterprise** through in-house and collaborative research projects. In addition to growing the production of globally competitive research outputs our training capacity is enhanced, leading to improvement in both quality and quantity of Human Capacity Development (HCD), and contributing to a **transformed (internationally competitive and sustainable) research workforce**. Competitive infrastructure also allows iThemba LABS and its users to forge closer ties with the South African, African and International Science and Technology, Higher Education and Research Institutions. Our facilities and skilled human resources also serve to technically and scientifically assist South African research groups that wish to use international facilities thereby contributing to a **transformed organisation that lives its culture and values**.
- Having world class infrastructure, conducting competitive research and having active international research collaborations serves to establish iThemba LABS and South Africa to be **globally recognised and respected for the research infrastructure platforms and people**. iThemba LABS further contributes to the societal benefit by growing and enhancing our Radionuclide Production portfolio and service offering for the health and related benefits of the SA community whilst improving cost recovery opportunities.
- iThemba LABS **upholds best corporate practise** and constantly strives to deliver transparent HR/Business/Finance processes (including Health and Safety) in line with the NRF policies in support of the operations and to facilitate Strategic Decision Making.
- iThemba LABS offers an extensive range of training programmes, mainly focused on post-graduate training where our research facilities are being utilized. In particular, post-graduate programmes with HDIs provide the pipeline needed to generate a **transformed research and technical workforce**, not only internal to the NRF but also in academia and the nuclear industry

- A small but active group at iThemba LABS engages in a variety of science outreach programmes aimed at establishing a **scientifically informed society**. Having world-class research facilities and participating in leading edge research plays an important role in instilling interest and pride in science in South Africa.

5. REGISTRATION ON THE CENTRAL SUPPLIER DATABASE (CSD)

The bidder must register on the National Treasury's Central Supplier Database in order to do business with an organ of state or for the NRF to award a bid or contract. Registration on the CSD (www.csd.gov.za) provides a bidder with an opportunity to do business with all state organisations including provincial and municipal levels. National Treasury Contact Details: 012 406 9222 or email csd.support@treasury.gov.za .

6. SECTION 1: Process Description & Administrative Requirements.

6.1 Mandatory and Administrative Requirements

- 1 All documentation to be included:

PART 1: Technical Proposal: iLABS/RFP2022/23:04

PART 2: B-BBEE and other Mandatory Documentation:

- 2 Detailed proposal and any additional information must accompany this signed Request for Proposal (RFP).
- 3 Prices supplied must be fully inclusive of all costs; value added tax, delivery charges and other taxes.
- 4 Prices must be in South African currency.
- 5 Price summary supplied in this document is firm prices.
- 6 Bidders not submitting mandatory returnable evaluation documents will not be considered for technical evaluation and will be disqualified automatically.

ADMINISTRATIVE DOCUMENTS (M = Mandatory), (O – Optional)		
Please Tick Applicable		
B – BBEE Certificate (or Sworn affidavit or Certified Copy) (minimum level 4)	M	YES/NO
Central Supplier Database (CSD) Proof of Registration (www.csd.gov.za)	M	YES/NO
Bidders Declaration (SBD 4), signed and completed	M	YES/NO
Preference Points Claimed (SBD 6.1), signed and completed with an original BBBEE certificate or a certified copy of an original BBBEE certificate.	M	YES/NO
Resolution by the Bidder authorizing signatory (If documents completed and signed by the Owner/Partner/Managing Director, Resolution not needed from the bidder)	M	YES/NO
The bidder needs to be located within 100KM of the iThemba LABS (Faure, Western Cape) for ease of access should there be a need for inspection, testing, to address changes, resolving issues etc	M	YES/NO
EVALUATION DOCUMENTS (Go/No Go)		
Note: Compulsory to submit all returnable documents		
Proof that the bidder/supplier has a proven record of successfully manufacturing the required product. Submit a document in support of their experience on manufacturing of such rubber components i.e. Detailed Company Profile	M	YES/NO

<p>Evidence of capability to manage and execute this bid and subsequent contract. i.e. Bidder/Supplier shall have in-house facilities for carrying out manufacturing, inspection and testing activities. If, some of the activities are subcontracted, the bidder shall declare and clearly bring out in his quotation all such probable activities along with names of the sub-contractor(s).</p> <p>Submit a document(s) detailing their product offering (range) and technical capabilities.</p> <p><i>NOTE TO EVALUATORS: Use some or all of the following sources of supplied information as applicable (company profile, product range offering, technical capabilities etc.)</i></p>	M	YES/NO
<p>Evidence of capacity to execute this bid and subsequent contract i.e. Submit a list of contactable references – three (3) - whom the bidder/supplier has rendered services of a similar scope, as this invitation.</p>	M	YES/NO
<p>Evaluate that the geometry tolerances on manufactured parts can be met by the bidders' proposed manufacturing method(s).</p> <p>Submit a document(s) detailing their systems/procedures, jig information, inspection process/ information/ templates/reports.</p> <p><i>NOTE TO EVALUATORS: Use some or all of the following sources of supplied information as applicable (Systems/procedures, jigs/fixtures information, inspection information/ templates/reports etc.)</i></p>	M	YES/NO
<p>Evidence that the bidder/supplier has a formal quality management system (e.g. ISO 9001 certificate), or description and sufficient evidence of quality control processes employed to ensure that the items delivered are according to our desired specifications and that manufactured parts are within the allowable tolerance(s).</p> <p>Submit a document(s) in support of their accreditation/certification, systems/procedures.</p> <p><i>NOTE TO EVALUATORS: Defined as meeting the minimum specifications set consistently, e.g. Valid ISO 9001 certificate, or description and evidence of quality control processes to be used which are sufficient to ensure items meet specification consistently.</i></p>	M	YES/NO

1.1. Proposal Submission

Proposal must reach iThemba LABS before the closing hour on the date shown below:

RFP No: iLABS/RFP2022/23:04

Description: Manufacture and Delivery of Custom-Made Rubber Seal Components to iThemba LABS (NRF), Cape Town for a Period of Five (5) Years

Closing Date and Time: 25 May 2022 at 11:00 am

Email Submission Address: scm3@tlabs.ac.za

- 1.1.1. Please note that this RFP closes punctually at 11:00 am on 25 May 2022. No late bids will be accepted.
- 1.1.2. If responses are not delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE." This included bids that are delivered late.
- 1.1.3. Only email responses will be considered, unless otherwise stated herein.
- 1.1.4. The responses to this RFP will be evaluated as soon as practicable after the expiry of the time advertised for receiving them.
- 1.1.5. iThemba Labs reserves the right to accept the whole proposal or part of your submitted proposal or any item or part of any item or accept more than one proposal (in the event of a number of items being offered).
- 1.1.6. iThemba LABS shall not, at the evaluation of responses, disclose to any other company any confidential details pertaining to the Proposals / information received i.e. pricing, delivery, etc. The names and locations of the Respondents will be divulged to other respondents upon request.
- 1.1.7. Each proposal shall be valid for a minimum period of at least Ninety (90) days calculated from the closing date.
- 1.1.8. All documentation to be included:
 - **PART 1:** Technical Proposal: RFP No.: iLABS/RFP2021/22:24
 - **PART 2:** Pricing Proposal, B-BBEE and other Mandatory Documentation:
- 1.1.9. Proposals submitted by companies must be signed by a person or persons duly authorised.

6.2 Awarding of Request for Proposal and Appointment of Bidder

- 6.2.1 The contract will be awarded to the bidder who scores the highest total number of points during the evaluation process, except where the law permits otherwise.
- 6.2.2 iThemba LABS will award the contract to qualified bidder(s) whose proposal is determined to be the most advantageous to iThemba LABS, taking into consideration the Technical (Functional) Solution, Price and B-BBEE.

6.3 Evaluation Process.

6.3.1 Evaluation of proposals:

All proposals will be evaluated by an evaluation team and SCM for administrative compliance, Functionality, Price and B-BBEE. Based on the results of the evaluation process and upon successful negotiations, iThemba LABS will approve the awarding of the contract to successful bidder.

6.3.2 Evaluation process will be followed:

The first phase includes evaluation of mandatory and technical criteria.

The second phase includes the evaluation of price and B-BBEE status.

- Pricing Proposals will only be considered after the technical phase has been adjudicated and accepted.
- Preference points system:
The 80/20 preference point system will be used where 80 points will be dedicated to price and 20 points to B-BBEE status.

6.3.3 Pricing Proposal:

6.3.3.1 Pricing proposal must be cross-referenced to the sections in the Technical Proposal.

6.3.3.2 Price needs to be provided in South African Rand (incl. VAT), with details on price elements that are subject to escalation and exchange rate fluctuations clearly indicated.

6.3.3.3 Only firm prices will be accepted during the bid validity period. Non-firm prices (including prices subject to rates of exchange variations) will not be considered.

6.4 Appointment of Bidder.

6.4.1 Appointment as a successful bidder shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement iThemba LABS reserves the right to appoint an alternative supplier.

6.4.2 Awarding of contracts will be announced on iThemba LABS website and regret letters will be sent to unsuccessful bidders.

6.5 Communication.

6.5.1 Bidders are warned that a Proposal will be liable to disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer or employee of iThemba LABS in respect of this RFP between the closing date and the date of the award of the business.

6.5.2 For specific queries relating to this RFP, Respondents must contact SCM Office in writing.

6.5.3 After the closing date of the RFP, a Respondent may communicate with iThemba LABS Supply Chain Management Section, at scm3@tlabs.ac.za on any matter relating to its RFP proposal.

6.5.4 Respondents found to be in collusion with one another will be automatically disqualified and blacklisted from doing business with iThemba LABS in future.

6.6 Proposal Documentation Availability.

6.6.1 The RFP documents are available from the iThemba LABS website – <https://tlabs.ac.za/supply-chain/tenders/>

7 SECTION 2: BACKGROUND

7.1 Background

As part of the SAIF project, iThemba LABS will design and install high intensity bombardment target stations for the production of radioisotopes. These radioisotopes/pharmaceuticals will be produced under Good Manufacturing Practice principles which are the requirements for the South African Pharmacy Council and South Africa Health Products Regulatory Authority, who has distribution agreements with companies around the world. Therefore, products supplied by the Radionuclide Production Department should be of a high and consistent quality.

8 SECTION 3: SPECIFICATION

8.1. The bidder/supplier will Manufacture and Delivery of Custom-Made Rubber Seal Components to iThemba LABS (NRF), Cape Town.

8.2. Manufacturing drawings of these parts are provided in ANNEXURE A.

8.3 Stage 1: Prototype design and sample manufacturing:

Developing, testing and evaluating the proposed concept to finalise the design - design and manufacturing of the prototype mould, manufacturing and testing prototype seals – of different shore hardness, of which will be tested by iThemba Labs to confirm the final shore hardness. *The shore hardness range to be from 50 ~ 90.*

8.4 Stage 2: Approval, Documentation and Production manufacturing:

Refining and Approval of the final design, preparing of technical drawings (outlining specifications) and manufacturing of the seals.

9 PRICING SCHEDULE INSTRUCTIONS:

- Bidders must price in accordance with the pricing schedules below, this will enable iThemba LABS to compare priced offers.
- Failure to submit a priced offer using the prescribed schedules will make the bid liable for disqualification.
- Do not leave any area blank in the pricing schedules.
- All payments will be made thirty (30) days of receiving the invoice.

<u>NO</u>	<u>DESCRIPTION</u>	<u>QTY</u>	<u>Price per unit</u> <u>(VAT Inclusive)</u>	<u>Total Price (VAT</u> <u>Inclusive)</u>
1	Stage 1 - Prototype design and sample manufacturing	20 off	R	R
2	Stage 2 – Approval, Documentation and Production manufacturing	250 off (1 st year)	R	R
	Year 2	250 off	R	R
	Year 3	250 off	R	R
	Year 4	250 off	R	R
	Year 5	250 off	R	R
TOTAL (ALL Rates VAT INCLUSIVE)				R

Estimated Annual Requirements

Year	Condition	Qty	Condition
2022	Prototype set:	20	Testing of varying Shore harness of casting, Approval & QA agreement. (SH values to be communicated directly by the Designer)
2022	1st production	250	Quality Assurance to be supplied with batch
2023	2nd yr. qty:	250	Quality Assurance to be supplied with batch
2024	3rd yr. qty:	250	Quality Assurance to be supplied with batch
2025	4th yr. qty:	250	Quality Assurance to be supplied with batch
2026	5th yr. qty:	250	Quality Assurance to be supplied with batch, order complete

NOTE:

Following test certificate by bidder/supplier (copy of original) shall be required along with the supply of the finished parts.

- Material test certificates – PRIOR TO DELIVERY
- Conformance of dimensions inspection report – UPON DELIVERY

10 SPECIAL CONDITIONS FOR MANAGING THE CONTRACTUAL OBLIGATIONS	
SERVICE PERFORMANCE LEVELS (MANDATORY)	
Service being Measured	Penalty where minimum levels are breached
Design, manufacturing	As stipulated GCC 6, GCC 15, GCC 22
Quality of manufactured parts	As stipulated GCC 22
Detailed cost estimate	As stipulated GCC 17, GCC22
Delivery according to schedule – To be announced After Issuing of Purchase Order	As stipulated GCC 10, GCC 22
Tender documentation	As stipulated GCC 22
11 GENERAL CONDITIONS OF CONTRACT FOR PERFORMANCE MANAGEMENT	
GCC22	22. Penalties
	22.1. Subject to GCC Clause 25, if the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. The purchaser may also consider termination of the contract pursuant to GCC Clause 23.

Please visit <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions> for the detailed GCC's which forms part of the binding contract which will be issued to the awarded bidder.

9. SBD 4

STANDARD BIDDING DOCUMENT (SBD) 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? YES/NO

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

any other applicable legislation.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

10. PREFERENCE POINTS CLAIMED (SBD 6.1)

PREFERENCE POINTS CLAIM FORM

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 POLICY FRAMEWORK ACT 2000.

1. GENERAL CONDITIONS

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

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

1.1.2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2.

1.2.1. The value of this bid is estimated not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable

1.2.2. the 80/20 preference point system will be applicable to this tender

1.3. Points for this bid shall be awarded for:

1.3.1. Price; and

1.3.2. 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 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 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

- 2.1. **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.2. **“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;
- 2.3. **“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;
- 2.4. **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5. **“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;
- 2.6. **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.7. **“prices”** includes all applicable taxes less all unconditional discounts;
- 2.8. **“proof of B-BBEE status level of contributor”** means:
- 2.8.1. B-BBEE Status level certificate issued by an authorized body or person;
- 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
- 2.8.3. Any other requirement prescribed in terms of the B-BBEE Act;
- 2.9. **“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;
- 2.10. **“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

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

or

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

- 4.1. 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		NO	
-----	--	----	--

7.1.1. If yes, indicate:

7.1.1.1. What percentage of the contract will be subcontracted.....%

7.1.1.2. The name of the sub-contractor.....

7.1.1.3. The B-BBEE status level of the sub-contractor.....

7.1.1.4. Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

7.1.1.5. 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 √
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

.....

	<p>.....</p> <p>.....</p> <p>.....</p>
8.6.	<p>COMPANY CLASSIFICATION</p> <p><input type="checkbox"/> Manufacturer</p> <p><input type="checkbox"/> Supplier</p> <p><input type="checkbox"/> Professional service provider</p> <p><input type="checkbox"/> Other service providers, e.g. transporter, etc.</p> <p>[TICK APPLICABLE BOX]</p>
8.7.	<p>Total number of years the company/firm has been in business:</p>
8.8.	<p>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-BBEE 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:</p>
8.8.1.	<p>The information furnished is true and correct;</p>
8.8.2.	<p>The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;</p>
8.8.3.	<p>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;</p>
8.8.4.	<p>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 –</p>
8.8.4.1.	<p>disqualify the person from the bidding process;</p>
8.8.4.2.	<p>recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;</p>
8.8.4.3.	<p>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;</p>
8.8.4.4.	<p>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</p>
8.8.4.5.	<p>forward the matter for criminal prosecution.</p>

13. CONTRACT MANAGEMENT

1. Contract Management

- 1.1. The NRF manages this contract fairly and objectively in accordance to the terms and conditions set out in this document.

2. Contract Manager

- 2.1. The NRF appoints a contract manager and notifies the other party in writing of the name and contact details of the appointed contract manager.

3. Contract Communication

- 3.1. The NRF communicates all communications in writing as well as through email.
- 3.2. The NRF maintains all contract documentation, correspondence, etc. in a defined contract file open for inspection.
- 3.3. The NRF states the contract number with secondary reference numbers i.e. purchase numbers on all communication, documentation such as purchase orders issued, etc. The NRF will consider any communication without the contract number on as not being legal communication between the parties and not enacted on by either party as a protection against fraud.

4. Communicating “As and When” in terms of the specific contract clauses

- 4.1. Where prices and/or availability need to be confirmed, a request for an updated detail quotation/information is issued and the Project Leader must complete a B52 (Request for Order). The detailed quotation together with the signed B52 must be submitted to Supply Chain Management Office for processing;
- 4.2. Where specific procurement items as specified in the contract are required, the NRF issues a purchase order stating the contract number for the requirement.
- 4.3. Such purchase order has the following detail (where this is not provided, the purchase order is not a valid communication in terms of this contract):
- 4.3.1. Purchase Order Number
 - 4.3.2. Contract Number
 - 4.3.3. Quantity
 - 4.3.4. Description of the required procurement. Where detailed, reference must be made to the relevant technical document attached;
 - 4.3.5. Catalogue number if applicable;
 - 4.3.6. Unit price per this contract;
 - 4.3.7. Delivery Date;
 - 4.3.8. Business unit code; and

4.3.9. The specific delivery site(s).

5. Communicating where incidental services are required as listed in this document

- 5.1. Incidental services are specified in the incidental services clause
- 5.2. Incidental services are priced in accordance with the incidental clause where such prices have not been set in the SBD form.

6. Communicating where spare parts are required as listed in this document

- 6.1. The spare parts services are specified in the spare parts clause

7. Performance Management

- 7.1. The NRF measures performance throughout the contract life.
- 7.2. The NRF has regular performance review with the contractor.
- 7.3. Where severe non-performance occurs will terminate the contract earlier in consultation with the contractor.

14. CONTRACTED BIDDER

8. Managing the Contract

- 8.1. The contracted party manages this contract fairly and objectively in accordance to the terms and conditions set out in this document.
- 8.2. The Service Provider will supervise and exercise proper control over its personnel and shall not hold the iThemba LABS liable for any loss or injury caused to the said personnel. The Service Provider will seek to resolve any problems relating to its personnel in line with the laws of the country (e.g. Labour Laws).

9. Contract Manager

- 9.1. The contracted party appoints a contract manager and notifies the NRF in writing of the name and contact details of the appointed contract manager.

10. Communication

- 10.1. The contracted party communicates in writing and through email.
- 10.2. The contracted party always state the contract number on communication, documentation such as correspondence, purchase orders issued, etc. and will not act upon any communication without the contract number or must verify such communication with the NRF prior to acting upon it.

11. Managing Stages (if applicable), Delivery Scheduling (if applicable), Milestones (if applicable)

- 11.1. Where different stages apply, the contracted party communicates in writing the commencement of the stage to the NRF.

12. Health and Safety Requirements

	<p>12.1. In terms of the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations), the contracted supplier is responsible for the health and safety of its employees and those other people affected by the operations of the supplier.</p> <p>12.2. The contracted supplier ensures all work performed and/or equipment used on site complies with the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations).</p> <p>12.3. To this end, the contracted supplier shall make available to NRF the valid letter of good conduct and shall ensure that its validity does not expire while executing this bid.</p> <p>12.4. Prior to commencement of any work the contractor needs to complete an Indemnity form, the iThemba LABS Contractual obligations form and will be required to attend a Contractors Health and Safety induction prior to commencement of any works.</p>						
	<p>15. BID SUBMISSION CERTIFICATE FORM</p>						
	<p>I hereby undertake to supply all or any of the goods, works, and services described in this procurement invitation to the NRF in accordance with the requirements and specifications stipulated in this Bid Invitation document at the price/s quoted.</p>						
	<p>My offer remains binding upon me and open for acceptance by the NRF during the validity period indicated and calculated from the closing time of Bid Invitation.</p>						
	<p>The following documents are deemed to form and be read and construed as part of this offer / bid even where integrated in this document:</p> <table border="1" data-bbox="97 969 1575 1211"> <tr> <td data-bbox="97 969 780 1072">Invitation to Bid</td> <td data-bbox="780 969 1575 1072">Specification(s) set out in this Bid Invitation inclusive of any annexures thereto</td> </tr> <tr> <td data-bbox="97 1072 780 1211" rowspan="2">Bidder's responses to this invitation as attached to this document</td> <td data-bbox="780 1072 1575 1140">Pricing Schedule(s) including detailed schedules attached</td> </tr> <tr> <td data-bbox="780 1140 1575 1211">CSD / Tax clearance letter</td> </tr> </table> <p>Bidder's Declaration (SBD4);</p> <p>Preference (SBD 6.1) claims for Broad Based Black Economic Empowerment Status Level of Contribution (SBD6.1) and the BBBEE certificate</p> <p>Conditions of contract as set out in this document (GCC)</p>		Invitation to Bid	Specification(s) set out in this Bid Invitation inclusive of any annexures thereto	Bidder's responses to this invitation as attached to this document	Pricing Schedule(s) including detailed schedules attached	CSD / Tax clearance letter
Invitation to Bid	Specification(s) set out in this Bid Invitation inclusive of any annexures thereto						
Bidder's responses to this invitation as attached to this document	Pricing Schedule(s) including detailed schedules attached						
	CSD / Tax clearance letter						
	<p>I confirm that I have satisfied myself as to the correctness and validity of my offer / bid in response to this Bid Invitation; that the price(s) and rate(s) quoted cover all the goods, works and services specified in the Bid Invitation; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.</p>						
	<p>I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me in terms of this Bid Invitation as the principal liable for the due fulfilment of the subsequent contract if awarded to me.</p>						
	<p>I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other Bid.</p>						
	<p>I certify that the information furnished in these declarations (SBD4 and SBD6.1) is correct and I accept that the NRF may reject the Bid or act against me should these declarations prove to be false.</p>						
	<p>I confirm that I am duly authorised to sign this offer/ bid response.</p>						

NAME (PRINT)	
CAPACITY	
SIGNATURE	
Witness 1	
NAME	
SIGNATURE	

Witness 2	
NAME	
SIGNATURE	
DATE	

