

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF HOME AFFAIRS					
BID NUMBER:	DHA11-2021	CLOSING DATE:	10 SEPTEMBER 2021	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY, DELIVERY, REPAIR AND INSTALLATION OF TERMINAL SEATING IN HOME AFFAIRS OFFICES FOR A PERIOD OF THREE (3) YEARS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Department of Home Affairs,					
230 Johannes Ramokhoase Street,					
Cnr. Thabo Sehume and Johannes Ramokhoase Streets					
Hallmark Building, Pretoria					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Nico Masango/Lunga Njabule		CONTACT PERSON	Chris Swart / Rita Prinsloo	
TELEPHONE NUMBER	(012) 406 2789/012 406 4027		TELEPHONE NUMBER	(012) 402 4041 / 012 406 2785	
E-MAIL ADDRESS	Nico.masango@dha.gov.za Lunga.njabule@dha.gov.za		E-MAIL ADDRESS	Chris.swart@dha.gov.za rita.prinsloo@dha.gov.za	
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 VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ 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?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO
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.	

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:

I INSTRUCTIONS TO BIDDERS

A THE TENDER DOCUMENTS

Rules for Bidding

- 1.1. The Department is not bound to accept any of the proposals submitted and reserves the right to call for presentations from short-listed bidders before final selection.
- 1.2. The Department reserves the right to terminate this appointment or temporarily defer the work, or any part thereof, at any stage of completion should the Department decide not to proceed with the tender.
- 1.3. The Department also reserves the right to appoint any other person to undertake any part of the tasks.
- 1.4. The service provider must be a single legal entity with all other necessary expertise secured via sub-contract, or under a joint venture arrangement. The Department will enter into a single contract with a single entity for the delivery of the work set out in these tender documents.
- 1.5. The bidding entity shall be the same entity that will execute the bid. Any bid found to be fronting for another entity or entities shall be disqualified immediately.
- 1.6. All South African firms submitting bids as part of a consortium or joint venture must submit a valid original tax clearance certificates.
- 1.7. Foreign firms providing proposals must become familiar with local conditions and laws and take them into account in preparing their proposals.
- 1.8. The service provider and its affiliates are disqualified from providing goods, works and services to any private party to this Agreement, or any eventual project that may result, directly or indirectly from these services.
- 1.9. Firms may ask for clarification on these tender documents or any part thereof up to close of business 1 week before the deadline for the submission of the bids.
- 1.10. The Department reserves the right to return late bid submission unopened.
- 1.11. Firms may not contact the Department on any matter pertaining to their bid from the time when the bids are submitted to the time the contract is awarded. Any effort by a bidder to influence bid evaluation, bid comparisons or bid award decisions in any manner, may result in rejection of the bid concerned.
- 1.12. Should the contract between the Department and the service provider be terminated by either party due to reasons not attributable to the service provider, the service provider will be remunerated for the appropriate portion of work completed up to a maximum amount of not more than the total fee bid by the service provider for the appropriate phase of the project during which the appointment was terminated.

Conditions of the Tender

- 1.13. The General Conditions of contract, as attached will apply.
- 1.14. The Department will become the owner of all information, documents, programmes, advice and reports collected and compiled by the service provider in the execution of this tender.
- 1.15. The copyright of all documents, programmes, and reports compiled by the service provider will vest in the Department and may not be reproduced or distributed or made available in any other way without the written consent of the Department.

- 1.16. All information, documents, programmes and reports must be regarded as confidential and may not be made available to any unauthorised person or institution without the written consent of the Department.
- 1.17. Bidders shall undertake to limit the number of copies of this document and destroy them in the event of their failure to secure the contract.
- 1.18. The service provider is entitled to general knowledge acquired in the execution of this agreement and may use it, provided that it shall not be to the detriment of the Department.

Cost of Bidding

- 1.19. The Bidder shall bear all costs associated with the preparation and submission of its bid and the Department, will in no case be held responsible or liable for these costs, regardless of the conduct or outcome of the tender process.

Content of Tender Documents

- 1.20. The services required, tender procedures and contract terms are prescribed in the tender documents, which include:
 - i. Instruction to Bidders;
 - ii. Technical Bid;
 - iii. Terms of Reference;
 - iv. Evaluation Criterion;
 - v. Financial Bid;
- 1.21. The Bidder is expected to examine all instructions, forms, terms and specifications in the tender documents. Failure to furnish all information required by the tender documents or submission of a bid not responsive to the tender documents in every respect will be at the Bidder's risk and may result in rejection of the bid.

Clarification of Tender Documents

- 1.22. The Department will respond in email to any request for clarification of the tender documents which it receives no later than 1 week prior to the deadline for submission of bids prescribed by the Department.
- 1.23. Bidders are invited to a non-compulsory virtual (Microsoft Teams) briefing session that will be held as follows:

Date and time: Friday, 13 August 2021 from 10h00 until 11:00.

Interested bidders must submit an email requesting the link to the virtual meeting on or before Wednesday, 11 August 2021.

Amendment of Tender Documents

- 1.24. At any time prior to the deadline for submission of bids, the Department may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective bidder, modify the tender document by amendment.
- 1.25. All prospective bidders who have received the tender document will be notified of the amendment in writing or by fax, and same will be binding on them.
- 1.26. In order to allow prospective bidders reasonable time in which to take the amendment into account in preparing their bids, the Department, at their discretion, may extend the deadline for the submission of bids.

B. PREPARATION OF BIDS

Language of Bid

- 1.1. The bid prepared by the Bidder, as well as all correspondence and documents relating to the bid exchanged by the Bidder and the Department shall be written in English.

Documents Constituting the Bid

- 1.2. The bid prepared by the Bidder shall comprise the following components:
- **Technical Bid, including:**
 - i. Invitation to Bid (SBD 1)
 - ii. Original Tax Clearance Certificate
 - iii. Declaration of Interests(SBD4)
 - iv. Preferential Points Claim Forms (SBD 6.1)
 - v. Declaration Certificate For Local Production and Content For Designated Sectors (SBD 6.2)
 - vi. Local Content Declaration – Summary Schedule (Annex C)
 - vii. Declaration of past Supply Chain Management practices (SBD8)
 - viii. Certificate of independent bid determination (SBD9)
 - ix. General Conditions of contract
 - x. Completed Technical Specification Document
 - **Financial Bid, comprising:**
 - i. Price Schedule – Professional services (SBD 3.1)

Bid Prices

- 1.3. Prices indicated on the Price Schedule shall be the total price of services including, where applicable:
- All duties and other taxes;
 - The price of transportation, insurance and other costs incidental to delivery of the services to their final destination;
 - The price of any other incidental services required in terms of the tender deliverables;
- 1.4. Prices quoted by the Bidder shall be fixed during the Bidder's performance of the Contract and not subject to variation on any account.
- 1.5. A bid submitted with a variable price quotation will be treated as non-responsive and rejected.
- 1.6. Prices shall be quoted in South African Rands.
- 1.7. The Department has limited resources and bids must be competitive, with market related pricing, as this will be one of the deciding factors in the final award of the contract.

Period of Validity of Bids

- 1.8. Bids shall remain valid for 90 days after the closing date of bid prescribed by the Department. A bid valid for a shorter period shall be rejected by the Department as non-responsive.

- 1.9. In exceptional circumstances, the Department may solicit the Bidder's consent to an extension of the period of validity. The request and the response thereto shall be made in writing. A Bidder may refuse the request. A Bidder granting the request will not be required nor permitted to modify its bid.

Format and Signing of Bid

- 1.10. The Bidder shall prepare one copy of the Technical Bid and Financial Bid separately, clearly marking each "Original Bid" and "Copy Bid", as appropriate. In the event of any discrepancy between them, the original shall govern. **Apart from hard copies, a copy should also be provided on CD.**
- 1.11. The original and all copies of the bid shall be typed or written in indelible ink and shall be signed by the Bidder or a person or persons duly authorized to bind the Bidder to the Contract. All pages of the bid, except for un-amended printed literature, shall be initialled by the person or persons signing the bid.
- 1.12. Any interlineations, erasures or overwriting shall be valid only if they are initialled by the person or persons signing the bid.

Sealing and Marking of Bids

- 1.13. The original and copy of the Technical Bid shall be placed in a sealed envelope clearly marked Technical Bid and original and copy of the Financial Bid shall be placed in a sealed envelope clearly marked Financial Bid and warning "Do not open with Technical Bid". All the inner envelopes shall then be placed into an outer envelope. The inner and outer envelopes shall be addressed to the following address:
- Department of Home Affairs
Private Bag X114
PRETORIA
0001
- 1.14. The inner envelopes shall also indicate the name and address of the Bidder to enable the bid to be returned unopened in case it is declared late.
- 1.15. If the outer envelope is not sealed and marked as required by the clause, the Department will assume no responsibility for the bid's misplacement or premature opening.
- 1.16. **Faxed or emailed bids will not be accepted.**

Closing Date of Bids

- 1.17. Bids (Technical and Financial) must be received by the Department at the address specified under clause 1.13 above. In the event of the specified date for the submission of Bids being declared a holiday for the Department, the Bids will be received up to the appointed time on the next working day.
- 1.18. The Department may, at its discretion, extend this deadline for submission of bids by amending the bid documents in which case all rights and obligations of the Department and Bidders previously subject to the deadline will thereafter be subject to the deadline as extended.

Late Bids

- 1.19. Any bid received by the Department after the deadline for submission of bids prescribed by the Department, will be rejected and/or returned unopened to the Bidder.

Modification and Withdrawal of Bids

- 1.20. The Bidder may modify or withdraw its bid after the bid's submission, provided that written notice of the modification or withdrawal is received by the Department prior to the deadline prescribed for submission of bids.
- 1.21. The Bidder's modification or withdrawal notice shall be prepared, sealed, marked and dispatched in accordance with the provisions of clause 6. A withdrawal notice may also be sent by fax, followed by a signed confirmation copy, post marked not later than the deadline for submission of bids.
- 1.22. No bid may be modified subsequent to the deadline for submission of bids.
- 1.23. No bid may be withdrawn in the interval between the deadline for submission of bids and the expiration of period of bid validity specified by the Bidder on the Invitation to Bid form.

C. EVALUATION OF BIDS

Clarification of Bids

- 1.1. During evaluation of bids, the Department may, at its discretion, ask the Bidder for a clarification of its bid. The request for clarification and the response shall be in writing.

Preliminary Examination

- 1.2. The Department will examine the bids to determine whether they are complete, whether they meet all the conditions of the Contract and Technical Specifications and whether any computational errors have been made, whether the documents have been properly signed, and whether the bids are generally in order.
- 1.3. Arithmetical errors will be rectified on the following basis. If there is a discrepancy between the unit price and the total price that is obtained by multiplying the unit price and quantity, the unit price shall prevail and the total price shall be corrected. If there is a discrepancy between words and figures, the amount in words shall prevail. If the supplier does not accept the correction of errors, its bid may be rejected.
- 1.4. If a bid is not responsive and not fulfilling all the conditions of the Contract and not meeting Technical Specifications, it will be rejected by the Department and may not subsequently be made responsive by the Bidder by correction of the non-conformity.

Evaluation and Comparison of Bids

- 1.5. The Department will evaluate and compare the financial bids only of those Bidders whose Technical Bid has been accepted by the Department.
- 1.6. The Department's evaluation of a financial bid will take into account information to be provided on the SBD 3.1.

Contacting the Department

- 1.7. Subject to clause 1.1 above, no Bidder shall contact the Department on any matter relating to its bid, from the time of the bid opening to the time the Contract is awarded. If the bidder wishes to bring additional information to the notice of the Department, it should do so in writing.
- 1.8. Any effort by a Bidder to influence the Department in its decisions on bid evaluation, bid comparison or contract award may result in rejection of the Bidder's bid.

D. AWARD OF CONTRACT

Post qualification

- 1.1. The Department will determine to its satisfaction whether the Bidder that is selected as having submitted the highest evaluated responsive bid meets the criteria specified in these documents, and is qualified to perform the contract satisfactorily.
- 1.2. The determination will take into account the Bidder's financial, technical and production capabilities. It will be based upon an examination of the documentary evidence of the Bidder's qualifications submitted by the bidder, as well as such other information as the Department deems necessary and appropriate.
- 1.3. An affirmative determination will be a prerequisite for award of the Contract to the Bidder. A negative determination will result in rejection of the Bidder's bid, in which event the Department will proceed to the next highest evaluated bid to make a similar determination of that Bidder's capabilities to perform the contract satisfactorily.

Department's right to vary Quantities at Time of Award

- 1.4. The Department reserves the right at the time of Contract award to increase or decrease the quantity of the services originally specified in the Terms of Reference without any change in unit price or other terms and conditions.

Department's right to accept or reject any or all Bids

- 1.5. The Department reserves the right to:
 - Accept or reject all or individual items of this bid;
 - Accept one or more bids submissions reject individual items;
 - Request clarification or further information regarding any item in the Proposal;
 - Request further information from any bidder after the closing date;
 - Accept a bid that may not reflect the lowest pricing;
 - Consider any bid that may not conform to any aspect of this bid;
 - Annul the tender process and reject all bids at any time prior to contract award;
 - Consider such alternate services, terms or conditions that may be offered, whether such offer is contained in a Proposal or otherwise;
 - Award the contract or any part thereof to one or more bidders; without thereby incurring any liability to the affected Bidder or bidders.

Notification of Award

- 1.6. Prior to the expiration of the period of bid validity, the Department will notify the successful bidder in writing by registered letter or by fax, to be confirmed in writing by registered letter, that its bid has been accepted.
- 1.7. The notification of award will constitute the formation of the Contract.

Signing of Contract

- 1.8. At the same time as the Department notifies the successful bidder that its bid has been accepted, the Department will send the bidder the Contract Form provided in the tender documents, incorporating all agreements between the parties.
- 1.9. Within 2 days of receipt of the Contract Form, the successful bidder shall sign and date the Contract Form and return it to the Department.

Termination of Service

- 1.10. In case of any failure to comply with any of the conditions of the contract or unsatisfactory rendering of service, the stipulation of the General Conditions of Contract and the Special Conditions of Contract, shall be applicable.
- 1.11. Should the Department, after a reasonable period of notice, of not less than seven days, in writing, depending upon the circumstances, call upon the service provider to comply with any of the conditions and should he/she fail to do so, the Department shall, without prejudice to any of its rights be entitled to cancel the contract, and to claim from the service provider any damage or loss that might have been suffered, including any additional expense incurred by it having either to invite fresh bids or to accept any less favourable bid.

Unsatisfactory Performance

- 1.12. Failure to comply with the conditions of the contract, the Department shall be entitled, without prejudice to its other rights, to cancel the contract in terms of the General Conditions of Contract. Delays beyond time limits and timeframes agreed upon between the parties. Failure to meet the performance standards indicated in the contract

Assignment

- 1.13. The contractor shall not, without prior written authority of the Department, cede, assign or transfer its rights or obligations in respect of this contract or any part thereof or any share of interests herein, directly or indirectly, to any person, firm or organization whatsoever.



home affairs

Department:
Home Affairs
REPUBLIC OF SOUTH AFRICA

TERMS OF REFERENCE

DHA11-2021

APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY, DELIVERY, REPAIR AND INSTALLATION OF TERMINAL SEATING IN HOME AFFAIRS OFFICES FOR A PERIOD OF THREE (3) YEARS

CLOSING DATE AND TIME OF BID:

10 September 2021 at 11h00

Non-compulsory virtual (Microsoft Teams) briefing session that will be held on

Date and time: Friday, 13 August 2021 from 10h00 until 11:00.

Interested bidders must submit an email requesting the link to the virtual meeting on or before Wednesday, 11 August 2021.

BID VALIDITY PERIOD: 90 DAYS

**Department of Home Affairs
Supply Chain Management**

TERMS OF REFERENCE

OBJECTIVE

1. The objectives (aim) of this tender are
 - To invite bids from suitable service provider(s) for the supply, deliver, repair and install terminal seating in Home Affairs offices for a period of three (3) years.

BACKGROUND

2. In 2007 the Department as part of its Turnaround Strategy introduced a new corporate image as a way of improving the general image of the Department.
3. On 26 February 2015, the Deputy Minister of Home Affairs launched the Moetapele initiative to ensure that DHA standardizes its processes and procedures throughout the organization and to allow departmental officials to strive towards leading DHA towards high standards of service excellence, where clients come first.
4. The decision was taken to ensure that all materials and work is from a single supplier, thus making sure that the end product is one of high quality and standard.

SCOPE AND EXTENT OF THE TENDER

5. The successful service provider(s) will be expected to execute and conduct the following tasks/services to the Department:
 - Supply, deliver, repair and install terminal seating (as per Department specifications) in all of the Department's service outlets in the nine (9) provinces stated below, as and when requested.
 - Gauteng
 - Eastern Cape
 - Free State
 - KwaZulu Natal
 - Limpopo
 - Mpumalanga
 - Northern Cape
 - North West
 - Western Cape

Only bids with locally produced or locally manufactured terminal seating with a 100% minimum threshold for local production and content will be considered.

Specifications of the terminal seating:

- Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height).
- Legs laser cut from minimum 10mm thick solid mild steel.
- Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor.
- Armrests in stainless steel grade 304.
- Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430.

- Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel.
- Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness.
- Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel.
- Framework produced out of mild steel to be corrosion treated before powder coating.
- All mild steel components powder coated in a silver grey –finish.

Repair and maintenance DHA terminal seating

- Replacement of legs.
- Replacement Seats.
- Replacement off crossbar.





SPECIAL CONDITIONS OF CONTRACT

6. To achieve the above the successful bidder will be required to meet the following requirements:

- A service provider may not recruit or shall not attempt to recruit an employee of the Department of Home Affairs for purposes of preparation of the bid or for the duration of the execution of this contract or any part thereof.
- Meet all tender requirements and specifications.
- Deliver in all nine (9) provinces.
- The terminal seating must meet the SABS standards (National Treasury Designated Sectors Instruction number 15 of 2016/2017).
- Only bids with locally produced or locally manufactured terminal seating with a 100% minimum threshold for local production and content will be considered; if not local, a permission letter from the Department of Trade and Industry (DTI) should be attached to the Tender documents. (National Treasury Designated Sectors Instruction number 15 of 2016/2017)
- The exchange rate to be used for the calculation of local content must be the exchange rate published by the SARB on the date of advertisement of the tender (National Treasury Designated Sectors Instruction number 15 of 2016/2017).
- Manufacturing and installations must be done according to DHA standards and specifications.
- All prices must include supply, install, repair and delivery (Vat Included). No additional cost must be included after awarding.
- If prices include VAT, please make sure that your company is registered for VAT.
- The Signed and dated Reference letter/s with contact details (it must be in the letter head of client and the Department reserves the right to contact the clients, within the last five (5) years).
- **Three (3) year warranty must be provided.**

Tender Deliverables / Outputs and Timeframes

7. The primary deliverables to be achieved are as follows:

- Deliver at least five (5) days after issuing of order

Logistics and Timing

8. **Project location(s):**

National – all Home Affairs service outlets in the nine (9) provinces.

9 **Expected commencement date:**

The contract will commence on the signing of the contract form (SBD 7.2) by both parties.

10 **Project period:**

Three (3) years

11. Bid proposal

The bid proposal must be completed in a professional manner using, but not limited to the following headings:

- Introduction
- Profile of the company.
- Understanding of the terms of reference
- Proposed approach and methodology.
- Indicate experience in work of a similar nature (with references).
- Each required service, its turn-around time and an inclusive quote for each service, per province
- The total bid price should be inclusive of VAT and per province.
- Annual fee escalations, if any.

EVALUATION STAGES

12. The bid evaluation process consists of several stages that are applicable as defined in the table below:

Stage	Description	Applicable for this bid
Stage 1A	Initial screening process / compliance with bid requirements	Yes
Stage 1B	Non-compulsory virtual (Microsoft Teams) briefing session	Yes
Stage 1C	Pre-qualification criteria	Yes
Stage 2	Mandatory requirement evaluation	Yes
Stage 3	Functionality requirement evaluation	Yes
Stage 4	Site Visits	No
Stage 5	Price / B-BBEE evaluation	Yes

Stage 1A:

- Verification of service provider(s) compliance with bid requirements / initial screening process.

Stage 1B:

- Non-compulsory virtual (Microsoft Teams) briefing session

Stage 1C:

- Service provider(s) must indicate their compliance with the following pre-qualification requirements in terms of Regulation 4 of the Preferential Procurement Regulations 2017 and provide proof.
- Proof includes a valid SANAS B-BBEE Status Level Verification certificate or a B-BBEE certificate issued by the Companies and Intellectual Property Commission, with the exception of EME's and QSE's who are required to submit sworn affidavit in terms of Code of Good Practice. The sworn affidavit must be signed by the EME representative and attested by a Commissioner of oath.
- Bidders who fail to meet the pre-qualification requirement will be disqualified.
- Only the following tenderers may respond to this request:

Pre-qualification criteria	Comply	Do not comply
A tenderer having a minimum level five (5) B-BBEE status.		
EVIDENCE: Bidders must submit a valid SANAS B-BBEE certificate or a B-BBEE certificate issued by the DTI & Companies and Intellectual Property Commission or a Sworn Affidavit signed by the representative and attested by a Commissioner of Oath.		

Stage 2:

- Service provider(s) must indicate their compliance with the following mandatory requirements as required by the DHA.
- Bidders who fail to meet the mandatory requirements will be disqualified.

Mandatory requirement 1	Comply	Do not comply
Bidder must be able to render the services in all nine (9) provinces.		
EVIDENCE: A letterhead confirming the undertaking to render all services in all Provinces.		

Mandatory requirement 2	Comply	Do not comply
Must be 100% locally manufactured.		
EVIDENCE: Declaration certificate for Local Content (SBD 6.2), Annexure C or a permission letter from the Department of Trade and Industry (DTI) should be attached to the tender document		

Stage 3:

- The Technical proposal will be evaluated out of 100 points with a threshold of 70 points. Bidders that score less than a minimum of 70 points for technical evaluation will be disqualified. Bidders must score a minimum of 70 points on functionality to qualify for further evaluation on price and preference points.
- Each panel member will rate each individual criterion on the score sheet using the criteria measure

Evaluation Criteria	Minimum Requirements	Elimination Factor	Points Obtainable
RELEVANT EXPERIENCE AND EXPERTISE	The service provider must have relevant experience in the supply, deliver, repair and install terminal seating work Signed and dated Reference letter/s with contact details (it must be in the letter head of client and the Department reserves the right to contact the clients, within the last five (5) years).	1 Reference letter	20
		2 Reference letters	40
		3 Reference letters	60
		4 Reference letters or more	80
RELEVANT NUMBER OF YEARS OF EXPERIENCE	The service provider must have the relevant number of years of experience in the supply, deliver, repair and install terminal seating work Bidders must complete, sign and date the table below:	Less than 3 years' experience	0
		3 years' experience	10
		4 years' experience	15
		5 years' experience or more	20
TOTAL			100

RELEVANT EXPERIENCE AND EXPERTISE	START DATE	END DATE	TOTAL START AND END DATE	CLIENT REFERENCE: CONTACT DETAILS
Supply, deliver, repair and install terminal seating				
Name: Signature: Date				

Site Visit: Not applicable

Stage 5: Price / B-BBEE evaluation

- Bids will then be evaluated in accordance with the prescripts of the Preferential Procurement Policy Framework Act (PPFA) and the associated Preferential Procurement Regulations of 2017, which stipulate an 80/20 preference point system is applicable and will be calculated with a rand value up to R50 million (all applicable taxes included).
- Where B-BBEE points are claimed, a valid SANAS B-BBEE Status Level Verification certificate or a B-BBEE certificate issued by the Companies and Intellectual Property Commission, with the exception of EME's and QSE's who are required to submit sworn affidavit in terms of Code of Good Practice. The sworn affidavit must be signed by the EME representative and attested by a Commissioner of oath.
- The points for this bid are allocated as follows:

No.	Components	Points
1.	Price	80
2.	Preferential points: B-BBEE	20
	Total	100

TERMINAL SEATING SPECIFICATION Department of Home Affairs: Eastern Cape Province	UNIT PRICE including manufacturing, delivering, installation and VAT
1. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
2. Repair and maintenance DHA terminal seating Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

TERMINAL SEATING SPECIFICATION Department of Home Affairs: Free State Province	UNIT PRICE including manufacturing, delivering, installation and VAT
3. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
4. Repair and maintenance DHA terminal seating Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

TERMINAL SEATING SPECIFICATION Department of Home Affairs: Gauteng Province	UNIT PRICE including manufacturing, delivering, installation and VAT
5. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
6. Repair and maintenance DHA terminal seating Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

TERMINAL SEATING SPECIFICATION Department of Home Affairs: KwaZulu Natal Province	UNIT PRICE including manufacturing, delivering, installation and VAT
7. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
8. Repair and maintenance DHA terminal seating Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

TERMINAL SEATING SPECIFICATION Department of Home Affairs: Limpopo Province	UNIT PRICE including manufacturing, delivering, installation and VAT
9. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
10. Repair and maintenance DHA terminal seating Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

TERMINAL SEATING SPECIFICATION Department of Home Affairs: Mpumalanga Province	UNIT PRICE including manufacturing, delivering, installation and VAT
11. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
12. Repair and maintenance DHA terminal seating Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

TERMINAL SEATING SPECIFICATION Department of Home Affairs: Northern Cape Province	UNIT PRICE including manufacturing, delivering, installation and VAT
13. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
14. Repair and maintenance DHA terminal seating Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

TERMINAL SEATING SPECIFICATION Department of Home Affairs: North West Province	UNIT PRICE including manufacturing, delivering, installation and VAT
15. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
16. Repair and maintenance DHA terminal seating	
Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

TERMINAL SEATING SPECIFICATION Department of Home Affairs: Western Cape Province	UNIT PRICE including manufacturing, delivering, installation and VAT
17. SPECIFICATION OF TERMINAL SEATING - Stainless steel Terminal Seating, 3-seater unit with two end armrests. Unit size: 1800mm (Width) 610mm (Depth) 900mm (Height). - Legs laser cut from minimum 10mm thick solid mild steel. - Legs fitted with adjustable rubber feet for freestanding units and an option to fix to the floor. - Armrests in stainless steel grade 304. - Seat shell in one piece perforated stainless steel ergonomically curved minimum 2mm thick Grade 430. - Seat shell to be fitted with a heavy-duty support frame of minimum 6mm thick laser cut mild steel. - Chair mounted on a tubular steel beam (crossbar) with 3mm wall thickness. - Brackets on beam to be welded all around (all 4 sides) made of minimum 6mm thick laser cut mild steel. - Framework produced out of mild steel to be corrosion treated before powder coating. - All mild steel components powder coated in a silver grey –finish.	
18. Repair and maintenance DHA terminal seating Replacement of legs	
Replacement Seats	
Replacement Crossbar	
TOTAL	

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....

Bid number: **DHA11-2021**

Closing Time: **11:00 on 10 September 2021**

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY (INCLUDING VAT)
-------------	----------	-------------	--

Required by:

At:

Brand and model

Country of origin

- Does offer comply with specification? *YES/NO

- If not to specification, indicate deviation(s)

- Period required for delivery

- *Delivery: Firm/not firm

- Delivery basis (all delivery costs must be included in the bid price)

- Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

- ***Delete if not applicable**

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

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

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

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

2.4 Company Registration Number:

2.5 Tax Reference Number:.....

2.6 VAT Registration Number:

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

¹"State" means –

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

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

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

- 2.7.1 If so, furnish the following particulars:

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

Name of state institution at which you or the person

connected to the bidder is employed :

Position occupied in the state institution:

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?

YES / NO

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

YES / NO

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

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

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?

YES / NO

2.8.1 If so, furnish particulars:

.....

.....

.....

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

YES / NO

2.9.1 If so, furnish particulars.

.....

.....

.....

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

YES/NO

2.10.1 If so, furnish particulars.

.....

.....

.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? YES/NO

2.11.1 If so, furnish particulars:

.....

2. Full details of Directors / Trustees / Members / Shareholders.

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

3. 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

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

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) 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:

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

P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 $P_{\min}$ = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

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 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 underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in

paragraph 1 of this form;

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

- 1.
- 2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:
ADDRESS
.....
.....

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.resbank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
 do hereby declare, in my capacity as
 of(name of bidder
 entity), the following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the

formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

Local Content Declaration - Summary Schedule

(C1)	Tender no:					
(C2)	Tender description:					
(C3)	Designated product(s):					
(C4)	Tender Authority:					
(C5)	Tendering Entity name:					
(C6)	Tender Exchange Rate:					
(C7)	Specified Local Content %:	Pula		EU	GBP	

Note: VAT to be excluded from all calculations

[illegible]

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	Item	Item	Item
4.1	Is the bidder or any of its directors listed on the National Treasury's database 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 National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes ☐	No ☐
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 ☐	No ☐
4.3.1	If so, furnish particulars:		

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder