



logistics division

Department:
Defence
REPUBLIC OF SOUTH AFRICA

CPSC/403/1/4/B/PC/001/2022

Telephone: 012 649-6682/91
Fax: 012 649-6687
Enquiries: Mrs Selvam Babunandan

Department of Defence
(Logistic Support Formation)
Central Procurement Service Centre
Eco-Origin Office Park, Block E
349 Witch Hazel Avenue
Eco Park, Centurion
0157
15 June 2022

Sir/Madam

BID CPSC/B/PC/001/2022: RENDERING OF TRANSCRIPTION SERVICES FOR THE OPERATION SUPPORT LEGSATO FOR THE PERIOD OF THREE (03) YEARS REQUIRED BY: OPERATIONS SUPPORT LEGSATO CLOSING TIME FOR BID 11:00 AM ON 19 JULY 2022

NB: BIDDERS ARE ENCOURAGED TO NUMBER THE PAGES OF THE TENDER/BID (EG 1 OF 100) AND TO MAKE COPIES OF THE ENTIRE BID DOCUMENT

1. You are hereby invited to furnish this Department with a bid for the supply of the above-mentioned items as per attached documents. The documents, you should be in possession of are; This Cover Letter, SBD 1, SBD 3.1 (Pricing Schedule), Group Questionnaire, Specification (if applicable), SBD 4, SBD 6.1, Sub-Contractor Form, Vetting and Screening, SBD 8 and SBD 9.

2. THE FOLLOWING CONDITIONS MUST BE STRICTLY ADHERED TO; FAILURE TO ADHERE TO ALL THE CONDITIONS LISTED BELOW WILL INVALIDATE YOUR BID:

- a. Bidders are requested to complete all Standard Bidding Documents (SBD's) in full.
- b. Please note that any scratches or using of tippex is not allowed on the pricing schedule or SBD 3.1.
- c. A Group Questionnaire must be submitted with the bid documents and be fully complete. Failure to fully complete the group questionnaire will invalidate the bid.
- d. A sealed two separate envelope system must be adhered to: one envelope for technical proposal must be dropped in the bid box and one envelope for price proposal (SBD3) must be submitted at Lieutenant D.J. Modise's office in her absence submit at Major S.M. Manoto office. The envelopes must be labelled correctly. Submission of one envelope will invalidate your bid.



BID CPSC/B/PC/001/2022: RENDERING OF TRANSCRIPTION SERVICES FOR THE OPERATION SUPPORT LEGSATO FOR THE PERIOD OF THREE (03) YEARS

3. The conditions contained in General Bid Conditions (GBC), General Conditions of Contract (GCC) and all the attached forms will apply to your Bid.
4. Kindly bid by completing the relevant forms, redirect to the **DEPARTMENT OF DEFENCE, LOGISTIC SUPPORT FORMATION, CENTRAL PROCUREMENT SERVICE CENTRE** to reach the bid receipt office not later than the closing date and time, or deposit in the bid box in the security office at the **Main Entrance Central Procurement Service Centre, Eco-Origin Office Park, Block E, 349 Witch Hazel Avenue, Eco Park, Centurion** before the closing date and time.
5. Please note that the bid box will be closed daily between 11:00am and 12:00am. Bids can be handed in at the CPSC Bid Receipt Section Ground Floor during this period. However, if the bid is late it will as a rule not be accepted for consideration.
6. The following persons can be contacted regarding the following aspects of this Bid only during office hours:
 - a. **Completion of Bid Document:** Captain D.M. Moroka (012) 649-6670/6644.
 - b. **Technical Information:** Captain V.D. Nhleko (012) 990-3632/072 732 0925.
7. **There will be a compulsory Bidders Information Briefing Session on 06 July 2022 at 11:00am. The venue will be Operations support Legsato, corner Eros and Atterbury Street, Building 08, Broadwalk Office Park, Grasfontein. No Late Comers will be entertained and failure to attend on time will invalidate your Bid. NB: ALL SUPPLIERS TO ARRIVE BEFORE 11:00 AM TO REGISTER; HOWEVER IF THE NUMBER OF SUPPLIERS EXCEED 50% OF THE VENUE CAPACITY THERE WILL BE A SECOND BRIEFING SESSION AFTER THE FIRST BRIEFING SESSION FOR THE REGISTERED SUPPLIERS ONLY.**
8. Kindly take note that according to Government Gazette No 9544 Vol 552 dated 08 June 2011 No 34350, all bidders must submit their B-BBEE status level certificates together with their bids. Should the certificate not be submitted, a zero (0) point will be allocated.

Yours Sincerely



(MAJOR N. SOBEKWA)

PP OFFICER COMMANDING CENTRAL PROCUREMENT SERVICE CENTRE: COLONEL



RENDERING OF TRANSCRIPTION SERVICES FOR THE OPERATION SUPPORT LEGSATO FOR PERIOD OF THREE YEARS

CPSC/B/PC/001/2022

VALIDITY: 120 Days

CLOSING DATE AND TIME: 2022 at 11H00

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Bid Submissions

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SBD 3

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SBD 6.1

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Briefing Session (Compulsory briefing session will be held)

Section B: Bid Adjudication Information

Bid Conditions

Tax Clearance Certificates (to be attached in original format)

Evaluation Criteria

Distributors/Agents/Sub-contractors

Required Information

Profile Information, Qualification and Experience

Section C: Requirement and Contract Information

Contract Conditions

GCCs

SCCs

Specific Documents

Specifications/Scope of Work

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

Prepared by: CPSC Approved by: CPSC	AMENDMENT : 000 Original	DATE : 17 May 2022	Page 2 of 43
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SECTION A:

BID GENERAL INFORMATION

Contact Information

Bid Submissions

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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CONTACT INFORMATION

1. Technical Information:

Capt V.D. Nhleko

Office Tel No: 012 990 3632
Cell Number: 072 732 0925

2. Information regarding the Bid Document or Bidding Process:

Capt D.M. Moroka
Office Tel No: (012) 649 6670

Warrant Officer Class 1 A. Ntshatsha
Office Tel No: 012 649 6625

3. Contract Management: (After awarding of contract)

Captain E.M. Mukhanu
Office Tel No: (012) 649 6648/50

BID SUBMISSIONS

4. Closing period of bid : 5 to 6 weeks

5. Closing date and time : at 11h00

6. Validity of bid : 120 days

7. Address for depositing of bid documents:

Postal: Central Procurement Service Centre
Private Bag X 1037
Thaba Tshwane
0143

Street: 349 Witch Hazel Avenue Office Park Eco Origin
Block E
Eco Park Centurion
0157

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	CPSC-B-PC-001-2022	CLOSING DATE:	19 JULY 2022	CLOSING TIME:	11:00 AM
DESCRIPTION	RENDERING OF A TRANSCRIPTION SERVICES FOR THE OPERATION SUPPORT LEGSATO FOR THE PERIOD OF THREE (03) YEARS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Central Procurement Service Centre					
Eco-Origin Office Park, Block E					
349 Witch Hazel Avenue					
Eco Park, Centurion					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Major N. Sobekwa		CONTACT PERSON	Captain V.D. Nhleko	
TELEPHONE NUMBER	(012) 649-6682		TELEPHONE NUMBER	(012) 990-3632/072 732 0925	
FACSIMILE NUMBER	n/a		FACSIMILE NUMBER	(012) 990-3657	
E-MAIL ADDRESS	invitationdodcpsc@gmail.com		E-MAIL ADDRESS	n/a	
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]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					

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:

.....



Department:
Defence
REPUBLIC OF SOUTH AFRICA

Author: Selvam Babunandan
Date: 06/15/2022 09:59:21

Bid No.	CPC-B-PC-001-2022	Document Type	Request for Bid Open
Document No.	0000433772	Company Name:	
Description:	RENDERING OF TRANSCRIPTION SERVICES FOR THE OPERATION SUPPORT LEGSATO FOR THE PERIOD OF THREE (03) YEARS	Attention:	
Currency:	ZAR	Tel No:	
Closing Date:	2022/07/19 11:00:00	Fax No:	
Status:	Created	Cell No:	
Validity Days:	120	Email:	

Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-001	TRANSCRIPTION SERVICES WITHIN 24 HOURS AS PER ATTACHED SPECIFICATION FOR YEAR ONE (01)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

No.
1
2

Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-002	TRANSCRIPTION SERVICES WITHIN 24 HOURS AS PER ATTACHED SPECIFICATION FOR YEAR TWO (02)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-003	TRANSCRIPTION SERVICES WITHIN 24 HOURS AS PER ATTACHED SPECIFICATION FOR YEAR THREE (03)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

3

Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-004	TRANSCRIPTION SERVICES WITHIN 48 HOURS AS PER ATTACHED SPECIFICATION FOR YEAR ONE (01)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

4

Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-005	TRANSCRIPTION SERVICES WITHIN 48 HOURS AS PER ATTACHED SPECIFICATION FOR YEAR TWO (02)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

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Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-010	TRANSCRIPTION SERVICES WITHIN 14 DAYS AS PER ATTACHED SPECIFICATION FOR YEAR ONE (01)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

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Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-011	TRANSCRIPTION SERVICES WITHIN 14 DAYS AS PER ATTACHED SPECIFICATION FOR YEAR TWO (02)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

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Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-012	TRANSCRIPTION SERVICES WITHIN 14 DAYS AS PER ATTACHED SPECIFICATION FOR YEAR THREE (03)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

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Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-006	TRANSCRIPTION SERVICES WITHIN 48 HOURS AS PER ATTACHED SPECIFICATION FOR YEAR THREE (03)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

6

Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-007	TRANSCRIPTION SERVICES WITHIN 7 DAYS AS PER ATTACHED SPECIFICATION FOR YEAR ONE (01)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

7

Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-008	TRANSCRIPTION SERVICES WITHIN 7 DAYS AS PER ATTACHED SPECIFICATION FOR YEAR TWO (02)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

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Item Code	Item Description	Consumer	Delivery Point	Purchase Unit of Measure	Date Required
PC-001-009	TRANSCRIPTION SERVICES WITHIN 7 DAYS AS PER ATTACHED SPECIFICATION FOR YEAR THREE (03)	DEFENCE LEGAL SERVICES DIVISION		A-4 Page	
	Line Comment	Lead Time	Quantity Required	Quantity Available	
			1		
Total Unit Cost in ZAR Currency, Including VAT and ALL Delivery Costs					
Total Cost in ZAR Currency, Including VAT and ALL Delivery Costs					

9

Questionnaires

Questionnaires / Evaluation Criteria

THE 8020 QUESTIONNAIRE EVALUATION TEMPLATE V2

Question/s	Options
	LEVEL 1
	LEVEL 2
	LEVEL 3
	LEVEL 4
	LEVEL 5
	LEVEL 6
	LEVEL 7
	LEVEL 8
	NON-COMPLIANT

Attachment Description

Attachment File Name

Please provide your BBEE level from the possible list provided in the dropdown :

CENTRAL PROCUREMENT SERVICE CENTRE

CLOSING DATE OF BID: 19 JULY 2022

BID NUMBER: CPSC-B-PC-001-2022

CLOSING TIME OF BID: 11:00AM

NAME OF BIDDER: _____

VALIDITY: 120 DAYS

GROUP QUESTIONNAIRE

Tick the applicable box

Period (in days) required to complete Delivery?

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

Please state percentage profit before tax?

.....

The Department of Defence Prefers Firm Prices.
Price Firm.

YES ☐ NO ☐

Delivery Period Firm.

YES ☐ NO ☐

Comply to description as requested?

YES ☐ NO ☐

If not, state deviations.

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

Will a Government Order be accepted?

YES ☐ NO ☐

Are you registered in terms of Section 23 (1) or
23 (3) of the Value Added Tax (Act no.89 of
1999)?

YES ☐ NO ☐

Vat Registration Number:

Company Registration number:

Confirm that in the event of a contract be
concluded, it will be in terms of General Bid
Conditions and General Conditions of contract
(attached), the contents of which you are fully
acquainted with.

YES ☐ NO ☐

If a trade discount is offered, is it included in
the price?

YES ☐ NO ☐

IMPORTANT! Prices not reflected on the official documentation provided as part of this Bid will not
be taken into consideration.

**PLEASE NOTE THAT PRICES INDICATED IN THIS DOCUMENT WILL BE TAKEN AS ABEING
VAT INCLUSIVE.**

This requirement may be awarded in total to one supplier or per individual item.

The obligation to pay sub-contractors is my
responsibility.

YES ☐ NO ☐

It is your responsibility to make a copy of your
completed Bid document. The Department of
Defence will not make copies of Bid Documents
after the closing date and time. Is this noted?

YES ☐ NO ☐

Your company must include a copy of your
CIPRO registration either CM2 or CK1 in your
Bid document. Is this noted?

YES ☐ NO ☐

SBD 4

DECLARATION OF INTEREST

NAME OF COMPANY:

SUPPLIER'S CODE:

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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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, member):
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
.....

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.

²⁰Shareholder" 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 attach proof of such authority to the bid document? YES / NO

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

2.7.2.2 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

.....

.....

.....

YES/NO

.....

.....

.....

YES/NO

.....

.....

.....

[illegible]

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
 I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME 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 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable.

1.3 Preference Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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

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

- ### 3. POINTS AWARDED FOR PRICE

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

Where

Ps = Points scored for price of bid under consideration

Pt = 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	8	16
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 6.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

7. SUB-CONTRACTING

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

(Tick applicable box)

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

- 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 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

.....

.....

.....

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 paragraph 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of 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 BIDDER(S)

DATE:

ADDRESS:

.....

.....

DI SEC INSTR/02/2012

**VETTING AND SCREENING
OF PRIVATE COMPANIES
AND INDIVIDUALS
DELIVERING SERVICES TO
THE DEPARTMENT OF
DEFENCE**

QUESTIONNAIRE: PRIVATE COMPANIES

Company Name:

Company Registration Number:

DOD Supplier Code (if already registered with the DOD):

Personal particulars of Company Director(s) (Include copy of RSA Identification and passport document):

.....

.....

.....

.....

.....

Personal particulars of sub-contractor if any (Include copy of RSA Identification and passport document):

.....

.....

.....

.....

.....

Company Physical Address:

.....

.....

.....

.....

Company Postal Address:

.....

.....

.....

.....

Company Core Business:

.....

1. When did the company begin with its operation?

Answer:

2. Does the company have a valid SARS tax clearance certificate? If yes, provide the tax clearance certificate number and the certified copy of the certificate.

Answer:

3. Is the company registered with the Company and Intellectual Property Commission (CIPC)? If yes, provide the registration number and attach a certified copy of the registration certificate.

Answer:

4. Who are the shareholders of the company and what percentage of shares do they each possess?

Answer:

.....
.....

5. What services will be rendered by the company to the SANDF.

Answer:

.....
.....

6. What DOD installations/unit and specific area/section does the company required access to:

Answer:

.....
.....

7. Does the company provide services to other RSA state departments? If yes, provide the names of the departments and the period/s during which service was provided.

Answer:

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

8. Does the company provide services to foreign governments and/or companies? If so, provide details.

Answer:

.....
.....

9. Has the company been implicated in fraudulent activities? If yes, provide details.

Answer:

10. Has the company been implicated in corrupt practices? If yes, provide details.

Answer:

11. Has the company been implicated in any other criminal activity? If yes, provide details.

Answer:

12. Does the company have the Employment Equity Plan? If yes, provide the Employment Equity Plan as well as the number and composition of the employees. (Only if the company is South African or employs South Africans)

Answer:

13. What is the track record and achievements of the company? Provide details.

Answer:

14. Is the company under investigation by any government security agency? If yes, provide details.

Answer:

15. What known factor could possibly prevent this company from entering into contract with the Department of Defence and Military Veterans or any component thereof and why?

Answer:

Compiled by:

ID: _____ Title: _____ Name: _____

Signature: _____

Important aspects to take note of

- This document must always be accompanied by the profiles of the director(s) of the company as well as their RSA identification and passport documents.
- Always attach the current Financial statement(s) of the company.
- The current and valid SARS Tax Clearance certificate must be attached.
- A Company Profile must be submitted with bid.

DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES

The following questionnaire must be completed and submitted with the Bid

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database 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) 326 – 5445.	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:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to or comply with the contract?	Yes ☐	No ☐
4.4.1	If so furnish particulars:		

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATIONS OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE
TO BE FALSE.**

.....
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.

SBD 9

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

Js914w 2



SECTION B:

BID ADJUDICATION INFORMATION

EVALUATION CRITERIA

MANDATORY DOCUMENTATION

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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EVALUATION CRITERIA

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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MANDATORY CRITERIA

1. **Phase 1:** Adherence to mandatory requirements. Bidders who do not fully adhere to the criteria will be eliminated / excluded and will not proceed to the next phase.

S/No	Criteria
	A
1.	General Rules for completion of Bid documents: Amendment, scratching, use of tippex and omission to all the documents will nullify the offer. Other documents which do not form part of Two Envelope System must be consolidated into a Bid document (clearly marked, Company stamp, Company name and Bid number) which should be deposited into the CPSC Brown Bid Box (Eco Origin office Park Eco Park Centurion) on or before the closing date and time.
2.	Standard Bid Documents (SBDs) 1, 4, 6.1, 8 and 9: Failure to fully complete and sign any of the SBD documents attached and submit them in their originality by the closing date and time will nullify the offer. THE WRITING OF THE PRICE ON THE SBD1 WILL INVALIDATE THE BID.
3.	Submission of Two envelope system: Bidders MUST submit STRICTLY Two (2) separate properly sealed envelopes, clearly marked, Company stamp, Company name, Bid number and closing date. THESE ENVELOPES MUST BE SUBMITTED TO BID RECEIPT OFFICE AT CENTRAL PROCUREMENT SERVICE CENTRE. ENVELOPE 1: PRICE PROPOSAL Must contain SBD3.1 or Price Schedule only. Price Breakdown (where necessary). ENVELOPE 2: TECHNICAL PROPOSAL Must contain Standard Bid Documents as set out in S/No 2 , including the necessary attachments and enclosures.
4.	Briefing Session Certificate. Failure to attend the Briefing Session and submit a completed and signed Original Briefing Session Certificate by/on the closing date and time of this Bid, will nullify the Bid.
5.	Financial Capability or Proof of Good Financial Standing: Bidders are to submit a certificate or proof of good financial standing from an auditor/accountant/book keeper indicating that the Bidder has the financial capacity to fund and satisfy the offer. Failure to adhere will nullify the offer.
6.	No Sub-Contracting will be permitted/allowed for this Tender: Due to the nature of this Tender, only Bidders who have the capability, capacity and ability to execute the requirement will be considered. Bidders are to submit written confirmation that they will not be Sub-Contracting any portion of this contract. Failure to adhere will nullify the offer.

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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S/No	Criteria
	A
7.	Local Footprint: Bidders interested in this tender must be based in Pretoria. Bidders must submit a municipality bill/rates (valid on the closing date of this Bid) as proof that they have an office in Pretoria.
8.	Central Suppliers Database: Bidders must submit a CSD (full report, not a summary) on/by the closing date of the Bid. The Bidder must remain TAX compliant for the duration of the tendering process. Failure to adhere, will nullify the offer.
9.	Vetting Form: Must be completed fully by the Bidder. Non adherence will nullify the offer.
10.	Group Questionnaire: Must be completed fully by the Bidder. Non adherence will nullify the offer

2. **Phase 2:** This phase will be evaluated by means of adherence to specification / scope of work. Bidders who meet all the requirements as set out on Phase 1 will be considered for Phase 2. Phase 2 will be evaluated out of a total of 35 points. All Bidders who score less than 70% threshold will be excluded and will not continue through to the next Phase.

Functionality Criteria	Weight
a. Experience	
b. Project Execution Plan	

Phase 2: Functionality Criteria: (Refer to Appendix C of TOR)				Total
	Functionality Criteria			/35
1.	Experience: Bidders shall be evaluated out of total score of Five (05) points for experience.			
	a. A bidder will be awarded Five (05) points for providing 3 references as proof that the company has experience rendering transcription services in a military court. Such experience and skills should be substantiated by testimonial/reference where such services has been rendered. (3 references should be submitted) b. A bidder will be awarded Four (04) points for providing 4 references as proof that the company has experience rendering sanitary services. Such experience and skills should be substantiated by testimonial/reference from the institution where such services has been rendered. (2 references should be submitted) c. A bidder will be awarded Three (03) points for providing 3 references as proof that the company has experience rendering sanitary services. Such experience and skills should be substantiated by testimonial/reference from the institution where such services has been rendered.			

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	(1 references should be submitted)			
	d. A bidder will be awarded Eight (02) points for providing proof that the company has 0 experience rendering sanitary services. Such experience and skills should be substantiated by testimonial/reference from the institution where such services has been rendered. (no reference required)			
2.	a. Project Execution Plan: Bidders shall be evaluated out of total score of Thirty (30) points for the Project Execution Plan. The project execution plan should address how the bidding company intends to address the entire specification of transcription services. The below mentioned critical points should be address:			
	a. Transcription services operational plan must include the following minimum requirement: 1. How will transcription be done 2. Style/ Format that will be used 3. Delivery and collection method			
Total Functionality (Bidder must achieve 70% threshold in this criteria)		35		

3. **Phase 3:** Price.

Phase 3	Price. (Will be according to specific requirements)	80/
----------------	--	------------

4. **Phase 4:** Preferential points. (As per Preferential Procurement Policy Framework ACT, 200: Preferential Procurement Regulations, 2017). Act No.5 of 2000 requirement in the B-BBEE status Level Certificate accredited by the South African National Accreditation System (SANAS) or Independent Regulatory Board of Auditors (IRBA) which must be submitted together with the Bid document).

Phase 4	Preferential B-BBEE points	/20									
	Points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below: <table border="1"> <thead> <tr> <th>B-BBEE Status of Contributor</th><th>Number of Points (90/10 system)</th><th>Number of Points (80/20 system)</th></tr> </thead> <tbody> <tr> <td>1</td><td>10</td><td>20</td></tr> <tr> <td>2</td><td>9</td><td>18</td></tr> </tbody> </table>	B-BBEE Status of Contributor	Number of Points (90/10 system)	Number of Points (80/20 system)	1	10	20	2	9	18	
B-BBEE Status of Contributor	Number of Points (90/10 system)	Number of Points (80/20 system)									
1	10	20									
2	9	18									

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant Contributor	0	0

A bid must not be disqualified from the bidding process if the bidder does not submit a certificate substantiating the B-BBEE status level of contribution or is a non-compliant contributor. Such a bidder will score zero (0) out of a maximum of ten (10) or twenty (20) points respectively for B-BBEE.

Calculation of the total points scored for price and B-BBEE status level of contribution
The points scored for price must be added to the points scored for B-BBEE status level contribution to obtain the bidder's total points scored out of 100.

5. Thereafter the points achieved are used in the application of the Preference Point System as per the B-BBEE status Level Certificate.

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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MANDATORY BID DOCUMENTATION¹

1. The following standard bid documents and appendices must be fully completed in all aspects in a clear legible manner, signed by a duly authorised representative of the bidder and attached in the following order by the closing date and time.

STANDARD BID DOCUMENTS

- SBD 1: Invitation to bid
- SBD 3: Pricing Schedule and breakdown
- SBD 4: Declaration of Interest
- SBD 6.1: Preference Points Claim Form
- SBD 8: Declaration of Bidders past supply chain management practices
- SBD 9: Certificate of Independent Bid Determination

MANDATORY APPENDICES

- Appendix A: Company Profile
- Appendix B: Project Execution Plan
- Appendix C: Questionnaire
- Appendix D: Specification Compliance
- Appendix E: Financial Capability Statement.
- Appendix F: Briefing Session certificate
- Appendix G: Vetting and screening of the companies and individuals

MANDATORY BID DOCUMENTATION²

¹ The completion and submission of the following standard bid documents and appendices is **mandatory** and must be submitted as a complete bid document by the closing date and time. Failure to fully complete and submit the standard bid documents and appendices by the closing date and time **will** invalidate the bid.

² The completion and submission of the above standard bid documents and appendices are **mandatory** and must be submitted as a complete bid document by the closing date and time in a sealed envelope with the bid number, closing date and time endorsed on the outside. **Late bids** will not be accepted or processed and will be returned unopened to the address appearing on the bid document. Failure to fully complete and submit the standard bid documents and appendices by the closing date and time **will** invalidate the bid as incomplete.

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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APPENDIX A

COMPANY PROFILE / EXPERIENCE

1. Bidders must submit a company profile covering the following minimum headings in the supply and support of the relevant contract commodity or service to be provided as Appendix A.
 - a. Detail of company Directors.
 - b. Copies of company registration documents listing shareholders namely the CK1 and CK2 for a Close Corporation, Relevant Documents for Sole Proprietorship and Private Companies respectively (relevant documents to be attached)
 - c. Address of head and regional offices.
2. The company profile must be signed by a duly authorized representative of the bidding company.

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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APPENDIX B

PROJECT EXECUTION PLAN

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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APPENDIX C

QUESTIONNAIRE

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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QUESTIONNAIRES FOR RENDERING OF TRANSCRIPTION SERVICES FOR THE OPERATION SUPPORT LEGSATO FOR A PERIOD OF TWO (02) YEARS

MUST BE COMPLETED BY ALL BIDDERS BY CIRCLING THE RELEVANT ANSWER.

1. **Prices**

Do you confirm compliance to the stipulation that bid prices are **firm** specified in the Specific Conditions will be considered by the Departments Procurement Service Centre for the duration of the contract? **Yes/No**

Price Structure

a. **Wages**

Compliance with Labour Legislation

Do you, as the Bidders, comply with any applicable wage order/determination or agreement, in terms of the Labour Relations Act or Wage Act. **Yes/No**

b. **Remuneration**

Is your industry regulated by a wage order/determination? or agreement in terms of the Labour Relations Act? **Yes/No**

What is the minimum wage you pay un-skilled Workers in your company?

R_____ per hour

or

R_____ per month

c. **Equipment/Consumables**

Has a list of equipment and consumables to be used for the Execution of the contract been submitted ***Yes/No**

2. **Consumer Price Index**

Indicate which Province/Municipal area was used as a baseline in determining the bid price? _____

3. **Specifications**

Do you confirm strict compliance to the specification and scope of work? **Yes/No**

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4. Bid Conditions

- a. Do you confirm compliance to the Specific Conditions? **Yes/No**
- b. Do you confirm compliance to the Special Conditions of Contract? **Yes/No**
- c. Do you confirm compliance to the General Bid Conditions? **Yes/No**
- d. Do you confirm compliance to the General Conditions of Contract? **Yes/No**
- e. Do you confirm that you have kept copies of all the above documents? **Yes/No**

5. Military Inspections

Do you confirm that it is a mandatory requirement that DOD Procurement officials/Identified DOD Officials must complete a physical inspection of you and all suppliers/sub-contractors premises during the evaluation of the bids and will do ad-hoc inspections during the period of the contract? **Yes/No**

6. Site Inspection/Explanatory Meeting

- a. Was the site inspection/explanatory meeting attended? **Yes/No**
- b. Has the original signed site inspection/explanatory meeting Certificate been submitted? **Yes/No**

POST AWARD REQUIRED DOCUMENTATION

- a. **Performance Security.** Do you take cognizance of the fact that within thirty (30) days of **receipt of the notification of contract award**, the successful bidder shall furnish to the purchaser the performance security of the amount which represents 10% of the estimated contract price for the year specified in SCC for the fulfillment by the Service Provider of his/her obligations under the said agreement. **Yes/No**
 - b. **Standard Bid Document (Contract Form 7.1).** Do you confirm that you will sign a Contract Form 7.1 upon award or within a maximum period of 10 days after the award of the contract? **Yes/No**
7. **Finance.** Do you confirm that you have finance available to manage the contract for a period of three months based on your bid amount? **Yes/No**
8. **Bid Documents.** Have you made / kept a copy of your completed Bid document and the relevant bid conditions for reference purposes. **Yes/No**
9. **Clarification of information.** Has it been noted and confirmed that the Department may request clarification on any information regarding any aspect included in the bid. The bidder is to supply the requested information within the requested time span, failing which may result in the bid being disqualified.

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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APPENDIX D

COMPLIANCE TO SPECIFICATION³

COMPANY NAME: _____

COMPANY REGISTRATION NUMBER: _____

BID NUMBER: _____

DESCRIPTION: _____

acting in the capacity of _____,
being a duly authorised representative of the company herewith confirm and endorse that we have read and understand the content of the specification attached to the bid/price quotation.

Delete whichever is not applicable.

I/we/are fully aware of the Bid Requirements and am/are capable of supplying the required item(s)/service(s) strictly according to the Bid Conditions, Special Conditions and Specifications supplied by the Department of Defence. I/we hereby certify that I/We **COMPLY/DO NOT COMPLY** to the specification and all its contents with no deviations. (NB: Delete whichever is not applicable or circle the applicable statement)

Table 1: Deviations to Specifications per paragraph

Specification para no	Deviation

I/We further confirm that should we do not comply with any portion of the specification or of our accepted offer upon delivery of the item/s or service we undertake to replace the item/s or provide the required service strictly as per specification within a period as specified by the Department at no additional costs to the Department. I/We acknowledge that the Department reserves the right to obtain the specified item/s or service from another source and we will be held financially accountable for any difference in Price to the Department.

Print
Name/Names _____ Sign _____

Date _____

³ Failure to complete this certificate in all aspects and return it with the bid/PQ documents by the closing date and time will invalidate the bid.

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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APPENDIX E

FINANCIAL CAPABILITY PROOF

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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APPENDIX F

BRIEFING SESSION CERTIFICATE

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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APPENDIX G

VETTING AND SCREENING OF THE COMPANIES AND INDIVIDUALS

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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SECTION C: CONDITIONS AND CONTRACT REFERENCE INFORMATION

GENERAL BID CONDITIONS (GBC)

GENERAL CONDITIONS OF CONTRACT

SPECIAL CONDITIONS OF CONTRACT

SPECIFIC CONDITIONS

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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GENERAL BID CONDITIONS

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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DEPARTMENT OF DEFENCE

GENERAL BID CONDITIONS (GBCs)

TABLE OF CLAUSES

1. Definitions.
2. Application.
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FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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GENERAL BID CONDITIONS

1. **Definitions.** Unless inconsistent with or otherwise indicated by the contents, the following terms shall have the meanings assigned to them:

- a. **Acceptance of a Bid.** Means the award of a contract to a bidder in response to his bid or price quotation.
- b. **Bid.** Means a written offer on the official bidding documents forming part of firstly, an invitation to bid, which invitation has been advertised in the Government Tender Bulletin, or secondly, an offer submitted in response to an invitation to submit a price quotation.
- c. **Bidder.** Means any natural or juristic person submitting a bid or a price quotation.
- d. **Closing Time.** Means the date and hour specified in the bidding documents for the receipt of bids or price quotations.
- e. **Department.** Means the Department of Defence and in specific any of its Procurement Entities.
- f. **Firm Prices.** Are deemed to be the prices which are only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax which, in terms of a law or regulation is binding upon the contractor and demonstrably have an influence on the prices of any supplies, or the rendering costs of any services, for the execution of the contract.
- g. **Price Quotation.** Means a written offer sounding in money and reflected on the documentation wherein the offer was invited, duly completed and where necessary signed by or on behalf of the bidder.
- h. **GBC.** Means the General Bid Conditions.
- i. **Written or In Writing.** Means handwritten in ink or any form of electronic or mechanical writing.

2. **Application.** The GBCs are applicable to all Departmental bids and written price quotations, unless otherwise indicated in the bidding documents. Where the conditions in the bidding documents are in conflict with the GBCs, the conditions in the bidding documents shall prevail.

3. **Availability.** Copies of these GBCs are available, on application, from the Secretary for Defence (Attention: Chief of Acquisition and Procurement), Private Bag X910, Pretoria, 0001 or from any of the Department's Procurement Entities.

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4. **Approved List of Bidders.** In the event that an approved list of bidders has been compiled for specific goods or services, bids will only be invited from bidders on such a list.

5. **Preparation of Bids.** Concerning the preparation of bids, bidders are to note the following:

- a. **Expenses.** Unless otherwise indicated in the bid documents, the Department shall not be liable for any expense incurred in the preparation and submission of a bid.
- b. **Bidding Documents.** Bidders are required to make use of the prescribed bidding documents. No changes to the bid documents are to be made.
- c. **Information.** All the information called for in the bidding documents is to be furnished in the appropriate spaces, eg the bid prices. If requested, other information required, pamphlets, samples, etc are to be supplied.
- d. **Address.** A domicilium citandi et executandi shall be chosen in the Republic and stated in the bid.
- e. **Completion of Bidding Documents.** Bidders are to complete the bid documents, forms, certificates, questionnaires and specification forms in all aspects and to submit bids signed in ink of your choice.
- f. **Bid Envelope.** The bid number must not appear on any envelope unless the envelope contains the bid itself. In particular, the bid number must not appear on an envelope containing a request for bid documents.
- g. **Bidder's Own Conditions.** Bids should not be qualified by the bidder's own conditions of bid. Bids qualified by a bidder's own conditions may be rejected as being invalid and failure of the bidder to renounce such conditions when called upon to do so may invalidate the bid. This includes any alterations, erasures, omissions or additions by bidders to the bid documents.
- h. **Submission of Documents.** The bid documents are to be submitted with due consideration to the following:
 - i. The bid documents are not to be retyped or redrafted. Photocopies may be prepared and used, but the original signed document must be submitted with the bid.
 - ii. Bidders must check the number of pages and satisfy themselves that none are missing or duplicated.
 - iii. Bidders must bid in accordance with the requirements stipulated in the bid documents.
 - iv. Bids must be compiled in such a manner that it allows for easy cross-referencing between the bid document and the submitted bid.

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- i. **Documents.** Bidders are to ensure that all required or specified documents are included in their bids.
 - j. **Compliance to Conditions and Specifications.** Bidders are to clearly indicate in their bids that their offers are compliant to the conditions and specification pertaining to the bid. If not, it must be clearly stated where and in which manner their offers are non-compliant to the conditions and specifications.
6. **Charge for Documents.** Where applicable and as required in the bidding documents or advertisement, a non-refundable fee for documents may be charged.
7. **Samples**
- a. The Department shall not make samples available to prospective bidders, unless specifically mentioned in the bid documents;
 - b. When samples are called for in bid documents, samples shall be delivered at the cost of the bidder to the addressee mentioned in the bid documents before the closing time of the bid. Bids shall not be included in parcels containing samples.
8. **Alternative Offers.** In the event that bidders offer products alternative to that called for, bids for such alternative offers shall be submitted on separate copies of the bid documents, but only if bids are submitted for the specified requirement.
9. **Partial Bids.** In the event that bids for supplies and/or sales are called for, bids may be submitted for less than the number of specified items, or part of the specified quantity or requirement called for in the bid.
10. **Bid Prices and Delivery Periods**
- a. **Firm Bids.** Firm bid prices and delivery periods are preferred. However, bidders may submit firm or non-firm prices and delivery periods. Where a bidder has not indicated whether his prices or delivery periods are firm or not, bid prices and delivery periods are deemed to be firm and the contractor shall be bound thereby. Expressions such as "soonest" or "earliest" or delivery periods which are unspecified are not acceptable.
 - b. **Contract Periods.** Where different prices are bid for different periods of the contract, the bid price applicable in respect of a particular period of the contract shall be a firm price if, as regards such period, it conforms to the definition of firm prices.
 - c. **Proof.** The Department may, where non-firm prices are offered, require that proof of costs of labour, material or other factors which are specified by the bidder, be submitted and, should the cost in the opinion of the Department not be realistic, same may be brought into consideration in the comparison adjudication of the bids.

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11. **Validity Periods.** The period for which bids are to remain open for acceptance, valid and binding is indicated in the bidding documents and is calculated from the closing time and such offers are to remain open for acceptance, valid and binding until close of business on the last day of the period so calculated. Should this last day fall on a Saturday, Sunday or Public Holiday, the bid will remain open for acceptance, valid and binding until close of business on the first business day following such Saturday, Sunday or Public Holiday.

12. **Closing of Bids.** Bids close at the time and date indicated in the bid documents. Extension of the closing date may be granted if circumstances justify this action. The closing date is normally extended only if there is sufficient time to publish an amending notification before the original closing date.

13. **Lodging of Bids.** Concerning the lodging of bids the following shall apply:

- a. **Receipt.** Bids shall be lodged to ensure their actual receipt at the address before the closing time specified and in accordance with the directives in the bidding documents.
- b. **Envelope.** Each bid shall be addressed according to the directives in the bidding documents and shall be lodged in a separate sealed envelope with the name and address of the bidder, the bid number and the closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope.
- c. **Copies.** Unless specifically provided for in the bid invitation, no bids forwarded by e-mail, telegram, telex, facsimile or similar apparatus will be considered. Photostat copies of bids or photostat copies of faxes, signed in ink after being photostatted, will be accepted as valid bids.
- d. **Samples.** Bids shall not be included in packages containing samples as such bids may be rejected as being invalid.

14. **Open Bids or Unnumbered Envelopes.** All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. However, if a bid is received in an unsealed envelope or without an envelope, it shall be sealed in an envelope after the bid number has been written on the envelope.

15. **Opening of Bids.** Bids are opened in public as soon as practicable after the closing time and the names only of the bidders are read out, if so requested, at the time of opening the bids.

16. **Late Bids.** Bids are late if they are received at the address indicated in the bid documents after closing time. A late bid will not be opened or admitted for consideration and where practicable shall be returned unopened to the address appearing on the envelope.

17. **Consideration of Bids.** During the consideration of bids the following applies:

- a. **Bids Considered.** All bids correctly lodged are taken into consideration.

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- b. **Position of Bidder.** The financial standing of bidders and/or their ability to manufacture or to supply goods or to render a service may be examined before their bids are considered for acceptance.
- c. **Comparative Prices.** In comparing bids, the prices are brought to a comparative level by deducting unconditional discounts, preferences and other benefits and adding delivery and other costs as applicable and bringing implied contract price adjustments into account. Non-firm bid prices are adjusted in accordance with the assessed contract price adjustments implicit in the non-firm prices. Where a range of delivery periods is quoted, the worst implied delivery period is used when calculating the comparative prices.
- d. **Preferential Point System.** Where bidding documents include documents relating to a preferential point system, the required calculations will be made and comparison of bids done on the basis of points earned through the preferential point system.
- e. **Adjustments to Prices.** The department reserves the right to rectify any incorrect calculations made by the bidder, but no adjustments may be made to the input figures.
- f. **Compliance to Specification.** Bids will be evaluated to establish compliance to product or service specifications, with due consideration to alternative offers and/or deviations to specification.
- g. **Evaluation Criteria.** Where bidding documents include evaluation criteria relating to functionality, for example bidder's capability, bidders profile, etc, the required calculations will be made and comparison of bids done on the basis of points earned.
- h. **Negotiations.** Unless otherwise stated in the bid documents, no negotiations will be entered into.
- i. **Communication with Bidders.** The Department may request clarification on information regarding any aspect included in the bid, which the bidder is to supply by the indicated date.
18. **Award of bids.** After prices have been brought to a comparative level and/or points calculated according to a preferential points system, the bid will be awarded considering the following order of priority:
- a. If the preferential point system is applicable, normally to the bidder with the highest points, unless reasonable and justifiable grounds exist for passing over the bidder with the highest points. In the event of equal bids, the award is according to the relevant regulation.
- b. If the preferential point system is not applicable, normally to the bidder with the lowest bid in the case of purchases by or services to the Department, or highest bid in respect of sales, unless reasonable and justifiable grounds exist for passing

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over the bid with the lowest bid in the case of purchases by or services to the Department, or highest bid in respect of sales. In the event of equal bids, the award is according to the following order:

- i. Bidders offering firm bid prices as well as firm delivery periods.
 - ii. Supplies provided and services rendered from resources available within the Republic.
 - iii. Supplies and services from points nearest to the centres at which delivery is required.
 - iv. All things still being equal, the award shall be decided by the drawing of lots.
- c. The Department is not obliged to accept the lowest or any bid.
 - d. The Department may, where a bid relates to more than one item, accept such bid in respect of any specific item or items and also accept part of the specified quantity of any specific item or items.

19. **Quantities Other than Specified.** The Department may increase or decrease the quantities reflected in the bids, but will do so after consultation with the bidders that responded to the invitation to bid.

20. **Bidder's Incorrect Information.** Where a contract has been awarded on the strength of information furnished by the bidder, which, after the conclusion of the relevant agreement, is proved to have been incorrect, the Department may, in addition to any other legal remedy it may have

- a. recover from the contractor all costs, losses or damages incurred or sustained by the Department as a result of the award of the contract; and/or
- b. cancel the contract and claim any damages which the Department may suffer as a result of having to make less favourable arrangements.

21. **Notification of Acceptance.** Successful bidders are notified by registered or certified mail of the acceptance of their bids, either through a contract form or by official departmental order forms.

22. **Furnishing of Bid Results**

- a. The following particulars of the successful bidders are normally published in the Government Tender Bulletin for general information:
 - i. Name.
 - ii. The price and delivery basis.

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- iii. The brand name of the product or the name of the manufacturer, if applicable.
 - iv. Where applicable, the preference percentages claimed.
 - b. Bids are not available for perusal by the public, but, at the written request of a bidder or interested party, the names and addresses of all bidders may be furnished over and above the information published in the Government Tender Bulletin.
 - c. Requests for any further information will be treated as provided for by law.
23. **Amendment or Withdrawal of Bid**. If a bidder amends or withdraws his bid after the closing time and within the validity period or extended validity period, he shall reimburse the Department any damages if a less favourable bid is accepted or less favourable arrangements are to be made.
24. **Failure to Comply**. Where bidders fail to comply with any of these conditions, the Department reserves the right to invalidate bids received.

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TRANSCRIPTION CONTRACT

DEPARTMENT OF DEFENCE: MILITARY LEGAL SERVICES

1. OBJECTIVE

The Department of Defence: Defence Legal Services Division requires that proceedings which are electronically recorded in the Courts of Senior / Military Judges within the area of responsibility of the Operations Support Legsat (Ops Supp Leg), be transcribed.

2. DEFINITIONS

The expressions defined below shall have the following definitions assigned to them unless inconsistent with the context of this **Contract**.

- a. The “STATE”, means

The Government of the Republic of South Africa in its Department of Defence (DOD).

- b. “CONTRACTOR”, means

A bidder from the Gauteng geographical area whose bid for the contract was accepted by the State, represented by the Central Procurement Service Center (CPSC) and appointed in writing for the contract by the CPSC for the rendering of transcription services, as stipulated by the Specifications for Transcription of this document for Ops Supp Legsat.

- c. “EFFECTIVE DATE”, means

The date on which this contract comes into force and effect, which shall be prescribed in the letter of acceptance produced by the Office of the State Tender Board.

- d. “DEPARTMENT OF DEFENCE CONTRACT MANAGER”, means

The designated DOD representatives for this contract, who will measure the **Contractor’s** performance.

- e. “LAW”, means

The law of the Republic of South Africa including statutory law and common law.

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3. INTERPRETATION

- a. This **Contract** shall be subject to the State Tender Board's General Conditions and Procedures (ST 36) on procurement (JDP/ACQ/0003/2004 dd 01 Aug 04) and shall be interpreted in accordance with the law of the Republic of South Africa and all disputes, actions and other matters in connection therewith shall be determined in accordance with such law.
- b. The headings to paragraphs used in this **Contract** shall not be deemed to be part of the conditions hereof and shall not be taken into consideration in the interpretation of the meaning and effect hereof.
- c. Words purporting to be in the singular only shall also include the plural and vice versa, where the text so requires.
- d. In the event of any of the provisions contained in this **Contract** being invalid or unenforceable in any respect and under law, the validity and enforceability of the remaining provisions contained herein shall not, in any way, be affected or impaired thereby, subject however that the **Contract** may be amended to comply with the provisions of the applicable laws and regulations in order to give effect to the true intent and purpose thereof.

4. DURATION OF CONTRACT

The **Contract** shall endure for a period of three (3) years, but should the institutions participating in this **Contract** be disbanded or relocated, the State reserves the right to cancel the contract on written notice of sixty (60) days sent to the **Contractor** at the address appearing in the contract.

5. APPOINTMENT OF CONTRACT MANAGER AND REPRESENTATIVES

- a. The DOD shall appoint and have the right to assign DOD employees as DOD Contract Managers as its representatives to monitor the execution of work under this **Contract** as the DOD may deem fit.
- b. The **Contractor** shall appoint its own representatives to whom all queries or correspondence regarding work carried out in terms of this **Contract** shall be directed. All correspondence not of a confidential nature may be by telephone and if so, shall be followed by confirmation in writing either by letter/telex or fax within a period of two (2) working days thereafter.
- c. The parties hereto shall within two (2) weeks of the **effective date** inform each other in writing of the names of the persons appointed to act as Contract Managers or representatives between the DOD and the **Contractor**.

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6. PAYMENT CONDITIONS

- a. Period of Payment. The DOD shall pay, subject to the conditions of clause 6.b, any amount due within thirty (30) days after receipt of an invoice from the **Contractor** and certified as correct and payable by the applicable DOD Contract Manager.
- b. Support of Invoices. All invoices submitted to the DOD in respect of this **Contract** shall, after the DOD Contract Manager has satisfied himself that the amounts claimed are due and payable, be certified by the responsible DOD Contract Manager or his representative on receipt that all work performed is in accordance with the provisions of the **Contract**. Payment may be deferred pending request for clarification from the DOD and the submission of further information by the **Contractor**, if so required. Such requests for clarification shall be submitted in writing to the **Contractor** within a period of twenty one (21) days of the date of invoice and the period for clarification should not exceed twenty one (21) days.
- c. Statutory Costs. The prices stated are inclusive of Value Added Tax (VAT). When invoicing VAT, the amount shall be shown as a separate item on the invoice.
- d. Submission of Invoices. Invoices shall be submitted by the **Contractor** to the applicable department from which the transcription work was received.
- e. Postal Address for Invoices. All invoices, credit notes and monthly statements shall be addressed as follows:

Department of Defence
Operations Support Legsato
Private Bag X 20004
Garsfontein
Enquiries: Maj V.D. Nhleko
- f. All notices shall be deemed to have been received fourteen (14) days after being dispatched to the other party.

7. TRANSFER OF CONTRACTS

- a. The **Contractor** shall not abandon, transfer, cede, assign or sublet a contract or part thereof or any share of interest therein, without the written permission of the State Tender Board.
- b. The **Contractor** shall at all times have a sufficient number of typists available for the transcription of mechanically recorded proceedings: Provided that should any

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delay in the transcription of records occur and said delay not be eliminated within three (3) days after notice or in the case of strike action, the DOD reserves the right to intercede and without the consent of the **Contractor**, take steps to eliminate the backlogs, which includes the right to refer transcription work to another transcription firm or competent person, until satisfactory arrangements to proceed with this **Contract** has been made with the **Contractor**. All additional costs shall be for the account of the **Contractor** and may be collected by the DOD by set off.

- c. No amendments, deviations, omissions, additions, concessions or variations to the conditions of this **Contract** shall be valid, unless authorised and confirmed in writing by the Office of the State Tender Board.

8. SECURITY

- a. The **Contractor** and his employees are subject to the provisions of the Protection of Information Act, Act 84 of 1982, and must, if requested to do so by the DOD, undergo a security clearance by the SANDF Intelligence Services.
- b. The **Contractor** agrees that any representative, employee, or person acting on its instruction or behalf and who is required by it to visit the DOD premises must comply with the security rules and regulations applicable, e.g. Defence Act No 42 of 2002, etc.
- c. All information and correspondence pertaining to this **Contract** or the scope of work resulting therefrom shall be treated as confidential, unless otherwise stated in writing by the DOD and shall not be disclosed by either party to any unauthorised persons, or the press.

9. LIABILITY

- a. The **Contractor** herewith indemnifies the **State** from any claim that may arise from a third party and all costs or legal expenses in regard to such a claim for loss or damage resulting from death, injuries or disability of any person/s, or the damage of property of the **Contractor** or any other person/s that may result from or be related to the execution of this **Contract**.
- b. The **Contractor** is an independent contractor and not an employee of the DOD and has no authority to neither commit the **State** contractually nor will any delict that the **Contractor** may cause, place liability on the **State**.
- c. The DOD reserves the right in its discretion to make copies of all transcripts made by the **Contractor** for use by State departments, statutory bodies and government organisations.

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- d. The **Contractor** is limited to the transcribing of recordings made in the jurisdiction area referred to in the contract awarded, or as otherwise stated within the letter of acceptance.
- e. The **Contractor** shall keep its records of transcription work received and delivered in a particular period for at least three (3) years from the last date of entry and such records shall at all times be accessible to officials of the DOD and the Auditor-General.

10. DISPUTES

- a. In the event of any dispute or disagreement arising between the parties hereto in connection with the interpretation of the terms of this **Contract** or the carrying out of the terms thereof or any matter arising therefrom, which cannot be settled by mutual agreement, the condition as set out in ST 36, will apply.
- b. In the event of an application being made for, or the **Contractor** being placed in whole sequestration or in liquidation or under Judicial Management or in case of death, the DOD may, without prejudice to any other rights it may have, exercise the conditions as stipulated in the ST 36.

11. SPECIAL CONDITIONS

- a. The **Contractor** shall provide:
 - i. competent transcription services of the highest standard that can be expected of a contractor in this field; and
 - ii. if required to do so, a compatible 3.5 computer diskette or CD Rom, as indicated by the DOD representative, of a specific case record or part thereof.
- b. The **Contractor** shall supply, maintain, insure, licence and operate at its own risk and in its own name all transport, equipment, buildings or obtained transport considered necessary to carry out its obligation under this **Contract**.
- c. The **Contractor** shall deliver transcribed cassettes within the following periods:
 - i. Within 24 hours.
 - ii. Within 48 hours.
 - iii. Within 7 days.
 - iv. Within 14 days.

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- d. Availability of transcription machines:
- i. The **Contractor** shall supply his own transcription machines for the rendering of the transcription service, for which the tender is awarded.
 - ii. The **Contractor** shall at own cost provide for the required service and repair of the transcription machines. The **Contractor** shall provide further transcription machines (when required) that are capable of transcribing digital record of proceedings, as Ops Sup Legsato could migrate to the digital recording method within the contract period.
 - iii. It is expressly agreed that the Contractor will from own private resource, without any assistance from the DOD, provide for own transcription machines to cope with any increase in workload whatsoever reason or for training purposes.
 - iv. The **Contractor** shall at all times be responsible for the safe-keeping of transcription items (whether equipment or any device evidence/data is recorded on) and transcription documents (which becomes official upon transcription
- e. The **Contractor** shall at all times deliver all transcribed records, judgements and portions of a case record specifically requested and requisitioned within the time limits and formats prescribed by law or as otherwise requested in writing by the applicable DOD Contract Manager and with due regard to and compliance with priorities and specifications determined by such contact person.
- f. The collection of taped cassettes and the delivery of transcriptions will be undertaken by the successful tenderer and the venue point being:

Operations Support Legsato
Boardwalk Office Complex
Block 8
Garsfontein
Pretoria

or as indicated within the letter of acceptance.

- g. The **Contractor** shall keep a suitable written record of the date of receipt of every cassette to be transcribed and the date of delivery of the transcribed record and the return of the cassette to the office from where the recording emanated.

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- h. **With regard to the Operations Support Legsato, the service will have to be rendered within the Pretoria area.**
- i. The Operations Support Legsato as the authorised delegate of the State reserves the right to inspect the business address (premises) of the Contractor during the contract period and report to CPSC on the nature and kind of the Contractor as a transcription service provider on the relevant facts.

I(Full name and identification number of bidder or duly authorised representative) hereby acknowledge and confirm that I have read and understand the contents of the above DOD Defence Legal Services Division Transcription Contract and the attached specifications, and that I accept the terms and conditions thereof. I further acknowledge and confirm that I will abide by such terms and conditions and execute them accordingly.

Signed by me on this the day of 20..... at

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DEPARTMENT OF DEFENCE (DOD)

OPERATIONAL SUPPORT LEGSATO



SPECIFICATION FOR TRANSCRIPTION SERVICES

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Specification

1. The contractor must be capable of transcribing digital recordings on compact disk as well as the following cassette/CD/DVD types:
 - a. Standard C90/C60 cassettes - Normal 4 track on which both sides can be recorded i.e. two tracks are recorded on one side and then rotated to record two tracks on the other side.
 - b. Standard C60/C90 Audio cassettes - Normal 4 track for use in a Lanier LCR5D court recording machine. This machine records all four (4) tracks simultaneously only on one side, the cassette can therefore not be rotated for recording on the opposite side.
 - c. Or when required (currently tape recording is still in use) recordable CD ROM discs/memory cards.
 - d. 700MB recordable 52 x CD/DVD discs, as recorded with VIQ Continuum Software.
2. Services are to be delivered within the following time period.
 - a. Within 24 hours.
 - b. Within 48 hours.
 - c. Within 7 days.
 - d. Within 14 days.
3. The following format/styling will be applicable:
 - a. All transcriptions are to be done on Word/Microsoft Word (MS) 2010 or latest version.
 - b. Font type: Arial
 - c. Font Size: 12pt
 - d. Line Spacing: 1.5 lines, to fit 35 lines per page.
 - e. Margin settings:
 - i. Top: 2 cm.
 - ii. Bottom: 1.8 cm.
 - iii. Left: 3.17 cm.
 - iv. Right: 2.7 cm.

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- f. Permanent tab setting at 4.5 centimetres.
- g. No hanging indent.
- h. Subject identification. Upper case, underlined and bold at the top of first page.
- i. Page numbering. Starting from page 1 placed at the top right of each page.
- j. Line numbering. To indicate line 5, 10, 15 etc. place at the right side of the page.
- k. Affixed header. Top left upper cases, underlined, identifying the applicable stage within proceeding, font size 10.
- l. Affixed footnote. Bottom right, identifying the first word on next page.

4. **Time Constraints**. It is expected of the contractor to transcribe and deliver back to the Military Judicial Review Section at Ops Support Legsato within **14 working days**. Urgent cases, so indicated to the contractor are to be transcribed within 24 hours.

5. Audio records of the military court proceedings (cases) are to be collected and again delivered at Operations Support Legsato within the given time constraints.

6. **NB: The contractor will be required to charge cost per page transcribed.**

7. The service provider must be within the Pretoria area.

8. No sub-contracting will be allowed/approved.

9. See an example for easy reference hereunder.

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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EXAMPLE

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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**COURT OF MILITARY JUDGE : 6 MARCH 2000 – 96851274PE CORPORAL
SITHELO MATTHEW MAHUGELA : SAMHS ACADEMY
CASE FOR THE PROSECUTION**

WITNESS NUMBER 1: 77381713PE: SERGEANT MAJOR SAREL JOHANNES VAN DER MERWE (Hereinafter referred to as “V/D MERWE”) GIVES EVIDENCE UNDER OATH 5

EXAMINATION IN CHIEF:

PROSECUTOR: Where do you work?

V/D MERWE: I work at SAMHS Academy.

PROSECUTOR: What were your duties during that time? 10

V/D MERWE: I was the counter intelligence officer, where I do the monitoring of the security of his workplace.

PROSECUTOR: What was the accused's reaction after you told him to clear the area?

V/D MERWE: He was quite arrogant in saying that he will not do it. And 15
originally I charged him for that as well, because he was ... he had a very arrogant manner in which he told me he will not do it.

PROSECUTOR: Thank you, no further questions.

JUDGE: Cross examination?

DEFENCE: Judge Botha, the defence would humbly request an 20
adjournment for five minutes. I want to take further instruction from my client.

(Court adjourns)

(Court re-opens)

CROSS EXAMINATION

DEFENCE: Fine. Sergeant Major, earlier on you testified that the 25
instructions that you gave to Corporal Mahugela was in English. Is that correct?

V/D MERWE: Yes.

DEFENCE: Fine. Sergeant Major, earlier on you testified that the
instructions that you gave to Corporal Mahugela was in English. Is that correct?

V/D MERWE: Yes. 30

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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DEFENCE: Fine. Sergeant Major, earlier on you

testified: / ..

testified that the instructions that you gave to Corporal Mahugela was in English. Is that correct?

V/D MERWE: Yes.

RE-EXAMINATION

PROSECUTOR: How far is the caravan from the main gate? 5

V/D MERWE: Plus minus 20 metres.

PROSECUTOR: Irrelevant of any other language that you might have used, did you indeed use English when you gave him the command?

V/D MERWE: Yes.

(Recording machine was switched off). 10

(PROSECUTION CLOSES ITS CASE).

CASE FOR THE DEFENCE

WITNESS NUMBER 1: 96851274PE: CORPORAL SITHELO MATTHEW MAHUGELA
(Hereinafter referred to as "ACCUSED") GIVES EVIDENCE UNDER OATH 15

EXAMINATION IN CHIEF:

DEFENCE: Corporal Mahugela, you have just heard what the sergeant major had to say. Can you please tell this honourable court what happened on that day, that means 1 January 1999? 20

ACCUSED: All right. Actually I was on the phone at the guardroom, inside the guardroom, next to the door. Corporal Manenzhe was with me, reading the newspaper. Corporal Mahunda also was busy with the exit control at the gate. Then sergeant major Van der Merwe came with a burning cigarette butt. 25

FAILURE TO COMPLY TO ALL OR PART OF THE CONDITIONS WILL INVALIDATE YOUR BID.

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