



REQUEST FOR PROPOSAL

RFQ NUMBER	DLCA/55/2021
COMPULSORY BRIEFING SESSION	DATE: 14 October 2021 TIME: 10h00 Virtual meeting https://meet.jit.si/EmployeesWellnessTender Meeting ID: 761 2400 0736 Passcode: uX23BQ
CLOSING:	DATE: 19 October 2021 TIME: 11H00 (GMT +2) at abovementioned address
DESCRIPTION	To appoint a suitable service provider to provide Employee Health and Wellness Programme for Driving Licence Card Account (DLCA) for a period of 24 months.

PO Box 25223, Monument Park, PRETORIA, 0105,
459B Tsitsa Street, Erasmuskloof, PRETORIA, 0048

**TERMS OF REFERENCE FOR EMPLOYEE HEALTH AND WELLNESS
PROGRAMME FOR DRIVING LICENCE CARD ACCOUNT FOR A PERIOD OF 24
MONTHS**

1. INTRODUCTION AND BACKGROUND

The Driving Licence Card Account (DLCA) is a Trading Entity of the Department of Transport responsible for production and delivery of driving licence cards in South Africa.

2. PURPOSE

The purpose of this Terms of Reference (TOR's) is to invite potential qualified service providers to submit proposals for the provision of employee health and wellness programme to the DLCA. The primary goal of the EWP is to inform and skill employees to take ownership of their wellbeing and to provide them with the necessary support and interventions to make informed decisions regarding their work and personal lives.

3. SCOPE OF WORK

Reference of Service Components	Service Description
Services 1: Counselling Service	
Toll-free telephone supportive counselling:	• Professional Support Line Service (24/7/365) for employees and immediate family members. The service shall be available in 11 official languages.

Personal Face-to-Face Counselling and 3 hours dedicated to onsite Counselling on a monthly basis Model of 6-8 counselling sessions per employee per issue annually with additional two sessions at the discretion of the service provider. Face-to-Face Counselling for employees and family members	• 6-8 Personal Counselling (Face-to-Face) - sessions per person per year (per condition/incident) close to employee/family member residence or place of work. • Support and counselling/rehabilitation for victims and perpetrators. • Support and counselling for victims of unfair discrimination, disabilities, homophobic, xenophobic and tribalism etc. • Bereavement Counselling
Critical Incidence Services (Trauma debriefing)	A critical incident service: offering prompt and professional trauma debriefing and counselling services to employees exposed to incidents of trauma.
Electronic on-line advisory services	Access to comprehensive online wellness programme. The programme includes an integrated suite of email and web-based health management applications including interactive disease management tools; a selection of health and wellness information; a medical encyclopaedia; quizzes and calculators; as well as personalised information on a range of employee well-being related topics such as stress management, substantiate abuse and trauma management. Printable resources to be made available.

Service 2: Life Management Services	
Life Management Services:	Life Management Services
Financial and Debt management and advocacy	A legal well-being service provider will provide DLCA employees with detailed practical information, education, counselling, resources and referrals on a broad range of legal matters, consumer affairs and social benefits. Assistance on labour law matters is excluded from the service. Financial wellbeing: This component of the service will assist employees who have queries relating to finances and debt management Family Care Support: It will focus on the provision of information and guidance on a broad range immediate of family related issues such as parental guidance, disability benefits, educational and community resources, special needs placement, dependent care, child support, immigration, expatriate adjustment, alternative work arrangements, residential facilities, vocational guidance, community resources, pre-school programmes and care-giving guidance, information and advice on alcohol management. Information and advice on alcohol, drugs and gambling management.
Money management (Budgeting)	
Legal Advice and Guidance	
Family Care	
Alcohol, Drugs and	
Gambling Management	
Service 3: Incapacity Solutions	
Incapacity solutions	Representation on incapacity panels for advice and support.
Service 4: Unfair Discrimination and Sexual Harassment Support Programme	
Sexual Harassment	• Provide trauma Counselling and victim empowerment. • Mandatory Counselling for perpetrators.
Unfair Discrimination (Gender,	

Race, Disability etc.)	
Service 5: Annual Employee Health Screening	
Wellness Screening	The services to be rendered will include but not limited to the following: • Weight • Height • Body Mass Index • Blood Pressure & pulse readings • Full lipid screening • Glucose levels • Provide appropriate health action recommendation based upon the results of each employee's screening results The service provider will be responsible to manage the following: • Employee registration • Data capturing of each employee's results directly after their assessment • Wellness assessment activities
Service 6: Medical Health Assessments bi-annually	
Medical Risk Appraisal	The services to be rendered will include but not limited to the following: • Personal and family medical history • Exercise and nutrition management • Health habits

Physical Assessment	• Cardiovascular • Height, weight, Body Mass Index (BMI), waist and ratio • Resting and effort Electrocardiogram (ECG)
	• Lung function screening • Eye testing • Ear, nose and throat
Service 7: Awareness Education & Training (12 sessions per annum)	
Awareness sessions entail the following: • Employee Awareness Sessions. • Managerial Awareness Sessions • Wellness Interventions with a specific focus on: ◦ Social-psycho specialists (As and when required even on a group level) ◦ On-site Counselling (monthly per site)	The services to be rendered will include but not limited to the following: • Awareness presentations for managers, supervisors and employees and others who may need to be involved such as Human Capital, SHE personnel and Wellness Committee members as follows: Socio-Psychologists ◦ Incapacity Training ◦ Diversity Training
Service 8: Restructuring, Retrenchment and Support Services	
Restructuring, retrenchment and support services	• Effective and efficient programme to assist in the management of people, organizational change to provide support, change surveys training, group dynamics, and group and leadership coaching

Service 9: Conflict Management Intervention	
Conflict Management: To be done by Industrial Psychologists	• Respond to the adverse conflict risks within the organization prior to them impacting negatively on productivity and service excellence. • Build capacity for managers to use the service and to identify distressed employees and refer them to appropriate resources. • One-on-one and group support interventions • Referral (Employee-to-employee and Employer-to-Manager)
Service 10: Programme Management	
Complaints Management	• The service provider will address all EWP related as per SLA complaints received from the DLCA.

4. EVALUATION METHODOLOGY

- 4.1 **Stage 1:** Compliance check of Mandatory Requirements;
 4.2 **Stage 2:** Functional Evaluation Criteria
 4.3 **Stage 3:** Price and Preference Points Evaluation

Stage 1: Compliance check of Mandatory Requirements

Prequalification Criteria:

Only bidders that are 51% black-owned will be considered.

Is the company 51% black-owned	Yes/No
--------------------------------	--------

NB: The bidder not meeting the prequalifying criteria stipulated above is deemed an unacceptable bidder will not be considered further.

DOCUMENTS TO BE SUBMITTED			
No.	Please note; the items marked with an (X) are mandatory requirements and failure to meet the requirements will result in your bid being disqualified.		Yes/No
1.	X	Proof of registration with the Employee Assistance Professionals Association of South Africa (EAPA-SA). A valid membership certificate must	

		be provided.	
2.	X	Proof of registration of key staff with the Health Professional Council of South Africa (HPCSA). A valid certified proof of certificates must be provided.	
3.	X	Staff compliment: SACSSP registered Social worker certificate	
4.	X	Staff compliment: NCR registered Debt counsellor certificate	
5.	X	Staff compliment: SANC registered Nurse certificate	
6	X	Central Supplier Database summary report	
7	X	Valid Tax Compliance Status (with SARS PIN CODE)	
8	X	Valid Certified BBBEE verification certificate or Sworn Affidavit issued by DTI-Failure to submit will lead to BBBEE forfeiture of points	
9	X	The whole bid document should be signed and each page be initialed were required	

17.2 Stage 2: Functional Evaluation Criteria

Bids must fully comply with all the Mandatory Requirements for the Stage 1: Compliance check of Mandatory Requirements in order to qualify for Stage 2: Functional Evaluation and those bids which failed to comply with all the requirements of Stage 1 will be invalidated or disqualified from the process.

Item No	Evaluation Criteria	Description	Weight (%)
1.	Number of years rendering Employee Wellness Programmes	Minimum of three (3) years in which the company has been rendering Employee Wellness Programmes. Client reference letters indicating the number of years in business providing employee wellness services. Bidders Experience	30

		No Years' Experience = 0 Points 3 Years' Experience = 10 Points 4 – 5 Years' Experience = 20 Points 6 Years' Experience = 30 Points The reference letters must contain the following information: i. The supply, delivery, testing and repair of the hardware equipment ii. Contract Amount iii. Duration of contract iv. Details of contact person (name, email address and telephone numbers) v. Reference letter must be on the client's letterhead and signed NB: Failure to submit the reference letters as per above mentioned details and including all the above requirements will invalidate the letter.	
2.	Client References	The service provider must have experience in servicing employees between 80 or more. The last three (3) contactable references indicating the number of employees per reference excluding the DLCA. Bidders Reference Letters No reference letters = 0 Points 1– 2 reference letters = 10 Points 3 – 4 reference letters = 20 Points 5 - reference letters = 30 Points The reference letters must contain the following information: i. The supply, delivery, testing and repair of the hardware equipment ii. Contract Amount	30

		iii. Duration of contract iv. Details of contact person (name, email address and telephone numbers) v. Reference letter must be on the client's letterhead and signed NB: Failure to submit the reference letters as per above mentioned details and including all the above requirements will invalidate the letter.	
3.	Methodology and approach	The service provider must outline the methodology and approach as per the scope of work/service offering on the following: Methodology and approach not submitted = 0 Points Methodology and approach submitted 1 of 4 = 10 Points Methodology and approach submitted 1 of 7 = 20 Points Methodology and approach ALL submitted = 30 Points	30
4	Business continuity Plan	The bidder should provide a plan on how they will manage business disruption events No Plan = 0 Point Plan submit = 10 Points ALL OR NOTHING	10
		TOTAL	100

NB: Functional assessments' minimal acceptable requirements on functionality is 70 points or greater.

TOTAL SCORE = 100

After considering the functional evaluation criteria, a bidder is considered to have passed Stage 2 (Functional Requirements) if the TOTAL score is equal to, or greater than 70 points.

The service provider will be requested to provide a quote regarding the work to be undertaken. The total cost must be VAT inclusive and should be quoted in South African currency (i.e. Rands). Detailed breakdown of the total bid must be attached. A 80/20 Preferential Point System would be used.

Broad-Based Black Economic Empowerment (B-BBEE)

Provisions of the Preferential Procurement Policy Framework Act (PPPFA) and Its regulation will apply in terms of awarding points.

Bidders are required to submit Original Certificates or certified copies/sworn affidavit thereof together with their bids, to substantiate their BBBEE rating claims.

Bidders who do not submit their B-BBEE/sworn affidavit status level verification certificates or are non-compliant contributors to B-BBEE will not qualify for preference points for B-BBEE.

Phase 3: Price and PPPFA Calculations

If you attained 70 points/percent or more in Stage 2 you will now be evaluated for **Price** in terms of the **80/20-preference point system**, where 80 points will be for **Price** and 20 points will be for your **B-BBEE status**. The contract would be awarded to the service provider scoring the highest points.

The points scored in respect of B-BBEE contribution (i.e. HDI status) will be added to the points scored for price.

The following formula will be used to calculate the points for **Price**:

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

Where

P_s = Points scored for comparative price of bid or offer under consideration.

P_t = Comparative price of bid or offer under consideration.

P_{min} = Comparative price of lowest acceptable bid or offer

Points must be awarded to a bidder for attaining the BBBEE status level of contribution in accordance with the table below

B-BBEE	Status	Level	of	Number of points 80/20 system)
--------	--------	-------	----	--------------------------------

contributor	
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

Bidders must submit original and valid B-BBEE status level verification certificate or certified copies/sworn affidavit thereof, issued by accredited Verification Agencies by SANAS together with their bids to substantiate their B-BBEE claims.

THE TOTAL COST WILL BE USED TO CALCULATE POINTS FOR PRICE

5. CLARIFICATION

- a. The DLCA may request clarity of further information regarding any aspect of the bid. The service provider should supply the requested information within forty-eight (48) hours after the request has been made.
- b. The DLCA reserves the right to conduct a security background check or screening of the service provider.
- c. The DLCA reserves the right to conduct mandatory site inspection to the offices of the service provider.

6. CONDITIONS OF TENDER

- a. The DLCA reserves the right not to award the tender.
- b. Any conditions imposed by the service provider that is restrictive or contrary to any part of these Terms of Reference will automatically disqualify the service provider.
- c. The service provider will be held liable for any damage or loss suffered by the entity because of the service provider's own or his/her employees' negligence

- or intent, which originated at the site. The Service Provider will have to pay damages or replace any stolen item damaged or stolen due to the negligence or intent of the service provider's own employees.
- d. The service provider must, at his/her own expenses, take out sufficient insurance against any claims, cost, loss and/or damage ensuing from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.
 - e. A copy of such insurance contract must be handed to the DLCA Representative on commencement of the service. Evidence that such insurance premiums have indeed been paid.
 - f. DLCA does not bind itself to accept the lowest quote.
 - g. The DLCA reserves the right to invite bidders for presentation at bidders own cost and perform site visits on short listed bidders before the award of the bid, as part of evaluation process.
 - h. The General Conditions of Contract (GCC) as issued out will be applicable.

7. SPECIAL CONDITIONS

- a. In line with PPPFA Regulations 2017, only **51%** black owned company will be appointed.
- b. DLCA does not bind itself to make any selection from the proposals, or quotations received.
- c. DLCA reserves the right, at its sole discretion, to cancel this request for proposals and/or not to make any selection of the service provider/s at all.
- d. All prices quoted must be VAT inclusive and in SA Rands.
- e. DLCA will not make any upfront payments before the rendering of services.
- f. Upon the award of the bid, the successful service provider shall enter into an agreement with DLCA. Said agreement shall be in a format prescribed by DLCA.
- g. The successful bidder shall provide the service required based on the set timelines and as per the schedule to be provided by DLCA.
- h. A pricing schedule with one of the specified elements omitted from the costing may be considered non-responsive.
- i. The price proposal must be valid for 120 days.
- j. This is a two-stage bidding process in which proposals submitted must include technical and price, **submitted in separate envelopes**. For this purpose, the Service Provider must provide in respect of:

- a) Clearly marked **Technical**, one (1) original plus copies in 3 memory sticks/USB
- b) The price proposal, annexure A, in (1) **one sealed** envelope, clearly marked **copy of price bid sheet** should include the following information:
- c) Name of Service Provider
- d) Certification that the person signing the proposal entitled to represent the Service Provider empowered to submit the bid and authorized to sign a contract with the DLCA.

8. CONTRACT PERFORMANCE

- a. The performance of the service provider shall be reviewed quarterly during the period of the contract in terms of the signed Service Level Agreement.
- b. Though the contract is for three years, it will be renewable annually based on the performance of the service provider.
- c. Should the performance be deemed unsatisfactory, DLCA reserve the right not to renew the contract.
- d. If it is found that information provided is false including the breach of the General Condition of Contract, The DLCA reserves the right to terminate this contract with immediate effect.

9. FORMAT AND SUBMISSION OF THE PROPOSAL

- a. All the official forms (SBD) must be completed and signed in all respects by bidders. Failure to comply will invalidate a bid.
- b. All pages of the tender document must be initialed.
 - e) Bidders are requested to submit one (1) original plus copies in 3 memory sticks/USB
- c. Bidders are encouraged to use the price sheet below or submit their own price sheet which would consist of the items as indicated below.
- d. For ease of reference, Bids should be packaged in the following format:
 - a) **Section A** - Signed Tender Document and Completed SBD Forms
 - b) **Section B** - Mandatory Documents
 - c) **Section C** - Functionality Response
 - d) **Section D** - Company Profile
 - e) **Section E** - Any other supporting document

13. COMPULSORY INFORMATION SESSION

13.1 A compulsory virtual information session will be held on **14 October 2021 at 10h00**. Refer to the link on the first page.

14. CLOSING DATE

14.1 Proposals must be submitted on **19 October 2021 at 11h00** at the DLCA Offices, 495b Tsitsa Street, Erasmuskloof, Pretoria East.

No late bids will be accepted. A submission will be considered late if it arrives a second after 11:00. The Bid box shall be locked at exactly 11:00 and Bids arriving late will not be accepted under any circumstances. Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time to for any unforeseen events that may delay the delivery of the bid.

15. ENQUIRIES

Supply Chain Management	Technical
Kganki.kekana@dlca.gov.za	khomotso.mohlahlo@dlca.gov.za

NB: All tender enquires must be in writing

ANNEXURE A – PRICING SCHEDULE

Name of components	R
1.Counselling Service	
2.Life Management Services	
3.Incapacity Solutions	
4.Unfair Discrimination and Sexual Harassment Support Programme	
5.Annual Employee Health Screening	
6.Medical Health Assessments bi-annually	
7.Awareness Education & Training (12 sessions per annum)	
8.Restructuring, Retrenchment and Support Services	
9.Conflict Management Intervention	
10.Programme Management	
11. Other <i>please specify</i>	
12. Other cost	
Total Bid Price	

NB: THIS PRICING SHEET MUST BE SUBMITTED SEPARATELY WITH THE PRICING PROPOSAL

Submitted by:.....

Name of Company.....

Signature.....

SBD1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFQ/55/2021	CLOSING DATE:	19/10/2021	CLOSING TIME:	11:00
DESCRIPTION	To appoint a suitable service provider to provide Employee Health and Wellness Programme for Driving Licence Card Account (DLCA) for a period of 24 months.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Department of Transport, Forum building,					
159 Cnr Struben & Bosman Street,					
Pretoria					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Kganki Kekana		CONTACT PERSON	Khomotso Mohlahlo	
TELEPHONE NUMBER	012 247 2522		TELEPHONE NUMBER	012 347 2525	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Kganki.kekana@dlca.gov.za		E-MAIL ADDRESS	Khomotso. Mohlahlo@dlca.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS			
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.			

SBD 3.1

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

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

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

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date:19/10/2021

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

ITEM	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY NO. ** (ALL APPLICABLE TAXES INCLUDED)
------	----------	-------------	---

- | | | |
|---|--|-----------------------------------|
| - | Required by: | |
| - | At: | |
| - | Brand and model | |
| - | Country of origin | |
| - | Does the offer comply with the specification(s)? | *YES/NO |
| - | If not to specification, indicate deviation(s) | |
| - | Period required for delivery |
*Delivery: Firm/not firm |
| - | Delivery basis | |

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

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

SBD 4

DECLARATION OF INTEREST

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

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

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

2.1 Full Name of bidder or his or her representative:
.....

2.2 Identity Number:

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

2.4 Company Registration Number:
.....

2.5 Tax Reference Number:
.....

2.6 VAT Registration Number:

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

¹"State" means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

.....

Name of state institution at which you or the person connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

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

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

.....

.....

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

2.8.1 If so, furnish particulars:

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....

.....

2.10 Are you, or any person connected with the bidder, **YES/NO**
 aware of any relationship (family, friend, other) between
 any other bidder and any person employed by the state
 who may be involved with the evaluation and or adjudication
 of this bid?

2.10.1 If so, furnish particulars.

.....

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

2.11.1 If so, furnish particulars:

.....

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

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

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
 IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF
 CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of bidder

SBD 6.1

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

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included); and
- the 80/20 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the.....system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

POINTS

1.3.1.1 PRICE

1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION

Total points for Price and B-BBEE must not exceed 100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

- 2.1.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is 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 the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;

- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-

BBEE.

- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 OR 80/20 PREFERENCE POINT SYSTEMS

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

80/20 or 80/20

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

$P_{\min}$ = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 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? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm

9.2 VAT registration number :.....

9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....

.....

9.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
 - ☐ Supplier
 - ☐ Professional service provider
 - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?
.....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 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 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

WITNESSES:

1.

2.

SIGNATURE(S) OF BIDDER(S)

DATE:.....

ADDRESS:.....

.....

.....

SBD8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	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 perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

SBD 9

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

SBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

