

## BID NOTICE AND INVITATION TO BID

**You are hereby invited to bid for the requirements of National Museum, Bloemfontein**

**BID NUMBER:** BEPS/01/23 **CLOSING DATE:** 13 DECEMBER 2023 **CLOSING TIME:** 16:00

**Description services:** THE PROVISION OF BUILT ENVIRONMENT PROFESSIONAL SERVICES FOR A PERIOD OF 36 MONTHS

**The successful bidder will be required to fill in and sign a written Contract.**

Bid documents must be deposited in the bid box situated in the reception area at National Museum office, no. 36 Aliwal street, Bloemfontein during working hours (08h00-16h30). No bids are to be delivered at any other National Museum's office besides the office stipulated on the bid document. Bidders must ensure that they sign the submission register at the reception when delivering their bids and the bid document must be placed in the correct bid box.

THE CLOSING TIME WILL BE AS PER THE CLOCK AT THE NATIONAL MUSEUM RECEPTION.

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration. Bidders must advise their couriers/drivers of the instruction above to avoid misplacement of bid responses. NM will not be held responsible for the misplacement of bid by bidders/courier/drivers.

- 1. All bids must be submitted on the original forms – (BIDDERS MUST NOT RE-TYPE THE BID DOCUMENT OR CONVERT FROM PDF FORMAT)**
2. This bid is subject to the General Conditions of Contract (GCC) and the special conditions of contract.

### **Bid Opening Procedure**

There will be a public bid opening of the bids received on the **13 DECEMBER 2023** immediately after the closing time. The bidders' name and BBBEE status will be read out to those who are present and results will also be published on the National Museum, Bloemfontein website. The financial offer envelope will not be opened at the public bid opening of the bids as NM can only open financial offers of bidders who reach the minimum threshold of 70 points on functionality evaluation stage. **The bidders' functionality and financial offer envelopes must be clearly marked with the Bid number, Project name and Bidder's name.**



an agency of the  
**Department of Sport, Arts and Culture**

## REQUEST FOR QUOTATION FOR PROFESSIONAL SERVICES

|                                  |                                                                     |
|----------------------------------|---------------------------------------------------------------------|
| RFQ                              | BEPS/01/23                                                          |
| ISSUE DATE                       | 01 DECEMBER 2023                                                    |
| CLOSING DATE                     | 13 DECEMBER 2023                                                    |
| CLOSING TIME                     | 16H00                                                               |
| COMPULSORY BRIEFING SESSION DATE | 07 DECEMBER 2023                                                    |
| BRIEFING SESSION TIME            | 12H00                                                               |
| BRIEFING SESSION VENUE           | NATIONAL MUSEUM<br>36 ALIWAL STREET<br>BLOEMFONTEIN CENTRAL<br>9301 |
| CONTACT PERSON                   | <a href="#">SCM</a>                                                 |
| Email:                           | <a href="mailto:scm@nasmus.co.za">scm@nasmus.co.za</a>              |

# **REQUEST FOR QUOTAION FOR THE PROVISION OF BUILT ENVIRONMENT PROFESSIONAL SERVICES FOR A PERIOD OF 36 MONTHS**

## **1. Background to the National Museum**

The National Museum - a natural history, cultural history and art museum was established in 1877 and is a declared cultural institution, which resorts under the Department of Sport, Arts and Culture and is governed by a council. The mission of the National Museum is to provide heritageresources and an enjoyable experience to all people through quality research, conservation, education and exhibitions. More information about the organisation can be found at [www.nasmus.co.za](http://www.nasmus.co.za)

## **2. Overview**

The National Museum requires the services of a team of professional for a period of three years to provide services required for the implementation of the capital works programme and the Government Immovable Asset Management Act (GIAMA) based infrastructure planning as detailed in the infrastructure plan, approved by DSAC and the National Heritage Council for each building.

This assignment will also include providing oversight over existing capital works project and the roll out of new projects.

## **3. Project Brief**

Provision of Architectural Professional Services.

### **Consultant and tendering entity:**

Architect with heritage experience as principal Consultant and Principal Agent/Project Manager

## **4. Scope of professional services**

Each bidder is required to submit a listing and description of similar previous projects completed by the bidder, including contactable references of the client/employer of each such project. Each bidder is required to submit an abbreviated CV, consisting of no more than one page, each person dedicated to the project, as well as proof of professional registration.

### **4.1 Architect**

An Architect with heritage expertise is required to provide the standard architectural service in terms of the PROCSA agreement and will be required to take responsibility for any National Heritage permit submissions. The Heritage Architect must be registered as a professional Architect with SACAP with a minimum of 10 years relevant post qualification experience and 5 years relevant experience in working on heritage buildings. The Architect will be the Project Manager and Principal Agent.

## 5. Scope of work

The scope of work to be undertaken by the service provider upon appointment will include the assessment of the full scope of services to be provided and the preparation of a work plan that captures all the levels of support as outlined above. The scope of work will be guided by the approved Facilities plan and building condition reports for each of the buildings. The order of the work will be prioritized by National Museum, and this **will be dependent on availability of funds.**

Activities to be undertaken by the professional team upon appointment will include but not limited to:

- 5.1 Project management services
- 5.2 Compilation and facilitation of applications of National Heritage Council (NHC)
- 5.3 Development of tender documentation of procurement of goods and services required for the project.
- 5.4 Undertaking Building conditional assessments
- 5.5 Preparation of reports, scope of work, specifications based on assessments
- 5.6 Participation in tender processes, briefing session presentations and adjudication of tenders
- 5.7 Contract management
- 5.8 Undertaking of regular site inspections to monitor contractor compliance for all sites
- 5.9 Preparation and submission of monthly progress reports to National Museum.
- 5.10 Preparation of heritage close out report and submission to NHC on completion

## 6. Assignment cost

A detailed pricing schedule, inclusive of professional fees, disbursement and VAT must be provided by bidders as per Appendix A

The number of hours will be agreed upon after consultation and discussion between National Museum and the preferred service provider, prior to provision of the service.

All invoices must be accompanied by time sheets. Payment will be made on a time charge plus disbursement basis.

## 7. Requirements

The bidding requirements and stages are summarized in the table below:

| Stage 1: Pre-Qualification Criteria                                                                                                                                     | Stage 2: Functionality Criteria                                                                                                                                                                   | Stage 3: Price and Specific goals                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bidders must submit all documents as outlined in <b>Table 1 Compliance Documents below</b><br><b>Note: Failure to supply any of the compliance documents stipulated</b> | Bidders are required to achieve a minimum of 70% on functionality criteria to proceed to stage 3 (Price and Specific goals of 80/20 preferential point system)<br><b>Refer Table 2 – Required</b> | Bidders that meet the minimum threshold for functionality will be evaluated for preference point scoring as follows, refer to Table 4:<br>Price – 80 points |

|                                     |                                                                                                                                                                        |                                                                                                                                                                                                                        |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| below will lead to disqualification | documents to enable functionality scoring<br><br>Specifications will be posted on the National Museum website – <a href="http://www.nasmus.co.za">www.nasmus.co.za</a> | Specific goals – 20 points<br><br>Note: price is an important factor as it ensures optimum value for money and total cost to National Museum and should take into consideration all goods and services to be delivered |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## 8. Stage 1: Pre-Qualification Criteria

**Note: Failure to supply any of the compliance documents below will lead to disqualification.**

**Table 1:**

| Order | Compliance documents                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1     | The bidder must submit a technical proposal showing how the bidder meets the requirements of the Museum                                                                                                                                                                                                                                                                                                                                                                             |
| 2     | Curriculum vitae/CVs of professional in different discipline above : (refer to page 2, paragraph 3 of the tender brief)                                                                                                                                                                                                                                                                                                                                                             |
| 3     | A Valid B-BBEE certificate or Sworn Affidavit to determine the bidder's status level, as prescribed by the B-BBEE Act, 2003 (Act No. 53 of 2003) as amended and Code of Good Practice where there will be sub-contracting, the rules must be applied.<br><br><b>NB: This is not a compulsory document and the bidder will not be disqualified for non-submission but the document should be submitted to for a bidder to score points on preferential point evaluation of 80/20</b> |
| 4     | Central Supplier Database report – with a supplier number and company details and Tax Status verification pin together with tax registration number<br><br><b>NB: The CSD report must be a recent report at tender submission closure date and must reflect a positive tax status.</b>                                                                                                                                                                                              |
| 5     | All Health and Safety policies and procedures of the bidding company                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6     | Professional Indemnity insurance – all consultants to provide                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 7     | Completed Occupational Health and Safety Agreement (Annexure B)                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8     | Completed and signed Confidentiality and Non-Disclosure Agreement (Annexure C)                                                                                                                                                                                                                                                                                                                                                                                                      |
| 9     | Completed and signed SBD1 – Invitation to Bid                                                                                                                                                                                                                                                                                                                                                                                                                                       |

|    |                                                                        |
|----|------------------------------------------------------------------------|
| 10 | Completed and signed SBD3.3 – Pricing Schedule (Professional Services) |
| 11 | Completed and signed SBD 4 – Bidders Disclosure                        |
| 12 | Completed and signed SBD6.1 –Preferential Points Claim Form            |
| 13 | Completed and signed SBD 7.2 – Contract Form (Rendering of Services)   |

## 8.1 Required Documents for Functionality

The documents required below in Table 2 will be used for functionality evaluation, bidders are requested to furnish the detailed information to substantiate compliance to each of the evaluation criteria.

**Table 2:**

| Order | Compliance documents                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1     | <b>Index confirming contents of all documents</b>                                                                                                                                                                                                                                                                                                                                                                                         |
| 2     | Cover letter, with signed acceptance of National Museum's invitation and acknowledgement of National Museum's terms and stated requirements attached.                                                                                                                                                                                                                                                                                     |
| 3     | <p>A company profile highlighting the following:</p> <ul style="list-style-type: none"> <li>• Team structure assigned to work on this project</li> <li>• A list of similar work done in the past five (5) years</li> <li>• At least a minimum of three (3) reference letters from clients on similar work done.</li> </ul> <p><b>Note: More than three reference letters should be attached for a bidder to score maximum points.</b></p> |
| 4     | <p><b>Certified copies of:</b></p> <ul style="list-style-type: none"> <li>• Company Registration (CIPC)</li> <li>• IDs of Key personnel – including Directors</li> <li>• Proof of bank account details of company</li> </ul>                                                                                                                                                                                                              |
| 5     | <p>Proof of professional registration certificates for the following disciplines:</p> <ul style="list-style-type: none"> <li>• Architecture SACAP</li> <li>• SACPCMP</li> </ul>                                                                                                                                                                                                                                                           |
| 6     | Curriculum vitae/CVs of professional in different discipline above : (refer to page 2, paragraph 3 of the tender brief)                                                                                                                                                                                                                                                                                                                   |
| 7     | Detailed pricing structure: A pricing schedule detailing a full pricing breakdown, inclusive of VAT, and disbursement (Appendix B)                                                                                                                                                                                                                                                                                                        |

## 9. Evaluation of proposals

Proposals will be evaluated on price and functionality in accordance with Preferential Procurement Regulation of 2022.

### 9.1 Stage 2: Functionality

Proposals which score lower than the minimum overall percentage threshold of 70% (70 points) will be regarded as non-responsive and will be eliminated from further evaluation. Proposals which score 70% (70 points) and more on functionality will be eligible for further evaluation.

**Table 3: Values: 0-Non-responsive; 1-Poor; 2-Average; 3-Good; 4-Very Good; 5-Excellent**

| <b>FUNCTIONALITY CRITERIA</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>POINTS ALLOCATION</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <p><b>Experience of firm – for similar scale projects or services required.</b><br/>The bidder must submit a company profile accompanied by signed contactable reference letters from previous clients where similar services required were rendered.</p> <p><b>Score points;</b></p> <p>1 = no company profile and letter with less than 1 year experience submitted<br/>2 = company profile and 1 letter with 1 year but less than 2 years experience attached<br/>3 = company profile and 2 letters with 2 years but less than 3 years experience attached<br/>4 = company profile and 3 letters with 3 years but less than 4 years experience<br/>5 = company profile and 3 or more letters with 4 or more years experience attached</p> | <b>30</b>                |
| <p><b>Experience and Qualifications of Project manager - for similar scale projects</b><br/>The bidder must attach CVs of a Professional Project manager with at least five (5) years' experience in Built environment</p> <p><b>Score points;</b></p> <p>1 = no experience indicated or no CV attached<br/>2 = 1-1.9 year experience plus professional registration<br/>3 = 2-2.9 years experience plus professional registration<br/>4 = 3-4.9 years experience plus professional registration<br/>5 = 5 years plus with professional registration</p>                                                                                                                                                                                     | <b>30</b>                |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                 |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                 |           |
| <b>Experience and Qualifications of a Professional Heritage Architect/Specialist - for similar scale projects</b><br>The bidder must attach CVs of a Professional Heritage Architect with at least five (5) years' relevant experience.<br><br><b>Score points;</b><br><br>1 = no experience indicated or no CV attached<br>2 = 1-1.9 year experience plus professional registration<br>3 = 2-2.9 years experience plus professional registration<br>4 = 3-4.9 years experience plus professional registration<br>5 = 5 years plus with professional registration |                                                                                                                                                                                                                                                                                                                                                                                 | <b>20</b> |
| <b>Methodology – for similar scale projects</b><br>The bidder must submit a detailed technical proposal for this project                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                 | <b>20</b> |
| Non-responsive: (score 1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | The bidder has not provided methodology, approach or detailed proposed specifications.                                                                                                                                                                                                                                                                                          |           |
| Poor: (score 2)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | The bidder has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project. The activity schedule omits important task or the timing of the activities.                                                                                                                                                                       |           |
| Fair (score 3)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | The approach is generic and not tailored to address the specific project objectives and requirements. The approach does not adequately deal with the critical characteristics of the projects. All key activities are included in the activity schedule, but are not detailed. There are minor inconsistencies between timing, projects deliverables and the proposed approach. |           |
| Good (score 4)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | The approach is tailored to address the specific project objectives and requirements. All key activities are included in the activity schedule. There are minor inconsistencies between timing, projects deliverables and the proposed approach. There is a fair degree of detail that facilitates understanding of the proposed work plan.                                     |           |

|                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |
|---------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|                     | Besides meeting the “good” rating, the important issues are approached in an innovative and efficient way, indicating that the service provider has outstanding knowledge of the deliverables and meets the specifications 100%. The proposal details ways to improve the project outcomes and the quality of the outputs. The proposal has included value added services that is relevant to the project. The sequencing and timing of activities are very well defined, indicating that the bidder has optimized the use of resources and the work plan permits flexibility to accommodate contingencies and risks. The bidder should provide more than one effective option with methodologies. |            |
| Very Good (score 5) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |
| <b>Total points</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>100</b> |

## 10. Stage 3: Price and Specific goals

Proposals that meet the minimum stipulated threshold for functionality criteria will be evaluated based on preference points as described in the Preferential Point System stipulated in the Preferential Procurement regulation of 2022 and all applicable National Treasury Regulations. The criteria for apportioned and weighted preference points for this tender are as follows:

**Table 4: preference Point Criteria**

|   | <b>Preference Points Criteria</b> | <b>Points Allocation</b> |
|---|-----------------------------------|--------------------------|
| 1 | Price                             | 80                       |
| 2 | Specific goals                    | 20                       |
|   | <b>Total Points</b>               | <b>100</b>               |

### 10.2 Price

**The pricing schedule must include a breakdown of different disciplines and any other services and components as listed in scope of work. Refer to Appendix A**

- The bidder must provide a cost inclusive quotation and VAT (where applicable) must only be reflected on the Summary table.
- The financial offer must be provided in the table below.
- The total, all-inclusive bidding price over a 3-year period must be indicated (Year 1; Year2, and Year 3) in the table below. Prices must be fixed for 12 months, and all escalations applicable for year 2 and 3 must be included.

## Appendix A

| Service  | Description                                                                                        | Unit price for 1 including VAT |
|----------|----------------------------------------------------------------------------------------------------|--------------------------------|
| <b>A</b> | Project management                                                                                 | <b>R</b>                       |
|          | Compilation and facilitation of applications to Heritage Council (NHC)                             | <b>R</b>                       |
|          | Development of tender documentation of procurement of goods and services required for the project. | <b>R</b>                       |
|          | Preparation of scope of work, specifications.                                                      | <b>R</b>                       |
|          | Participation in tender processes, briefing session presentations and adjudicating of tenders      | <b>R</b>                       |
|          | Contract management                                                                                | <b>R</b>                       |
|          | Undertaking of regular site inspections to monitor contractor compliance for all sites             | <b>R</b>                       |
|          | Preparation and submission of monthly progress report and submission to National Museum            | <b>R</b>                       |
|          | Preparation of a heritage close out report and submission to NHC                                   | <b>R</b>                       |
| <b>B</b> | Disbursements (percentage of A)                                                                    | <b>R</b>                       |
|          | <b>TOTAL COST INCL. VAT</b>                                                                        |                                |

| SUMMARY OF ESTIMATED COSTS FOR PROFESSIONAL SERVICES FOR 36 MONTHS |               |                   |
|--------------------------------------------------------------------|---------------|-------------------|
| <b>N</b>                                                           | <b>Period</b> | <b>Sub Totals</b> |
| <b>o</b>                                                           |               |                   |
| 1                                                                  | Year 1        | <b>R</b>          |
| 2                                                                  | Year 2        | <b>R</b>          |
| 3                                                                  | Year 3        | <b>R</b>          |
| <b>VAT</b>                                                         |               | <b>R</b>          |
| <b>TOTAL</b>                                                       |               | <b>R</b>          |

### 10.3 Preferential procurement

In accordance with the Preferential Procurement Regulations of 2022, NM has determined the following specific goals for which preference points will be awarded:

#### Goal 1: Broad-Based Black Economic Empowerment

Section 10 of the B-BBEE Act enjoins every public entity to take into account and apply the B-BBEE Codes of Good Practice in determining and implementing a preferential procurement policy. NM will thus award preference points to suppliers based on their B-BBEE specific preferential goals.

## **Goal 2: Empowerment of Local Businesses**

NM is in the Free State, a rural province on the margins of economic activity. To develop and empower local businesses based in the Free State, NM will award preference point to suppliers based in the Free State.

## **Goal 3: Youth Empowerment**

Youth participation in the economy is crucial for the growth and development of the South African economy, but their participation has been limited by several factors. One of the main challenges for youth has been the high levels of unemployment. The unemployment rate for young people in South Africa is much higher than the national average, which makes it difficult for them to enter the labour market and participate in the economy.

In an effort to empower youth and encourage their participation in the economy, NM will award preference points to businesses which are at least 51% owned by youth.

## **Goal 4: Women Empowerment**

Women participation in the economy is crucial for the growth and development of the South African economy, but their participation has been limited by several factors. For women, the challenge has been unequal access to economic opportunities, including education, training, and employment. Women in South Africa often face discrimination and gender-based violence, which can limit their ability to participate in the economy. Additionally, women tend to be concentrated in low-paying, informal sector jobs, which offer little security and limited opportunities for advancement.

To empower women and encourage their participation in the economy, NM will award preference points to businesses which are at least 51% owned by women.

## **Goal 5: Empowerment of People with Disabilities**

People with disabilities face significant barriers to participating in the South African economy. According to the World Bank, about seven million South Africans have some form of disability, and they are more likely to experience poverty and unemployment compared to those without disabilities.

People with disabilities often face discrimination in the labour market and have limited access to education, training, and employment opportunities. They may also face physical and attitudinal barriers, making it difficult for them to fully participate in the economy.

In an effort to empower people with disabilities and encourage their participation in the economy, NM will award preference points to businesses which are at least 51% owned by people with disabilities.

### Points awarded for each goal

Preferential points will be awarded as per below scoring:

| CRITERION                             | 80/20     | 90/10     |
|---------------------------------------|-----------|-----------|
| B-BBEE Status                         | 4         | 2         |
| Businesses Based in the Free State    | 4         | 2         |
| Ownership by Youth                    | 4         | 2         |
| Ownership by Women                    | 4         | 2         |
| Ownership by People with Disabilities | 4         | 2         |
|                                       | <b>20</b> | <b>10</b> |

B-BBEE Status Points will be awarded as per below:

| B-BBEE STATUS     | 80/20 | 90/10 |
|-------------------|-------|-------|
| Level 1           | 4     | 2     |
| Level 2           | 3     | 1.5   |
| Level 3           | 2     | 1     |
| Level 4 and below | 1     | 0.5   |
| Non-compliant     | 0     | 0     |

Ownership Points for Youth, Women, and People with Disabilities will be awarded as per below:

| OWNERSHIP | 80/20 | 90/10 |
|-----------|-------|-------|
| Above 50% | 4     | 2     |
| Above 40% | 3     | 1.5   |
| Above 25% | 2     | 1     |
| Above 10% | 1     | 0.5   |

### Proof of claim

Service providers must submit valid proof of claim for any of the above criteria as stipulated in the bid documents. Failure to submit proof of claim will not disqualify a bid but will result in points not being awarded for any criterion for which proof of claim has not been submitted or is invalid.

### 11. Summary of general principles

- Non-compliance to compulsory requirements will lead to disqualification of bidder, except were non-compliance with tax matters which is subject to provision of grace period of at least 7 days that will be provided to the preferred service provider to resolve non-tax compliance.
- Failure by this preferred service provider to rectify its tax matters to a compliant status within the grace period provided will lead to an automatic disqualification.
- Validity period for bids or formal written quotations submitted shall be valid for a minimum period of sixty (60) days. The formal written price quotations received from

the service provider/supplier will be regarded as valid for 60 days despite expiry date less than 60 days indicated on a quote.

- The lowest or only proposal received will not necessarily be accepted
- National Museum reserves the right to withdraw its decision to seek the provision of these services at any time.
- There will be no discussions with any bidder until final decision has been taken by the Bid Adjudication Committee. Any subsequent discussions shall be at the discretion of National Museum.

## **12. Reasons for disqualifications**

National Museum will disqualify any proposal for any one or more of the following reasons;

- A bidder submits a proposal late;
- A bidder submits a proposal via facsimile or e-mail;
- A bidder does not submit one or more mandatory documents;
- A bidder submits incomplete documentation and/or information as per the requirements; and
- A Bidder submits information which is fraudulent, factually untrue, or inaccurate

Any such disqualifications will take place without prior notice to the applicable bidder.

## **13. Formal contract**

The proposal and appended documentation, read together, form the basis for a formal agreement to be negotiated and concluded in a formal contract between National Museum and preferred bidder.

A mere offer and acceptance shall not constitute a formal contract of any nature for any purpose between National Museum and the preferred bidder.

## **14. Submission Date and Closing time**

Bidders must submit their bids a single (one) hard copy proposal in a sealed envelope, reflecting the bid number marked for the attention of Supply Chain Management into the tender box located in the Reception Area at the **National Museum at 36 Aliwal Street, Bloemfontein Central, Bloemfontein, 9301** at or before **12h00** on the **04 December 2023**

No emailed or faxed quotations shall be accepted.

For any inquiries regarding this process, kindly send an email to: [scm@nasmus.co.za](mailto:scm@nasmus.co.za)

## 15. Acceptance of Terms and conditions

The above terms and conditions of this bid have been read, understood and accepted.  
For and on behalf of the Bidder:

.....

\_\_\_\_\_  
Bidder's Name & Surname

\_\_\_\_\_  
Designation

\_\_\_\_\_  
Signature of Bidder

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of the Witness

\_\_\_\_\_  
Date

**TRADING NAME:** \_\_\_\_\_

**CONTACT PERSON:** \_\_\_\_\_

**CONTACT NUMBER:** \_\_\_\_\_

## **WRITTEN AGREEMENT**

THIS IS IN TERMS OF SECTION 37(2) OF THE  
OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT 85 OF 1993)

BETWEEN:

**National Museum, Bloemfontein**  
(Employer)

AND

(Mandatory/Contractor)

## **INTRODUCTION**

The Occupational Health and Safety Act, 1993 (Act 85 of 1993) stipulates that the Chief Executive Officer is primarily responsible or liable for the health and safety of all his/her employees. This is embedded in Section 16(1) of the said Act. This responsibility or liability is also extended to include a mandatary that performs work on behalf of the employer on his/her premises.

A "mandatary" is defined in the said Act as: - *"Including an agent, contractor or subcontractor for work, but without derogating from his status in his own right as an employer or user"*

In terms of Section 37(2), read with Section 41, of the said Act, it is legally possible for an employer to indemnify himself from this responsibility or liability regarding the actions of the mandatary. Section 37(2) stipulates that there should be a written agreement in place between the employer and the mandatary regarding the arrangements and procedures between them to ensure compliance by the mandatary with the provisions of the Occupational Health and Safety Act, 1993.

## **WRITTEN AGREEMENT**

This is a written agreement between the (employer):

Name of EMPLOYER.....

and the (Mandatory):

Name of the MANDATARY.....

in terms Section 37(2) of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) as amended.

I.....representing the MANDATARY do hereby

acknowledge that ..... (mandatory) is an employer in its own right with duties as prescribed in the Occupational Health and Safety Act, 1993 (Act 85 of 1993) as amended and agree to ensure that all work that will be performed, any article or substance that will be produced, processed, used, handled, stored or transported and plant and machinery that will be used, will be done in accordance with the provisions of the said Act.

I furthermore agree to comply with the Health and Safety requirements of ..... as contained in the documents attached hereto and to liaise with the employer should I, for whatever reason, be unable to perform in terms of this Agreement.

**NOTICE OF NON-COMPLIANCE**

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**NOTICE OF NON-COMPLIANCE WITH AGREED HEALTH AND SAFETY REQUIREMENTS BY THE  
MANDATARY**

Dear .....(Name of MANDATARY)

1. You are hereby notified that the health and safety requirements agreed upon in terms of the written agreement entered into between yourself and the company is not being complied with.
2. Details of non-compliance.

|    |
|----|
| 1. |
| 2. |
| 3. |
| 4. |
| 5. |
| 6. |
| 7. |

3. You are to indicate in writing to the management of .....  
..... of the reasons why you are in non-compliance  
and what will be done to rectify the matter.

Signature of company representative: .....Date:.....

**COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993  
(ACT 130 OF 1993)**

**(Employer)**.....has A legal duty in terms of Section 89 of the said Act to ensure that all contractors with whom agreements are entered into for the execution of work are registered as employers in accordance with the provisions of this Act and that all the necessary assessments have been paid by the contractor.

In order to enter into this agreement, the following information is needed regarding the above-mentioned: \_\_\_\_\_

Registration No.                      /                      /

1. Contractor's registration number with the office of the Compensation Commissioner:
2. Proof that assessments have been paid: (A copy of a receipt must be handed in, in this regard.)

Attach copy of receipt

**CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**

BETWEEN

**NATIONAL MUSEUM, BLOEMFONTEIN**

|                  |                                  |                                                       |  |
|------------------|----------------------------------|-------------------------------------------------------|--|
| Physical Address | 31 Aliwal Street<br>Bloemfontein |                                                       |  |
| Postal Address   | P O Box 266, Bloemfontein, 9300  |                                                       |  |
| Telephone No.    | +27 51 447 9609                  |                                                       |  |
| Fax No.          | +27 51 447 6273                  |                                                       |  |
| Signed at        |                                  | Date                                                  |  |
| Name             |                                  | who warrants that they are duly<br>authorised to sign |  |
| Signature        |                                  |                                                       |  |

|                  |           |
|------------------|-----------|
| AS WITNESSED BY: |           |
| Name             | Signature |
| Name             | Signature |

AND

.....

|                     |  |                                                       |  |
|---------------------|--|-------------------------------------------------------|--|
| Registration number |  |                                                       |  |
| Physical Address    |  |                                                       |  |
| Postal Address      |  |                                                       |  |
| Telephone No.       |  |                                                       |  |
| Fax No.             |  |                                                       |  |
| Signed at           |  | Date                                                  |  |
| Name                |  | who warrants that they are duly<br>authorised to sign |  |
| Signature           |  |                                                       |  |

|                  |           |
|------------------|-----------|
| AS WITNESSED BY: |           |
| Name             | Signature |
| Name             | Signature |

**THE PARTIES HEREBY AGREE TO THE TERMS AND CONDITIONS ATTACHED HERETO**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        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| <p><b>1. INTERPRETATION</b><br/>In this agreement:-</p> <p>1.1 clause headings are for convenience and are not to be used in its interpretation;</p> <p>1.2 unless the context indicates a contrary intention:-</p> <p>1.2.1 an expression which denotes:-</p> <p>1.2.2 any gender includes the other genders;</p> <p>1.2.3 a natural person includes a juristic person and vice versa;</p> <p>1.2.4 the singular includes the plural and vice versa;</p> <p>1.3 the following expressions bear the meanings assigned to them below and cognate expressions bear corresponding meanings:-</p> <p>1.3.1 <b>"confidential information"</b> means all information which the receiving party may receive or acquire from the disclosing party, and includes, without limiting the generality of the term:-</p> <p>1.3.1.1 information relating to the disclosing party's strategic objectives and planning for both its existing and future Information Technology needs;</p> <p>1.3.1.2 information relating to the disclosing party's business activities, business relationships, products, services, customers and clients;</p> <p>1.3.1.3 information contained in the disclosing party's software and associated material documentation;</p> <p>1.3.1.4 technical, scientific, commercial, financial and market information, know-how and trade secrets;</p> <p>1.3.1.5 data concerning business relationships, architectural information, demonstrations, processes and machinery;</p> <p>1.3.1.6 plans, designs, drawings, functional and technical requirements and specifications; and</p> <p>1.3.1.7 information concerning faults or defects in the disclosing party's systems, hardware and/or software or the incidence of such faults or defects;</p> <p>but excluding information or data which:-</p> <p>1.3.1.8 is at the time of disclosure to the receiving party lawfully and without breach of any confidentiality obligations, within the public domain;</p> <p>1.3.1.9 is, at the time of such disclosure, already within the possession of the receiving party, or it has been independently developed by the recipient; or</p> <p>1.3.1.10 is obliged to be produced under order of a court or government agency of competent jurisdiction, or in terms of statute;</p> <p>provided that the onus shall at all times rest on the receiving party to establish that such information falls within the exceptions contained in clauses 1.3.1.8 to 1.3.1.10 inclusive and provided further that information disclosed in terms of this agreement will not be deemed to be within the foregoing exceptions merely because such information is embraced by more general information in a party's possession.</p> <p>1.3.2 <b>"the disclosing party"</b> means any party who discloses information to the other party;</p> <p>1.3.3 <b>"the disclosing purpose"</b> means the purpose or reason for which the parties have entered or will enter into discussions resulting in the disclosure of confidential information to each other, as set out in Schedule 1;</p> <p>1.3.4 <b>"the parties"</b> means the parties to this agreement;</p> <p>1.3.5 <b>"the receiving party"</b> means any party who receives or acquires the confidential information of the other party under any circumstances whatsoever;</p> <p>1.4 Words and expressions defined in any clause shall, for the purposes of that clause, bear the meaning</p> | <p>assigned to such words and expressions in such clause.</p> <p><b>2. RECITALS</b></p> <p>2.1 The parties wish to hold discussions for the disclosing purpose, during the course of which certain confidential and proprietary information will be disclosed.</p> <p>2.2 The parties wish to record the basis on which they will honour and protect each other's confidential information.</p> <p><b>3. RESTRICTIONS ON DISCLOSURE AND USE</b></p> <p>3.1 The parties shall only use the confidential information for the specific purposes set out in the disclosing purpose.</p> <p>3.2 In addition, both parties agree, insofar as they may be the receiving party:-</p> <p>3.2.1 not to disclose, publish, utilise, employ, exploit or in any other manner whatsoever use the confidential information in any manner, for any reason or purpose whatsoever without the prior written consent of the disclosing party, which consent may be withheld in the sole and absolute discretion of the disclosing party;</p> <p>3.2.2 they will restrict the dissemination of the confidential information to only those of their personnel who are actively involved in the disclosing purpose and then only on a "need to know" basis and they will initiate internal security procedures reasonably acceptable to each other to prevent unauthorised disclosure and will take all practical steps to impress upon those personnel who need to be given access to confidential information, the secret and confidential nature thereof;</p> <p>3.2.3 that any unauthorised publication or other disclosure of the confidential information may cause irreparable loss, harm and damage to the disclosing party. Accordingly, the receiving party hereby indemnifies and holds the disclosing party harmless against any loss, action, expense, claim, harm or damage of whatsoever nature suffered or sustained by the disclosing party pursuant to a breach by the receiving party of the provisions of this agreement.</p> <p><b>4. TITLE</b></p> <p>The receiving party shall acquire no right, title or interest in any information disclosed to it by the disclosing party pursuant to this agreement.</p> <p><b>5. STANDARD OF CARE</b></p> <p>The receiving party shall protect the confidential information of disclosing party in the same manner and with the same endeavour which a reasonable man would use to protect his own confidential information. Should the receiving party become aware of any unauthorised copying, disclosure or use of confidential information, it shall immediately notify the disclosing party thereof in writing and, without in any way detracting from the disclosing party's rights and remedies in terms of this agreement, take such steps as may be necessary to prevent a recurrence thereof.</p> <p><b>6. RETURN OF INFORMATION</b></p> <p>6.1 <b>On Request.</b> The disclosing party may at any time request the receiving party to return any material containing, pertaining to, or relating to the confidential information and may, in addition, request the receiving party to furnish a written statement to the effect that upon such return, the receiving party has not retained in its possession, or under its control, either directly or indirectly, any such material.</p> <p>6.2 <b>Destruction.</b> Alternatively to clause 6.1, the receiving party shall, at the instance of the disclosing party, destroy such material and furnish the disclosing party with a written statement to the effect that such material has been destroyed.</p> |
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|       |                                                                                                                                                                                                                                                                                                                                         |       |                                                                                                                                                                                                                                                                                     |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6.3   | <b>Compliance with request.</b> The receiving party shall comply with a request in terms of this clause 6 within 3 (three) days of receipt of such request, or such shorter period as the disclosing party may demand, so long as this allows the receiving party adequate time to comply.                                              | 8.3.2 | if delivered to the addressee's domicile by hand during business hours on a business day, on the date of delivery thereof, or                                                                                                                                                       |
| 7.    | <b>DURATION</b><br>Notwithstanding termination of this agreement for any reason whatsoever, this agreement shall remain in force for a period of 5 (five) years after the date of termination.                                                                                                                                          | 8.3.3 | if sent by fax to the addressee on the first business day following the date of sending thereof.                                                                                                                                                                                    |
| 8.    | <b>DOMICILIA AND NOTICES</b>                                                                                                                                                                                                                                                                                                            | 9.    | <b>GENERAL</b>                                                                                                                                                                                                                                                                      |
| 8.1   | <b>Addresses.</b> The Parties hereby choose domicile citandi et executandi ("domicilium") for all purposes under this agreement the addresses set out on the face of this document.                                                                                                                                                     | 9.1   | <b>Entire agreement.</b> This agreement, together with the schedules hereto and the documents, records or attachments referred to herein or therein, constitute the entire agreement between the Company and National Museum, Bloemfontein in respect of the subject matter hereof. |
| 8.2   | <b>Change of Address.</b> Either party may give written notice to the other, change its domicile to any other physical address in the Republic of South Africa and its telefax number to any other South African number, provided that such change shall take effect fourteen 14 (fourteen) days after delivery of such written notice. | 9.2   | <b>Variation.</b> No amendment or modification to this agreement shall be effective unless in writing and signed by authorised signatories of both the Company and National Museums, Bloemfontein                                                                                   |
| 8.3   | <b>Deemed Receipt.</b> Any notice to be given by either party to the other shall be deemed to have been duly received by the other party -                                                                                                                                                                                              | 9.3   | <b>Waiver.</b> No granting of time or forbearance shall be or be deemed to be a waiver of any term or condition of this agreement and no waiver of any breach shall operate a waiver of any continuing or subsequent breach.                                                        |
| 8.3.1 | if addressed to the addressee at its domicile and posted by pre-paid registered post on the 10 <sup>th</sup> day after the date of posting thereof, or                                                                                                                                                                                  | 9.4   | <b>Applicable Law.</b> This agreement shall be governed and construed according to the laws of the Republic of South Africa.                                                                                                                                                        |
|       |                                                                                                                                                                                                                                                                                                                                         | 9.5   | <b>Costs.</b> Each party shall be responsible for its own legal and other costs relating to the negotiation of this agreement.                                                                                                                                                      |

### SCHEDULE 1

#### DISCLOSING PURPOSE

**WITH REFERENCE TO:** .....

**NAME OF CLIENT:** .....

**DESCRIPTION OF SERVICES:** .....

**OUR REFERENCE NO:** .....

THIS NON-DISCLOSURE AGREEMENT ENTERED INTO BETWEEN THE NATIONAL MUSEUM, BLOEMFONTEIN AND  
 ..... HOLD AS CONFIDENTIAL ALL INFORMATION WHICH THEY MAY RECEIVE FROM THE  
 OTHER PARTY ("THE DISCLOSING PARTY") OR WHICH BECOMES KNOWN TO THEM DURING THE CURRENCY OF  
 THIS AGREEMENT.

## INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NATIONAL MUSEUM BLOEMFONTEIN)

BID NUMBER:

CLOSING DATE:

CLOSING TIME:

DESCRIPTION.....

**The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).**

BID DOCUMENTS MAY BE POSTED TO:.....P.O. Box 266, Bloemfontein, 9300

OR

DEPOSITED IN THE BID BOX SITUATED AT (*STREET ADDRESS*)

36 Aliwal Street, Bloemfontein  
9301

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**

The bid box is generally open 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THE FOLLOWING PARTICULARS MUST BE FURNISHED  
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER .....

POSTAL ADDRESS .....

STREET ADDRESS .....

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER .....

FACSIMILE NUMBER CODE ..... NUMBER.....

E-MAIL ADDRESS .....

VAT REGISTRATION NUMBER .....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2)

YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1)

YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....☐A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); OR.....☐A REGISTERED AUDITOR .....☐

[TICK APPLICABLE BOX]

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE 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?  
NO

YES or

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER .....

DATE .....

CAPACITY UNDER WHICH THIS BID IS SIGNED .....

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED .....

---

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: .....

Contact Person: .....

Tel: .....

Fax: .....

E-mail address:.....

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact SCM

Tel: 051 447 9609

Fax 051 447 6273

E-mail address:...scm@nasmus.co.za

## 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 .....  | Closing date..... |

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

| ITEM NO. | QUANTITY | DESCRIPTION | BID PRICE IN RSA CURRENCY<br>** (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

## NASMUS SBD4

### BIDDER'S DISCLOSURE

#### 1. Purpose of the form

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

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

#### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

---

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

| Full Name | Identity Number | Name of institution | State |
|-----------|-----------------|---------------------|-------|
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the **National Museum, Bloemfontein**? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

**3 Declaration of shareholding**

3.1 Are any of the bidder’s directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise, designated as youth, women, and/or people with disabilities? **YES/NO**

3.1.1 If so, furnish particulars of the names, individual identity numbers, sex, shareholding and, if applicable, disability of sole proprietor/ directors /

trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in the table below.

| Full Name | Identity Number | Sex | Disability | Shareholding % |
|-----------|-----------------|-----|------------|----------------|
|           |                 |     |            |                |
|           |                 |     |            |                |
|           |                 |     |            |                |
|           |                 |     |            |                |
|           |                 |     |            |                |
|           |                 |     |            |                |
|           |                 |     |            |                |
|           |                 |     |            |                |
|           |                 |     |            |                |

#### **4 DECLARATION**

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

- 4.1 I have read and I understand the contents of this disclosure;
- 4.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 4.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 4.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

---

<sup>2</sup> 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.

- 4.5 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.
- 4.6 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the **National Museum, Bloemfontein** in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 4.7 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2, 3 and 4 ABOVE IS CORRECT.

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

---

**Signature**

---

**Date**

---

**Position**

---

**Name of Bidder**

## 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 90/10 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     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>1.3.1.1 PRICE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | .....      |
| <b>1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | .....      |
| <b>Total points for Price and B-BBEE must not exceed</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>100</b> |
| 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 “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”** Error! Bookmark not defined. 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 90/10 PREFERENCE POINT SYSTEMS

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

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

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 (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1                                  | 10                              | 20                              |
| 2                                  | 9                               | 18                              |
| 3                                  | 8                               | 16                              |
| 4                                  | 5                               | 12                              |

|                           |   |   |
|---------------------------|---|---|
| 4                         |   |   |
| 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. ....

.....  
SIGNATURE(S) OF BIDDER(S)

2. ....

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

## CONTRACT FORM - RENDERING OF SERVICES

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

### PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to **National Museum, Bloemfontein** in accordance with the requirements and task directives / proposals specifications stipulated in Bid/Approval Number at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) RFQ documents, viz
    - Tax clearance certificate;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Submitted quotation
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

#### WITNESSES

1 .....

2 .....

DATE: .....

**CONTRACT FORM - RENDERING OF SERVICES****PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I, **Ms Sharon Snell**, in my capacity as **Chief Executive Officer of National Museum, Bloemfontein**, accept your quotation under reference/approval number..... dated.....for the rendering of services indicated hereunder.
2. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

| DESCRIPTION OF SERVICE                                                                                                   | PRICE (ALL APPLICABLE TAXES INCLUDED) | COMPLETION DATE | B-BBEE STATUS LEVEL OF CONTRIBUTION |
|--------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------|-------------------------------------|
| The service provider is provide Built environment professional services for a period of 36 months to the National Museum |                                       |                 |                                     |

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT BLOEMFONTEIN ON.....

NAME (PRINT) **MS SHARON SNELL**

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

2 .....

DATE: .....