

RFP/2021-075

REQUEST FOR PROPOSALS FOR APPOINTMENT OF A CONTRACTOR SUPPLY, DELIVERY, INSTALLATION AND CONFIGURATION OF ELECTRIC FENCING AT THE NLC MPUMALANGA PROVINCIAL OFFICE IN NELSPRUIT

CLOSING DATE: 21 May 2021

CLOSING TIME: 11h00 (South African Standard Time)

1.	Assignment	The National Lotteries Commission (NLC) requires a suitable service provider to supply, deliver, install and configure electric fence in Nelspruit
2.	Name of the responsible office	Facilities
3.	Address for submitting proposals & other correspondence. Please submit CD or USB Stick if your document is more than 10GB	Attention: Demand and Acquisition Officer National Lotteries Commission, Telephone: 012-432 1470 Email: Ms M Senyatsi maureen@nlcsa.org.za
4.	Compulsory briefing session	Not applicable to this RFP
5.	Closing date & time for submission of proposals	21 May 2021 @ 11:00



1. BACKGROUND AND DISCUSSION

The National Lotteries Commission (NLC) Mpumalanga office has recently moved in the new premises with approximately 1222 m² land area. The building is host to 15 staff members. As part of our physical security plans the electronic fencing is one of the critical parts to ensure safety and security of the infrastructure and equipment.

To maintain a consistent security standard for the organization the NLC seeks the services of a qualified service provider for request for proposals for appointment of a contractor supply, delivery, installation, and configuration of electric fencing at the NLC Mpumalanga Provincial Office in Nelspruit.

Contractors will ensure the following:

- Supply of Energizer and all related materials for a full installation
- Issue an electric fence COC
- Provide 12 months guarantee on both materials and workmanship.

2. TECHNICAL SPECIFICATION OF OFF-GRID SOLAR SYSTEM CORRECTIONS

2.1. General Scope of Works

Electric fences shall conform to the following specifications:

- They may not be any higher than 450 mm.
- They must be at least 1,8 m above the level of natural ground at any point.
- They may only be erected on top of walls and fences or attached to them.
- They may not encroach over site boundaries.
- Comply with Regulation 11 of the Electrical Machinery Regulations promulgated in terms of the Occupational Health and Safety Act, no 85 of 2003 must be fully complied with.

- Regulation 11 of the above Act gives information in terms of how electric fences operate in terms of the shock they impart. For instance, the peak value of voltage is 10 kV; the maximum duration of the electrical impulse it puts out is 50 ms; the minimum interval allowed between impulses is 0.75s; the maximum quantity of electricity per impulse allowed is 2.5 mC; and the maximum energy discharge per impulse measured at a resistance of 500 ohms is 8 J.

Material Specifications

Material	Specification
Energizer	• Specification of the energizer will be in accordance with IEC 60335-2-76 the International • Standard Peak value of input voltage must be above 7.5kV, but not exceeding 10kV. • Maximum energy delivered to a load of 500Ω must not be less than 7.5 Joule. • Minimum interval between impulses should not be less than 1.0 Second. • Impulse duration must not exceed be 50ms. • Shock energy delivered anywhere on the fence should not be less than 3/5 Joules depending upon the energizer selected. • For multi-zone systems the energizer must be able to energize the fence from both ends. This will ensure that the fence will still be live and able to deliver shock when a fence wire is cut from any point on the perimeter. • Multiple energizers must synchronize their output to be regarded as one energizer with multiple outputs, all firing at the same time, as one single pulse. • To provide optimum protection against lightning, all energizers must be installed in a dedicated lockable room inside the building. • The energizer must have its own stand-by DC power and be programmable for up to 20 zones
Fence wires	• For larger perimeter and corrosive environment all conductor wires must be manufactured from aluminum 1.6mm, as it has a very good corrosion

	resistance by building up its own protection with an oxide layer, and in addition has a very low electrical resistance ($33\Omega/\text{km}$), resulting in optimum energy availability with a maximum deterrence effect, along the energized perimeter fence, together with the highest degree of resistance to all inclement weather/atmospheric conditions. • For smaller compounds like individual houses 1.0mm Aluminum wire would be suitable meeting the security as well aesthetic needs. • Places where higher tensile strength is desirable 1.6mm high tensile hot dipped galvanized steel wire is the option. This wire offers same electrical resistance as 1.0mm Aluminum i.e. $100\Omega/\text{Km}$ but has $>200\text{kg}$ of tensile strength. • Each fence conductor wire must be pulled in position with a force of about 20Kgs but not exceeding 25Kg
High Tension (HT) Insulated Cables.	• Double insulated HT cables must be used to connect the energizer output connectors to the fence conductor wires of the energized perimeter fence. • Insulation of HT cables should be UV stabilized for outdoor installation. • The HT cables must be run through a 32mm conduit for added protection and facilitate future repairs.
Crimp Ferrules /Split Bolts	• The fence wire and the High Voltage cable should be connected with suitable aluminium crimp ferrules or Stainless-Steel split bolts. These components shall have the same material composition as the fence wire and the High Voltage cable
Insulators	• The insulators should be made from a UV resistant material. • The insulator surface should not be damaged by flash over. • The insulators should retain their rated mechanical strength over the temperature range of -10°C to $+60^{\circ}\text{C}$. The insulators should not become brittle or soft under any ambient temperature conditions. • The insulator should be designed as such that the fence wire cannot be removed once installed.

	• Tested to withstand a minimum arcing voltage of min 15kV when applied between the mounting screw and the 1.6mm aluminum conductor wire. During the test, insulators must be soaked with a 2 % saline solution, in order to simulate coastal conditions. • No arcing may occur during the test. Strain insulators when fastened to a fixed point with its standard attachment screw, must withstand a pulling force of 300kg at 45°C when applied to a 2.24mm steel wire attached to the insulator.
Tensioning Devices	• A non-metallic tensioning device should be used to tension the electric fence wires. • The tensioning devices should be able to withstand at least five times the maximum installed wire tension of 20kg. • The tensioning device should allow for the accurate tensioning of the fence wires to the required tension. It should only be possible to tension the fence wires by means of a special made tool which should indicate the correct wire tension
Strain posts	• All strain posts should be manufactured from 50mm x 50mm square tubing. • Strain posts should be fully galvanized/powder coated. All holes should be pre-drilled before galvanizing/coating.
Intermediate posts	• All intermediate posts will be manufactured from 25mm x 25mm square tubing. • Intermediate posts should be fully galvanized/powder coated. All holes should be pre-drilled before galvanizing/coating
Lightning Protection Specifications	• The electric fence should be fitted with the appropriate lightning protection system in accordance with SANS 62305 Protection against lightning. • Protection should be provided on both the high voltage output as well as the 230VAC input. • A common earth point at the enclosure for both the high voltage and 230VAC input lightning protection systems
Earthing	• Earth pegs must be used at the beginning or end of each zone, at a maximum

	distance of 50m apart. Earth pegs must be connected to the main earth rod, the fence posts and earth conductors of the fence. • Three (3) earth pegs, 1.8m apart in a triangle layout, must be installed at both sides of the Access Control Building (ACB). The pegs must be connected to the main earth rod and the first post on each side of the fence
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2.2 Warranty

(a) Energizer – up to 2 years warranty

(b) Workmanship letter 12 months

2.3. Limitations to be considered in relation to providing the service.

2.3.1. Hours of Work

Generally, NLC buildings are open during standard business hours of operations 8:00 – 16:30, five days per week, 52 (fifty-two) weeks per year.

It is envisaged that most of the works will be undertaken in the period Monday to Friday from 8:00am to 16:00pm but after hours and weekend work may be required depending on the nature of the work to be done e.g.:

- Excessive noise;
- Malodorous materials;
- Other forms of nuisance that might interfere with day-to-day operations of the NLC

Due to the nature of operations at the NLC which is corporate, and customer based, the Contractor may be required to undertake works after the hours of operation to avoid having an impact on NLC operational requirements.

2.3.2. Waste Removal

The Contractor will be required to manage all waste and by-products generated by the works as there are no facilities provided for recycling of waste on-site.

Similarly, there are no on-site facilities available for the disposal of oil wastes, chemical wastes or associated containers.

The Contractor will be responsible for the safe disposal of all oil, chemical and other hazardous waste in accordance with:

- National Environment Management Act;
- Occupational Health and Safety Act;
- Municipal Bye-Laws.

2.3.3. Occupational Health and Safety

The Contractor will develop and implement an OHS Plan in accordance with the requirements of the OHS Act, 85 of 1993, in relation to all individual work to be performed.

2.3.4. Dress Code and Vehicle Presentation

The Contractor must provide all staff with work dress that is appropriate for both the functional and presentation requirements of the work.

The Contractor must provide identity badges for all staff. These identity badges must be displayed always when on site.

3. BRIEFING SESSION

No Briefing Session

4. QUALITY CONTROL

- The NLC will have the right to conduct inspection at the supplier's premises for quality and adherence to specification before delivery is made.
- The supplier must undertake and warrant that all goods shall, at the time of delivery, be according to specification, in good condition, order and ready for use.
- The supplier has the primary responsibility to ensure that quantity and quality are in accordance with the specification.

5. PAYMENT

- No payment will be made by the NLC before a service has been rendered.
- No payment will be made without an original invoice or certified copy.
- No payment will be processed before a full delivery is completed and accepted.
- Payment will be made within 30 days of receipt of the original or certified invoice from the supplier, provided that the NLC is satisfied with the quality and standard of the supplier's performance.

6. EVALUATION CRITERIA

A three (3) phase evaluation criteria will be considered in evaluating the bid, being:

Phase 1: Administrative (Mandatory) Requirements

- Central Supplier Database (CSD) registration; and
- Signed standard bid documents (SBD Forms).
- As part of the pre-qualification criteria for preferential procurement, the following bidders may respond to this bid:
An EME or QSE which is at least 51% owned by black people.
- An EME or QSE
- CIDB EB 1, SQ1
- Wireman's License registered with the department of labour to issue (COC)

Phase 2: Only Suppliers who complied under Mandatory Requirements (phase 1) will be considered for further evaluation.

EVALUATION CRITERIA	SUB-WEIGHT	WEIGHT
1. Capacity		
The bidder must demonstrate that they have the relevant experience in providing similar service. Proof that the bidder has been in operation for a minimum period of 2 (two) years. Team Leader & Members Experience or Key Expert (Project Leader) Abbreviated Curriculum Vitae (CV's) of personnel involved on the implementation of the project for the similar or related project, not longer than one page each, shall be included in an Appendix.		30%
2. Company Experience		
The Bidder must demonstrate that they have the capacity to render the required service. Proof of experience of entity in similar project. The Bidder must provide three (2) references confirming that the Bidder has the capacity to deliver the required service or alternatively ranked at SQ 1, EB 1 in terms of CIDB grading. Should the bidder intend to sub-contract any of the service listed, documentary evidence such as sub-contracting contracts, MoU, experience of sub-contractor and/or qualifications of the sub-contractor shall be attached. The Bidder must provide two (2) references confirming that the Bidder has the capacity to deliver the required service.		40%
3. Company Capacity		
The Bidder must provide a project implementation plan which details how the work will be carried out. - The project plan must have deliverables and time frames. - Safety plan		30%
TOTAL		100%

Phase 3: The 80/20 Principal Point System based on Price and B-BBEE status level contributor.

Only bidders that have met the 70-points threshold in phase 1 will be evaluated in phase 2 for price and BBEE. Price and BBEE will be evaluated as follows:

In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated on the 80/20-preference point system in terms of which points are awarded to bidders based on:

- The bid price (maximum 80 points)
- B-BBEE status level of contributor (maximum 20 points)

i) Stage 1 – Price Evaluation (80 Points)

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

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

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

ii) Stage 2 – BBEE Evaluation (20 Points)

a. BBEE Points allocation

Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the table below:

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

B-BBEE points may be allocated to bidders on submission of the following documentation or evidence:

- A duly completed Preference Point Claim Form: Standard Bidding Document (SBD 6.1); and
- Affidavit or B-BBEE Certificate.

b. Joint Ventures, Consortiums and Trusts

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.

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.

Bidders must submit concrete proof of the existence of joint ventures and/or consortium arrangements. NLC will accept signed agreements as acceptable proof of the existence of a joint venture and/or consortium arrangement.

The joint venture and/or consortium agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. The agreement must also

clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement.

7. TAX COMPLIANCE

No tender shall be awarded to a bidder who is not tax compliant. NLC reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder if it is established that such bidder was in fact not tax compliant at the time of the award or has submitted a fraudulent Tax Clearance Certificate to NLC, or whose verification against the Central Supplier Database (CSD) proves non-compliant. NLC further reserves the right to cancel a contract with a successful bidder if such bidder does not remain tax.

8. VALIDITY PERIOD

The validity period of the quotation requested must be 60 days.

9. COSTING

Costing of quotation must be VAT inclusive and quoted in South African Rand.

10. LATE QUOTATION

Quotations received late shall not be considered. A quote will be considered late if it arrived one second after 11:00 am or any time thereafter.

11. SUBMISSION OF PROPOSALS

The proposals should be submitted via email at maureen@nlcsa.org.za or bids@nlcsa.org.za

. **All proposals should be submitted on pdf format.**

Closing Date: 21 May 2021

Closing Time: 11:00: (South African Standard Time)

Enquiries received will be responded to within two (2) working days of receiving the enquiry.

THE NLC IS NOT OBLIGED TO ACCEPT THE LOWEST OR ANY BID AND RESERVES THE RIGHT TO ACCEPT ANY BID IN WHOLE OR PART.

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFP/2021-075	CLOSING DATE:	21 MAY 2021	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A CONTRACTOR FOR SUPPLY, DELIVERY, INSTALLATION AND CONFIGURATION OF ELECTRIC FENCING AT THE NLC MPUMALANGA PROVINCIAL OFFICE IN NELSPRUIT				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
DUE TO COVID-19 ONLY EMAIL SUBMISSION IS ALLOWED: maureen@nlcsa.org.za / bids@nlcsa.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Maureen Senyatsi / Bojane Mosima		CONTACT PERSON	Maureen Senyatsi / Bojane Mosima	
TELEPHONE NUMBER	012 432 1470 / 1344		TELEPHONE NUMBER	012 432 1470 / 1344	
E-MAIL ADDRESS	maureen@nlcsa.org.za		E-MAIL ADDRESS	maureen@nlcsa.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER PART B:3]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				☐ YES ☐ NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				☐ YES ☐ NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED--(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:



SBD 4

DECLARATION OF INTEREST

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

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

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

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

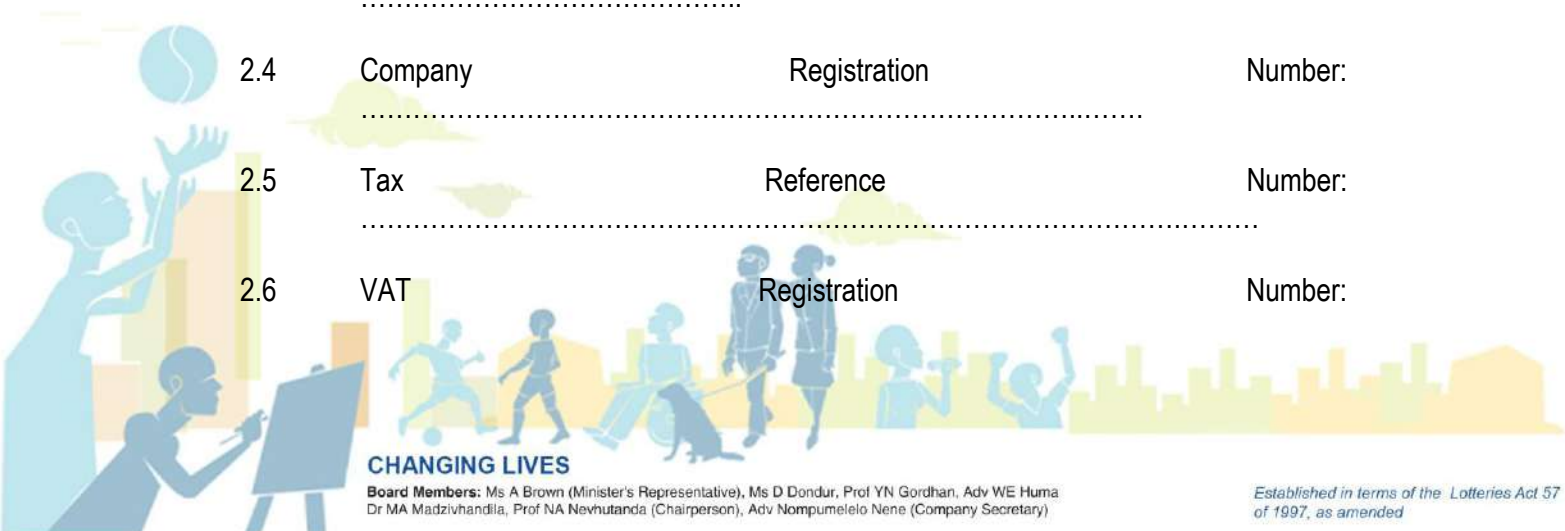
2.2 Identity Number:
.....

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

2.4 Company Registration Number:
.....

2.5 Tax Reference Number:
.....

2.6 VAT Registration Number:
.....



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

¹"State" means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

.....

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

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

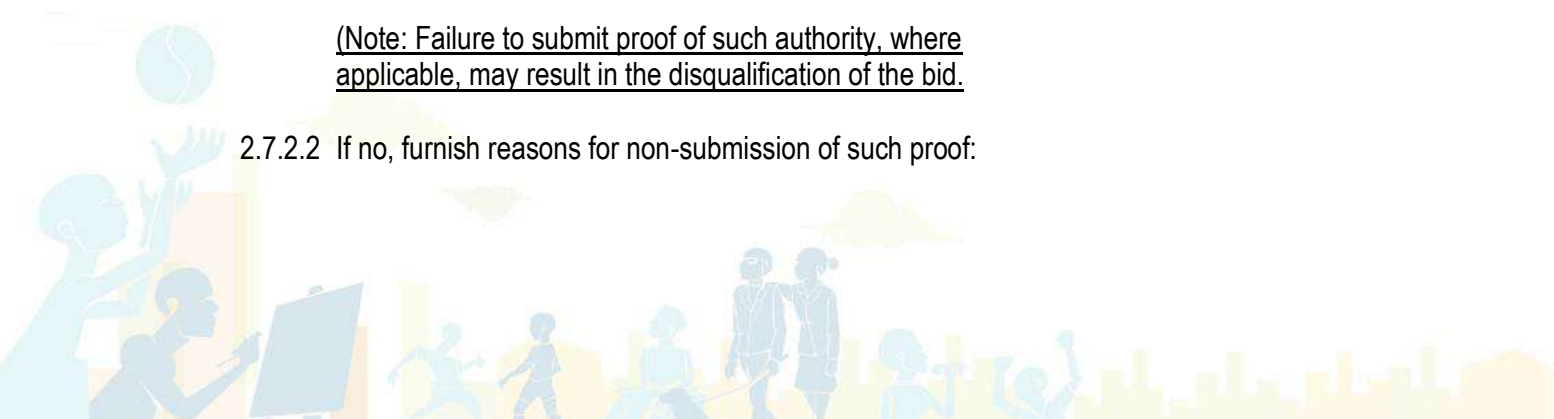
.....

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

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

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

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



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

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

YES / NO

2.8.1 If so, furnish particulars:

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

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

YES / NO

2.9.1 If so, furnish particulars.

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

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

YES/NO

2.10.1 If so, furnish particulars.

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

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

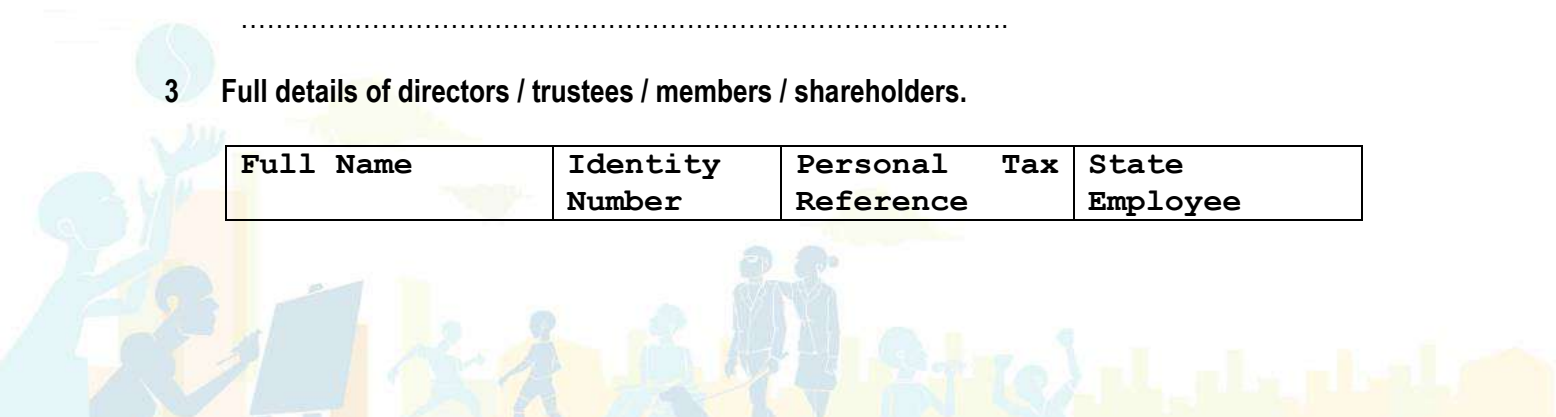
YES/NO

2.11.1 If so, furnish particulars:

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

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

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

4 DECLARATION

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

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

May 2011





SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

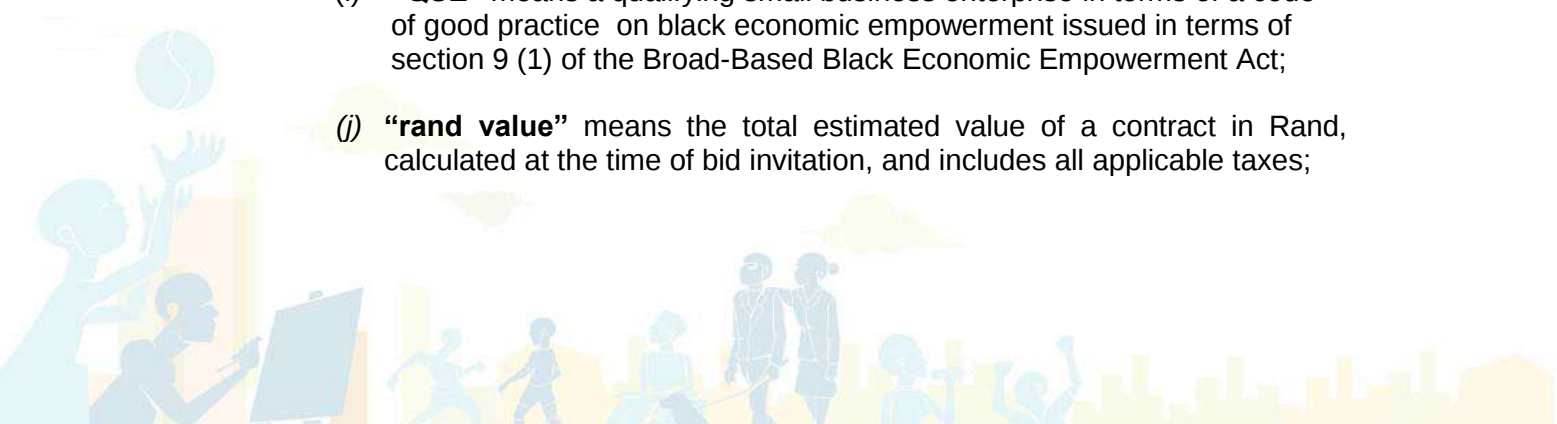
	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

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

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;



3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

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

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

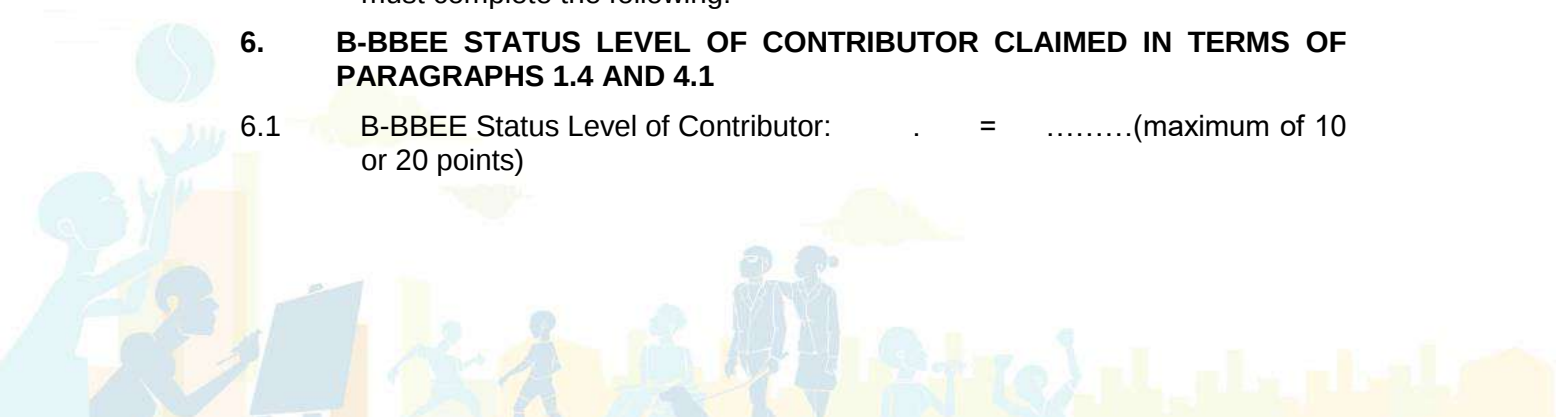
B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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



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

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

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

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....



8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

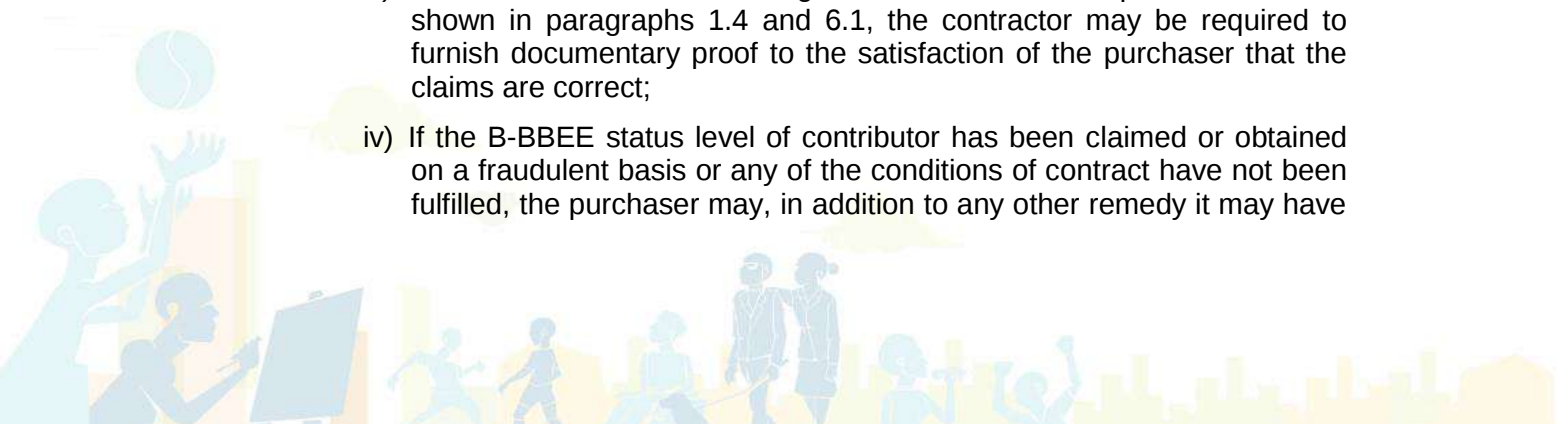
8.6 COMPANY CLASSIFICATION

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

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have



-
- (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.
2.

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

DATE:

ADDRESS

.....
.....





DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		

4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
- 

SBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

SBD 9

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious



will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.



.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js914w 2