

Department:	Supplier Chain Management	Document no:	AIDC-SCM-FRM-004	 Supplier Park Development Company SOC Ltd t/a Automotive Industry Development Centre <i>Your partner in becoming globally competitive</i>
Document Classification	Normal document			
Document Type	Form			
Name of Document:	Standard bid document (open tender)			

AIDC STANDARD BID DOCUMENT

Bid number: AIDC_T03_2021/22

Bid title: INVITATION FOR AN OPEN TENDER TO PROVIDE CANTEEN AND CATERING SERVICE, CATERING OF VARIOUS EVENTS AT THE SUPPLIER PARK DEVELOPMENT COMPANY TRADING AS AUTOMOTIVE INDUSTRY DEVELOPMENT CENTRE FOR 36 MONTHS SITUATED IN:

- AUTOMOTIVE SUPPLIER PARK IN ROSSLYN (ASP)

Date issued: 15 December 2021

Closing date: 28 January 2022

Closing time: 11:00

Compulsory briefing session

yes ☒

no ☐

Venue: Automotive Supplier Park (AIDC)

Address: 30 Helium Road, Rosslyn

Date and Time: 18 January 2022 at 11:00

Site visit (Reference site)

yes ☒

no ☐

(See Part C - Evaluation Criteria)

Bidder's details	
Company name:	
Company registration no:	
CSD registration no:	
Contact person:	
Tel number:	
Cell number:	
Email address:	

TOTAL BID PRICE (VAT Inclusive)

R _____

NB: Please indicate whether this document is the original or copy (tick the applicable block)

ORIGINAL

☐

COPY

☐

Please note: No "type correction fluids" or any other forms of blanking out any of the printed information on this tender document is allowed. All changes must be clearly indicated and any deletions must be scratched out and signed next to each change.

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MINIMUM DOCUMENTS REQUIRED

Minimum Documents required for this BID	Comments	Submitted (Yes /No)
Central Supplier Database (CSD) Summary Report	Proof of CSD registration	
SBD 1 (Invitation to Bid – and Bid Price Statement)	Make sure it is completed & signed, otherwise will be disqualified.	
SBD 2 (Tax Clearance Certificate) – Tax Status	Tax Status must be active on CSD &/or e-filing (status will be validated again during evaluation stage)	
SBD 3 (Pricing Schedule)	Make sure it is completed and signed – ZAR currency only – Firm Price, otherwise it will be disqualified.	
SBD 4 (Declaration of Interest)	Make sure it is completed and signed, otherwise will be disqualified	
SBD 6.1 (Preferential Points Claim Form)	Make sure it is completed and signed, otherwise will be disqualified	
SBD 6.2 (Local Production & Content)	Make sure it is completed and signed, otherwise will be disqualified	
SBD 8 (Declaration of Service Provider's past Supply Chain Management Practices)	Make sure it is completed and signed, otherwise will be disqualified	
SBD 9 (Certificate of Independent Bid Determination)	Make sure it is completed and signed, otherwise will be disqualified	
CIPC - Company Registration Documentation	1. Certificate of Registration, 2. Change of Name Certificate (if applicable), 3. Register of Directors and 4. most current Registered Business Address	
Completed Price List - All mentioned items must be priced as prescribed without any alterations	Disqualified if not provided	
Bank Stamped Letter not older than Six (6) months with a minimum of Banking Code of A, B, C or D rating.	Make sure it is provided, to be verified with the bank.	
VAT Registration Certificate (VAT103) – if applicable	Tax Status must be active (status will be validated during evaluation stage)	
B-BBEE Certificate/s or Exempt Certificate for Turnover > R10 million	Valid Certified Copies must be submitted	
Company Profile	Include Company's Year of Service, Structure of the Company & Project Specific Structure	
Certified Copies of Identity Documents	For all current Shareholders / Members	
Board Resolution or Company Power of Attorney, authorising the person signing this bid response	Make sure it is provided	
Financial Standing - Submission <u>of any</u> of the following, must not be older than 6 months: ➤ Letter from the Bidder's Appointed Accountant or, ➤ CEO certifying that the Bidder is in a Financially Sound Position and that there are no Pending Liabilities or Court Cases logged against the Bidder.	Make sure it is provided as failure to submit will lead to disqualification	
NB: Please don't submit Financial Statements		

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PART A

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A1.

INVITATION TO BID

SBD 1

You are hereby invited to bid for the requirements of the AIDC					
Bid no:	AIDC_T03_2021/22	Closing Date:	28 January 2021	Closing Time:	11:00
Description:	INVITATION FOR AN OPEN TENDER TO PROVIDE CANTEEN AND CATERING SERVICE AT THE SUPPLIER PARK DEVELOPMENT COMPANY TRADING AS AUTOMOTIVE INDUSTRY DEVELOPMENT CENTRE FOR 36 MONTHS IN AUTOMOTIVE SUPPLIER PARK SITUATED ROSSLYN (ASP)				
Bid response documents may be deposited in the bid box situated at (street address):					
The Main Entrance Gate					
Automotive Supplier Park					
30 Helium Road					
Rosslyn Ext 2, Pretoria					
Bidding procedure enquiries may be directed to:			Technical enquiries may be directed to:		
Contact Person	Mitta Mashishi		Contact Person	Sharon Mashala	
Telephone no	012 564 5298		Telephone no	012 564 5001	
Facsimile no			Facsimile no		
E-mail Address	mmashishi@aidc.co.za		E-mail Address	smashala@aidc.co.za	
Closing date for Enquiries:					
Supplier Information					
Company Name					
Company / CC Registration no					
CIDB Registration no (if applicable)					
Vat Registration no					
Postal Address					
Street Address					
Telephone no	Code		Number		
Cell Phone no					
Facsimile no	Code		Number		
E-Mail Address					
Main Contact Person					
Name					
Position					
Telephone no	Code		Number		
Cell Phone no					
Facsimile no	Code		Number		
E-Mail Address					

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Supplier Compliance Status			
SARS Tax e-filing Pin		Central Supplier Database (CSD) no.	
B-BBEE Status Level Verification Certificate	Yes / No	B-BBEE Status Level Sworn Affidavit	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 <i>(if yes enclose proof)</i>	Are you a foreign based supplier for the goods / services / works offered?	Yes / No <i>(if yes, answer the questionnaire below)</i>
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). If one or more of the answers are “yes”, register as per 2.3 below.			

A1.1 TERMS AND CONDITIONS FOR BIDDING	
1. Bid Submission:	
1.1.	The Supplier Park Development Company (SOC) Ltd trading as AIDC considers this tender and all related information, either written or verbal, which is provided to the respondent, to be proprietary to AIDC. All information contained in any subsequent documentation shall be marked “COMPANY CONFIDENTIAL”.
1.2.	Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.
1.3.	All bids must be submitted on the official forms provided (not to be re-typed) or in the manner prescribed in the bid document.
1.4.	All the documentation submitted in response to this invitation to bid must be in English.
1.5.	The service provider should verify the numbers of the pages of this document to satisfy themselves that none are missing or duplicated. No liability will be accepted by AIDC regarding anything arising from the fact that

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pages are missing or duplicated.

- 1.6. **Please make proper division and clearly reference/index your bid document and bid supporting documents attached.**
- 1.7 **Tender** responses should be submitted as follows:
2 HARD COPIES (1 X ORIGINAL+1 COPIES+1 x USB COPY) in a sealed envelope/package endorsed, **"AIDC_T03_2021/22"**, with service provider's details on the back of the envelope or on the side. The sealed envelope/package must be placed in the bid box at the Main Entrance Gate, Automotive Supplier Park, 30 Helium Road, Rosslyn X2, **by the closing date and time.**
Bidders who do not submit the exact number of copies as requested will be penalised with the cost of the copies as per the AIDC's cost per copy charge. N B: for directions to the Automotive Supplier Park, please visit our website on www.aidc.co.za.
- 1.8 **The closing date, company name and the return address must also be endorsed on the back of the properly sealed envelope (or side of a properly sealed package).** If a courier service company is being used for delivery of the bid document, the bid description must be endorsed on the delivery note/courier packaging to ensure that documents are delivered into the AIDC's Bid Box. The courier must accept responsibility for ensuring that the bid documents are properly deposited into the bid box and the AIDC accepts no responsibilities in this regard.
- 1.9 All bid documents must be submitted in hard copy in the bid box. Where a bid document is not in the bid box at the time of the bid closing, such a bid document will be regarded as a late bid. **Late bids OR BID DOCUMENTS NOT PROPERLY SEALED will not be considered.**
- 1.10 Amended bids may be made, in an envelope clearly marked "Amendment to bid no **"AIDC_T03_2021/22"** to represent the original document as the "replacement bid" and should be placed in the bid box before the closing date and time. An amendment bid without original bid documents deposited in the AIDC's Bid Box will not be considered. In such a case, only the amended bid document will be assessed in accordance with the bid criteria of this tender bid request. Under no circumstances will the AIDC be using or can the service provider rely on any information as contained in the original bid documents once replaced.
- 1.11 The service provider is responsible for all the cost that they might incur related to the preparation and submission of the bid document.
- 1.12 AIDC reserves the right not to accept the lowest bid price of any bid in part or in whole. It normally awards the contract to the service provider who proves to be fully capable of handling the contract in terms of outputs and services that are advantageous to the aims, goals and objectives of the AIDC.
- 1.13 AIDC also reserves the right to award to a company that is BBBEE (Broad Based Black Economic Empowerment) compliant or may award this bid on the conditions that a joint venture with an empowerment company is formed. This may be added to the criteria when evaluating the bids.
- 1.14 AIDC also reserves the right to cancel or award this bid as a whole or in part without furnishing reasons.

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- 1.15 AIDC reserves the right to, amongst other things, conduct unscheduled or otherwise scheduled site visits to the places of business of the respective bidding companies to satisfy itself as to the validity of the information provided on this bid document. Any finding or observation made, at the sole discretion and interpretation of the AIDC, which appears to be inconsistent with any information as furnished by the service provider in its bid documentation, will lead to the immediate disqualification of such a service provider from the bidding process.
- 1.16 AIDC reserves the right, at its sole discretion, not to award or consider bidders with (or who had) litigation against the AIDC or have been blocked for poor performance on the AIDC's vendor database.
- 1.17. 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.
- 1.18. Responses to this tender received from a service provider will be valid for a period of 90 days counted from the closing date of the tender.
- 1.19. **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 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 in the service of the state.

3. Evaluation Process

- 3.1 The bid will be evaluated in terms of the evaluation criteria stipulated in the tender documentation.
- 3.2 This bid will be evaluated in terms of the following stages:
 - a) Prequalification criteria
 - b) Evaluation for mandatory (compliance) criteria
 - c) Evaluation in terms of local production and content if part of the tender
 - d) Evaluation in terms of functionality if part of the tender
 - e) Evaluation in terms of 80/20 preference point system

NB: Failure to provide or comply with any of the above particulars may render the bid invalid.

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DECLARATION

I/we, the undersigned, acknowledge that the information furnished above is true and correct.

Signature of Authorised Representative

Date

Commissioner of Oaths

Stamp:

Signature

Date

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A2. TERMS OF REFERENCE AND SCOPE OF WORK

1 Introduction

➤ Mandate

AIDC is the dedicated developmental agency of the Gauteng Growth and Development Agency (GGDA) in relation to the specific industrial, infrastructure and training needs required by the automotive and allied sectors - in particular those based in the Gauteng province. The AIDC is thus tasked by GGDA with special developmental type projects aimed at enhancing and possibly expanding the automotive and allied-related sectors with a focus on enterprise development; also in the support of government's aims at BBBEE and SMME development and the radical transformation of various townships. The AIDC also explores other developmental projects, external to the objectives of the GGDA, in support of the AIDC's own business development processes. These include projects related to the transport and energy sectors, as well the development of the Tshwane Auto City.

1.2 Vision

The vision of the AIDC is:

To be the leading implementation agency delivering creative, efficient, best practice and value based solutions in support of government's programmes related to the automotive and allied sectors.

1.3 Mission

The mission of the AIDC, in pursuit of its vision, is to provide innovative customised solutions:

To develop the automotive manufacturing sector to globally competitive standards of excellence through a world-class value proposition which enables effective and sustainable socio-economic growth.

1.4 Values

The AIDC's staff aligns their behaviour to the Company's shared values as listed below, which support, and is informed by, the organisation's vision and mission:

- Respect for others
- Teamwork
- Open and honest two-way communication
- Encouraging a learning culture
- On-time, on-brief, on-budget
- Client-centered
- Integrity and ethics above all

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2. Background to the Tender

2.1 Introduction

The Automotive Industry Development Centre (AIDC) is a subsidiary of the Gauteng Growth and Development Agency (GGDA), an agency of the Gauteng Department of Economic Development (GDED). The AIDC was established as a support centre to strengthen global competitiveness in the local automotive industry and to bolster the position of Gauteng as an automotive industry destination of choice.

The AIDC has accelerated economic growth within the automotive industry through strategic partnerships with government, non-governmental agencies and industry leaders. The AIDC prides itself in being a world-class organisation, specialising in skills development and training, enterprise development, incubation programmes, management of incentive programmes and facility management.

The Supplier Park Development Company was established in 2002 to manage the Automotive Supplier Park (ASP), an intervention that strives to assist the automotive manufacturing industry to achieve long-term sustainability. The ASP offers benefits including close proximity to vehicle manufacturers, cost benefits through shared infrastructure, services and facilities, state of the art ICT infrastructure and services, a central logistics warehousing and container terminal, Central Hub offices, conference facilities and retail centre, a world-class production environment with 24-hour security and local and provincial government support. Overall, the supplier park improves the production environment and services, lowers costs and exploits the latest advances and logistics in the automotive supply chain.

The AIDC also has a mandate to ensure that a cost-effective quality food service is provided to everyone working at ASP. There are approximately 3700 people with access rights to the ASP, of which the majority is factory staff. The AIDC cannot guarantee that all 3700 people will be users of this service.

2.2. Tender Scope Objectives

The objective of this tender is appoint a Service Provider that will supply food at the highest quality within the ASP to support a 4-star graded conference centre with catering services. The canteen and catering service provider is a key element to promote the attractiveness of the ASP to existing and potential tenants by serving food at a central location with the additional capability to deliver in an organized manner food at the various factories so that the staff at the factories can have nutritious meals in the 30-minute break at their respective places of work.

The successful bidder will be required to manage a takeaway section that may include all other requirements and needs of the tenants and could include, i.e. milk, cigarettes, pies, bread, fruits, soap, and such items that will assist in emergency situations so that customers do not have to leave the ASP for incidentals. The service provider to fill up the takeaway section with the daily necessity.

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2.2 .1 Obligations of the AIDC

- The infrastructure consisting of the present building (Canteen and LAPA) in the current state as-is will be made available at no charge.
- Provide a kitchen and the equipment currently installed and storage facilities.
- Electricity, water, and current kitchen infrastructure, as listed below will be at no cost to the service provider.
- AIDC will subsidize the service provider with a fixed fee of forty thousand rands (R40 000.00) per month for 36 months period as a subsidy on food pricing.
- Contract the service provider formally with a contract and service level agreement.
- Not accept responsibility for any damages suffered by the Service Provider or their personnel for the contract's duration.
- Not accept any responsibility of accounts/expenses incurred by the Service Provider that was not agreed upon by the contracting parties.

2.2 .2 Obligations of the Service Provider

- The service provider should equip and make the takeaway site to be a convenience store equivalent to the petrol station shops.
- The service provider will ensure that there is food available in the main canteen till the main canteen is closed.
- All costs, profits and business operational risks will be for the canteen service provider.
- It will be the Service Providers responsibility to bring own point of sales system, payment card machines, associated equipment, software and to maintain and repair such equipment.
- The service provider will ensure that all religions, cultures and special dietary requirements are catered for. Whereas certain religions have stringent guidelines in preparation and serving of food, the service provider will use qualified suppliers to ensure delivery of these meals, if it cannot be prepared on-site.
- The service provider to provide the AIDC with all prices as per the pricing table, the cost provided will be used to determine the winning bidder.
- The service provider must propose a mechanism to deliver food just - in - time (JIT) to the various factories within the Automotive supplier Park (Using current applicable technology).

2.3 TENDER SCOPE:

The Service Provider will be required to provide the following:

2.3.1. Canteen & catering Services

- This will be an all-inclusive Canteen Service providing basic meals, beverages, snacks and other items on weekdays. The requirement is that breakfast and lunch should be served. The meals need to be served buffet style, and the canteen operator will serve up customer-selected portions of food. Each portion will be priced individually to ensure that the customer pays for his or her own selection of food portions. The service provider is free to offer prepacked or special offers.

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2.3.2 Lunch

- Meals suitable for executives, managers, operational staff, appropriately priced for the target market. This might include special meals prepared daily in addition to the buffet-style lunch, which will target the executives, managers and office staff, providing them with a gourmet option on weekdays.
- A professional chef must be in charge of planning the menu's for the week as well as overseeing the cooking and preparation process.
- A typical weekly Lunch menu needs to be attached with the tender submission which is targeted at factory workers as the primary clientele.

Daily menu must be as follows and be displayed in the canteen:

Option A : Traditional

Option B: Western

Option C : Chef's special

2.3.3 Serving hours:

a. Main Canteen

Operating Hours

Monday to Friday:

07:30H00 – 10H00 – Breakfast

10H00 – 14H00 – Lunch

Closes at 14h00

Saturday:

Only open on request.

b. Take Away Service and the deliveries of prepacked and ordered meals delivered to the various factories as agreed with respective clients.

Operating Hours

Monday to Friday:

7:30h00 – 17h00

Saturday: (As and when required)

08h00 – 13h00

c. Coffee Shop

Operating Hours

Monday to Friday:

8H00 – 17H00

Saturday:

Closed

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3. PRICING SCHEDULE – FIRM PRICES SBD 3

Only firm prices will be accepted, non-firm prices, including prices subject to rate of exchange variations will not be considered

Note: Only firm prices in South African Rand ('R') will be accepted.

Name of Bidder

Bid number: AIDC_T03_2021/22

Closing Date: 28 January 2021

Closing Time: 11:00

Detailed costing can be provided to substantiate the pricing schedule
This pricing must refer to the proposed implementation plan

Note: All costs must be included on the bid price, including **VAT, travel, delivery, 'complete installation'**, etc.

Important: If there are any exclusions or added services, those must be clearly indicated.

Signature of Bidder

Date

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Pricing schedule 1 – Take Away

DESCRIPTION	UNIT PRICE		UNIT PRICE		COMMENTS
	R	C	R	C	
SANDWICHES	TOASTED		PLAIN		
Cheese					
Cheese and Tomato					
Cheese and Ham					
Cheese, Ham and Tomato					
Bacon					
Bacon and Egg					
Bacon, Egg and Cheese					
Salami and Cheese					
Chicken Mayonnaise					
Tuna Mayonnaise					
Roast Beef and Mustard					
Cheese, Ham and Tomato					
Cheese					
Salami and Cheese					
Egg Mayonnaise					
Chicken Mayonnaise					
Tuna Mayonnaise					
Avocado and Cheese					
Russian Roll					
Hotdog					
Chip Roll					
Hamburger					
Cheese Burger					
Egg Burger					
Cheese and Egg Burger					

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DESCRIPTION	UNIT PRICE		UNIT PRICE		COMMENTS
	R	C	R	C	
SANDWICHES	TOASTED		PLAIN		
Bacon and Egg Burger					
Dagwood					
Chicken Burger					
Other					
Chips					
Pies					
Russians					
Frankfurters					
Vienna's					
Total cost of all quoted items					
VAT @15%					
Total cost					

Pricing schedule 2 – Canteen Lunch

Canteen Lunch	Price	Quantity	Comments
Main Protein A		1 per plate	
Main Protein B		1 per plate	
Vegetable		1 per plate	
Starch		1 per plate	
Alternative protein		1 per plate	
Green Salad		1 per plate	
Total cost of all quoted items			
VAT @15%			
Total cost			

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DESCRIPTION	UNIT PRICE		UNIT PRICE		COMMENTS
	R	C	R	C	
SANDWICHES	TOASTED		PLAIN		
Cold Beverages					
Soft Drinks, e.g. Cokes, Fanta, etc			340 ml 1 off		
Grapetiser			330 ml 1 off		
Appletiser			330 ml 1 off		
Liquifruit			330 ml 1 off		
Ice Tea			330 ml 1 off		
Energy Drinks			330 ml 1 off		
Mineral Water: Flavoured			500 ml 1 off		
Still			500 ml 1 off		
Sparkling			500 ml 1 off		
Fruit Juices			330 ml 1 off		
Total cost of all quoted items					
VAT @15%					
Total cost					

Canteen Lunch & Events /Conference	Price	Quantity	Comments
Beverages- Soft Drinks 100% fruit juices		340 ml 1 off	
Meal A –		two meats (red/white), 2 vegetables, 2 starches	
Meal B –		one meat (red or white), 1 vegetables, 1 starch	
Meal C –		pasta meals	
Biscuit Platter		Serves 10 people	Serves 10 people
Sandwich Platter		Serves 10 people	Serves 10 people
Cheese board		Serves 10 people	Serves 10 people
Biltong and peanut Platter		Serves 10 people	Serves 10 people

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Pastry Lunch		Serves 10 people	Serves 10 people
Finger Lunch		Serves 10 people	Serves 10 people
Executive Finger Lunch		Serves 10 people	Serves 10 people
Hallal lunch		Serves 5 people	Serves 5 people
Vegetarian lunch		Serves 5 people	Serves 5 people
Total cost of all quoted items			
VAT @15%			
Total cost			

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5. Requirements Summary

- The Bidder is required to compile a detailed menu with prices to be approved by AIDC for a period of 36 months from award date.

6. Contract duration

- Duration of contract is 36 months' period.
- The successful service provider will be expected to sign a Service Level Agreement after the award letter is been issued. 60 days' notice is required for early termination without any penalties to either party. This covers all aspects of the scope as detailed SBD 3.

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PART B

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B1.

DECLARATION OF INTEREST

SBD 4

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/adjudging 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. 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/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.

¹State means:

- Any national or provincial department, national or provincial public entity or constitutional institution within the definition of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- Any municipality or municipal entity;
- Provincial legislature;
- National Assembly or the National Council of Provinces; or
- Parliament

²Shareholder 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

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

2.7.1 If so, furnish the following:
Name of person / director / trustee / shareholder/ member:
.....
Name of state institution at which you or the person connected to the bidder is employed:
.....
Position occupied in the state institution:
.....
Any other particulars:
.....
.....

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, **YES/NO**

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

2.10.1 If so, furnish particulars.

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

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

2.11.1 If so, furnish particulars:

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

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

Full Name	Identity Number	Personal Tax Reference Number	State Employee No/ Persal No

4 Declaration

I, the undersigned (name)
certify that the information furnished 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

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PART C

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EVALUATION CRITERIA OF OFFERS:

A. Compliance Requirements – all documents to be submitted	Weighting
1. CSD Registration	
a) Supplier active status b) Supplier not restricted c) Active tax status (NB: award cannot be made to the bidder whose tax matters are not in order) d) SARS on-line tax status verification	Info provided will be validated during evaluation stage & failure to meet CSD requirements & Tax Status may lead to disqualification
2. Documentations Required	
➤ Bank stamped letter indicating bank details with acceptable Bank Rating A, B, C or D not older than 6 Months from date of submission	Make sure it is provided, to be verified with the bank.
➤ BBBEE certificate issued by a verification agency accredited by SANAS or a sworn affidavit signed by the EME representative & certified by a Commissioner of Oaths as per DTI requirement for exempted EME's or QSE's	Submit BBBEE rating as detailed in the bid document
➤ Financial & liability status - submit any of the following: - Letter from the bidder's appointed accountant; or - CEO certifying that the bidder is in a financially sound position and that there are no pending liabilities or court cases pending against the bidder not older than 6 months	Make sure it is provided as failure to submit will lead to disqualification
➤ Valid Letter of good standing - (COIDA -Department of Labour)	Make sure it is provided as failure to submit will lead to disqualification
➤ Company Registration Documents (CIPC) (with listed Directors)	Make sure it is provided.
➤ Valid certificate of food acceptability for current operation (s)	Disqualified if not given
➤ Valid public liability insurance to a minimum value of R1 million rand	Disqualified if not given

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FUNCTIONALITY EVALUATION CRITERIA

		Maximum Points	Point Scored	Minimum Points
DESCRIPTION	SPECIFICATION	100		70
FUNCTIONAL EVALUATION CRITERIA				
PART A. Submission & Presentation				
1.1. Company Reference Letters in relation to working experience on canteen and catering services.				
Reference letter must be on the Company Letterhead Signed by the client. 5 reference letters = 30 points 4 reference letters = 20 points 3 reference letters = 10 points 1 or 2 reference letters = 5 points - no reference letters = 0 points		30		
1.2. Qualifications				
Provide certified qualifications of personnel to be dedicated to the AIDC contract. Head Chef - Diploma in Hospitality or any equivalent qualification = 10 points - No qualifications = 0 points Canteen Manager - Diploma in Operations Management or any diploma in management = 10 points - No qualifications = 0 points		20		
1.3. Experience				
Provide comprehensive CV'S of personnel to be dedicated to the AIDC contract. Head Chef 5 years and more experience as a Head Chef = 10 points 3-4 experience as a Head Chef = 5 points < experience as a Head Chef = 0 points Canteen Manager		20		

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5 years and more experience as a Canteen manager = 10 points 3-4 experience as a Canteen manager = 5 points <3 years experience as a Canteen manager = 0 points			
1.4. Operational plan Bidder to submit a detailed operational plan that includes the following : - Executive Summary Business model, - Canteen , - take away, - coffee shop, - deliveries to various factories, - handling of functions, - handling of liquor license facility , - Availability of food all the time, - Availability of cold drinks all the time. - Operational plan covering all 9 items mentioned above = 30 points. - Operational plan covering 7-8 items mentioned above = 10 points - Operational points covering less than 7 items mentioned above = 0 points	30		
Total score	100		70
PART B . Applicable to shortlisted bidders only (Minimum score for Part A)			
1. Site Inspections where the same service is rendered. - Are all canteen employees presentable wearing service providers uniform = 5 points - Are all canteen employees not presentable not wearing service providers uniform = 0 points - Menu available (daily, weekly) = 5 points - Menu not available (daily, weekly) = 0 points - All employees handling food trained on canteen and food hygiene, proof of training available (Attendance register or training certificates) = 5 points - Employees trained on canteen and food hygiene, proof of training not available = 0 points	15		
Total Score	15		10

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C2. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 SBD 6.1

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 Indication of the preference point system that will be used:

- 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.

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 regarding preferences, in any manner required by the purchaser.

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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 bidder 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

The 80/20 or 90/10 preference point systems:

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{array}$$

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

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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 2017, 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

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

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? **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 **EME / QSE**

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

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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 regarding company/firm

8.1 Name of company/firm:

8.2 VAT registration number:

8.3 Company registration number:

8.4 Type of company/ firm (tick the applicable box):

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

8.5 Describe principal business activities:

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

8.6 Company classification (tick the applicable box):

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

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

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in paragraphs 1.4 and 6 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, 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:
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C3. DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT SBD 6.2 FOR DESIGNATED SECTORS

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

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

1. General Conditions

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

$$LC = [1 - \frac{x}{y}] * 100$$

- x is the imported content in Rand
- y is the bid price in Rand excluding value added tax (VAT)

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Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

- 1.6. A bid may be disqualified if this declaration certificate and Annex C of the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation.

2. The stipulated minimum threshold(s) for local production and (refer to Annex A of SATS 1286:2011 or http://www.dti.gov.za/industrial_development/ip.jsp) for this bid is/are as follows:

Description of services, works or goods	Stipulated minimum threshold
---	------------------------------

.....	%
.....	%
.....	%

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

Yes / No

- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information are accessible on www.reservebank.co.za

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

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

Local Content Declaration by Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive or Senior Member/person with management responsibility (Close Corporation, Partnership or Individual)

In respect of bid no:

Issued by (procurement authority/name of institution):

NB

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

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

I, the undersigned, (full names),

do hereby declare, in my capacity as

of(name of bidder entity),
the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R

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Stipulated minimum threshold for local content (paragraph 2 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.
The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

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

Signature: _____

Witness no. 1 _____

Witness no. 2 _____

Date: _____

Date: _____

Date: _____

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This document must be signed and submitted together with your bid

C4. THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME SBD 5

Introduction

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

1. Pillars of the programme

1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:

- (a) Any single contract with imported content exceeding US\$10 million.
- or
- (b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2 year period this in total exceeds US\$10 million.
- or
- (c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million.
- or
- (d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.

1.2. The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a pro-rata basis.

1.3. To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.

1.4. A period of seven years has been identified as the time frame within which to discharge the obligation.

2. Requirements of the department of trade and industry

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2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of R10 million (Ten Million Rand), submit details of such contract to the DTI for reporting purposes.

2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (Ten Million Rand) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1.(d) above.

3. Bid submission and contract reporting requirements of bidders and successful bidders (contractors)

3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD 5) together with the bid on the closing date and time.

3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1(d) above and to enable the DTI in determining the NIP obligation, successful bidders (contractors) are required, immediately after being officially notified about any successful bid with a value in excess of R10 million (Ten Million Rand), to contact and furnish the DTI with the following information:

- Bid / contract number
- Description of the goods, works or services
- Date on which the contract was accepted
- Name, address and contact details of the government institution
- Value of the contract
- Imported content of the contract, if possible

3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr Elias Malapane within five (5) working days after award of the contract. Mr Malapane may be contacted on telephone (012) 394 1401, facsimile (012) 394 2401 or e-mail at elias@thedti.gov.za for further details about the programme.

4. Process to satisfy the NIP obligation

- 4.1 Once the successful bidder (contractor) has contacted and furnished the DTI with the information required, the following steps will be followed:
- a) the contractor and the DTI will determine the NIP obligation;
 - b) the contractor and the DTI will sign the NIP obligation agreement;
 - c) the contractor will submit a performance guarantee to the DTI;
 - d) the contractor will submit a business concept for consideration and approval by the DTI;
 - e) upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;

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- f) the contractor will implement the business plans; and
- g) the contractor will submit bi-annual progress reports on approved plans to the DTI.

4.2 The NIP obligation agreement is between the DTI and the successful bidder (contractor) and, therefore, does not involve the purchasing institution.

Bid Number:	Closing Date:
Name of Bidder _____	
Postal Address _____	
Signature _____	Name (in print) _____
Date _____	
Js475wc	

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**D1. DECLARATION OF SERVICE PROVIDER'S PAST
SUPPLY CHAIN MANAGEMENT PRACTICES**

SBD 8

- 1 This form SBD 8 must be completed and submitted as part of the bid response by the service provider.
- 2 It serves as a declaration to be used by the AIDC 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 service provider may be disregarded if that service provider, 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 service provider or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the Accounting Officer/Accounting 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, http://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: 		

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4.2	Is the service provider 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 service provider 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 service provider 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:		

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

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D2. CERTIFICATE OF INDEPENDENT BID DETERMINATION SBD 9

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 *per 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.

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CERTIFICATE OF INDEPENDENT BID DETERMINATION

SBD 9

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

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

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

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.

7. In particular, without limiting the generality of paragraph 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices;
- (b) geographical area where product or service will be rendered (market allocation);
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

Signature

Date

Position

Name of Bidder

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E1. UNDERTAKINGS BY SERVICE PROVIDER IN RESPECT OF THIS BID

1. Definitions:

- 1.1 **"The Board"** means the accounting authority of **AIDC** appointed by the Shareholder, GGDA;
- 1.2 **"Chief Executive Officer"** ["CEO"] means the CEO of **AIDC** or her/his duly authorized representative as appointed by the Board in concurrence with GGDA;
- 1.3 **"Contract"** shall include any schedule, drawings, patterns, samples attached, any agreement entered into and all other schedules attached hereto;
- 1.4 **"Contractor(s)"** means service provider/s whose bid has been accepted by AIDC;
- 1.5 **"Cost of materials"** means, as and when applicable, the cost of components, parts or materials which are intended for the production, manufacturing or assembling of the goods bid for and which are not produced, manufactured or assembled in the factory where the production, manufacture or assembly of such goods occurs, including freight, landing costs, port charges, import duties and other import costs of such components, parts or materials and all costs in connection with the handling and transport thereof prior to delivery at that factory;
- 1.6 **"Final delivery certificate"** means the document issued by **AIDC** confirming that all the known defects have been rectified and that the works, goods or services appear in good order and have been accepted;
- 1.7 **"GGDA"** means Gauteng Growth and Development Agency, the AIDC's holding Company;
- 1.8 **"Letter of acceptance"** means the written communication by **AIDC** to the Contractor recording the acceptance by **AIDC** of Contractor's bid subject to the further terms and conditions to be itemized in the contract;
- 1.9 **"Local content"** means the portion of the bid price of local goods not constituting the cost of materials imported into the Republic;
- 1.10 **"Local goods"** means goods wholly or partly produced or manufactured or assembled in the Republic
- 1.11 **"AIDC"** shall mean **Supplier Park Development Company SOC Ltd T/A AIDC, which for the purposes of the tender will also act as the "employer"**;
- 1.12 **"Order(s)"** means an official letter or CONTRACT issued by **AIDC** calling for the supply of goods pursuant to a contract or bid;
- 1.13 **"Signature date"** and in relation to any contract, means the date of the letter of acceptance;
- 1.14 **"Bid"** means an offer to supply goods/services to **AIDC** at a price;
- 1.15 **"Service provider"** means any person or body corporate offering to supply goods to **AIDC**;
- 1.16 **"Termination date"** in relation to any contractor means the date of the final delivery certificate;
- 1.17 **"Value added"** means that portion of the bid price not constituting the cost of materials;

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- 1.18 **“Warranties”** means collectively any and all warranties listed and otherwise (if any) given by the service provider in term of this agreement.

2. Interpretation

- 2.1 In this agreement, clause headings are for convenience and shall not be used in its interpretation and, unless the context clearly indicates contrary:

- An expression which denotes:
 - any gender includes the other gender;
 - a natural person includes an artificial or juristic person and vice versa;
 - the singular includes the plural and vice versa;
- Any reference to any statute, regulation or other legislation or official policy shall be a reference to that statute, regulation or other legislation or national policy as at the signature date, and as amended or re-enacted from time to time;
- When any number of days is prescribed, such shall be reckoned inclusively of the first and inclusively of the last day, unless the last day falls on a day which is not a business day, in which case the last day shall be the next succeeding day which is a business day;
- Where any term is defined within a particular clause, other than the interpretation clause, that term shall bear the meaning ascribed to it in that clause wherever it is used in this agreement.

- 2.2 This bid request and any subsequent proposal and contract will be interpreted and dealt with under South African law.

3. I hereby bid:

- 3.1 to supply all or any of the services described in this invitation to bid and any subsequently attached documents to **AIDC**;
- 3.2 on the terms and conditions and in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of incorporated into, this bid);
- 3.3 at the prices and on the terms regarding time for delivery and/or execution inserted therein.

4. I further agree that:

- 4.1 the offer herein shall remain binding upon me and open for acceptance by **AIDC** during the validity period indicated and calculated from the closing time of the bid;
- 4.2 this bid and its acceptance shall be subject to the terms and additions contained in the schedules hereto with which I am fully acquainted;

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5. **Notwithstanding anything to the contrary:**

- 5.1 should the bid be withdrawn by me within the period agreed such bid to remain open for acceptance, or fail to fulfill the contract when called upon to do so, **AIDC** may, without prejudice to its other rights, agree to the withdrawal of the bid or cancel the contract that may have been entered into between me and **AIDC**.
- 5.2 in such event, I shall then pay to **AIDC** any additional expense incurred by **AIDC** for having either to accept any less favourable bid or, if fresh bids must be invited, the additional expenditure incurred by the invitation of fresh bids and by the subsequent acceptance of any less favourable bid;
- 5.3 **AIDC** shall also have the right in these circumstances, to recover such additional expenditure by set-off against monies which may be due or become due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfillment of this or any other bid or contract;
6. Pending the ascertainment of the amount of such additional expenditure **AIDC** may retain such monies, guarantee or deposit as security for any loss **AIDC** may sustain, as determined hereunder, by reason of my/our default;
- 6.1 any legal proceedings arising from this bid may in all respects be launched or instituted against me and I hereby undertake to satisfy fully any sentence or judgment which may be obtained against me as a result of such legal proceedings and I hereby undertake to pay **AIDC** legal costs on an attorney and own client basis;
- 6.2 if the bid is accepted such acceptance may be communicated by letter or facsimile and that proof of delivery of such acceptance to SA Post Office Ltd shall be treated as delivery;
- 6.3 the law of the Republic of South Africa shall likewise govern any contract created by the acceptance of this bid.
7. I have satisfied myself as to the correctness and validity of this bid, that the price and rates quoted cover all the work/items specified in the bid documents, the price and rate cover all obligations under a resulting contract and I hereby accept that any error regarding price and calculations shall be at my risk.
8. I accept full responsibility for the proper execution and fulfillment of all obligations and conditions defaulting on me under this agreement as the principal liable for the due fulfillment of this contract.
9. Notwithstanding the amount of cause of action involved, I hereby consent to the jurisdiction of the Magistrate Court for the District of Johannesburg in respect of any action whatever arising from this contract.

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10. I declare **participation/no participation** in the submission of any other offer for the supply/services described in the attached documents, and the other service provider(s) involved (if applicable) is:
11. Service provider's information - is as furnished elsewhere in this bid response and will be re-confirmed during the contracting process, in the event this bid is successful.
12. The Service provider hereby offers to render all or any of the services described in the attached documents to AIDC on the terms and conditions and in accordance with the specifications stipulated in these tender documents (and which shall be taken as part of, and incorporated into, this proposal at the prices inserted therein).
13. Bids submitted by companies must be signed by a person or persons duly authorised thereto by a resolution of a Board of Directors, a copy of which Resolution, duly certified be submitted with the bid.
14. I hereby agree that the offer herein shall remain binding and receptive for acceptance by AIDC during the validity period indicated and determined from the closing hour and date of the tender; this proposal and its acceptance shall be subject to the terms and conditions contained in this tender document.
15. I furthermore confirm correctness and validity of the tender response, that the price and rates quoted, cover all works/items specified in the tender response documents, that the price and rates cover all obligations under a resulting contract and that any errors made regarding such are at my risk.
16. I hereby accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

E2. GENERAL CONDITIONS OF CONTRACT (GCC)

The purpose of this Section E2 is to:

- (i) Draw special attention to certain general conditions applicable to government bids, contracts and orders (**see attached Annexure A**).
- (ii) Ensure that suppliers be familiar with regard to the rights and obligations of all parties involved in doing business with **AIDC**.
- (iii) In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.
- (iv) The General Conditions of Contract will form part of all bid and contract documents.
- (v) Special Condition of Contract pertaining to contracts of this nature will be negotiated with the successful Service provider.

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E3. SPECIAL CONDITIONS OF CONTRACT (SCC)

1. Definitions

The terms shall be interpreted as indicated in the General Condition of Contract (Annexure A)

2. Application

- 2.1 These SCC are applicable to all bids, contracts and orders including bids for functional and professional services, sales, hiring, letting and the granting or acquiring of rights, but excluding immovable property, unless otherwise indicated in the bidding documents.
- 2.2 Where applicable, SCC are also laid down to cover specific supplies, services or works.
- 2.3 Where such SCC conflict with general conditions, the special conditions shall apply.

3. Standards

- 3.1 The service rendered shall conform to the standards mentioned in the bidding documents and specifications.

4. Performance Security

- 4.1 Within thirty (30) days of receipt of the notification of contract award, the successful service provider shall furnish to the client the performance security of the amount specified in SCC.
- 4.2 The proceeds of the performance security shall be payable to the client as compensation for any loss resulting from the service provider's failure to complete his obligations under the contract.
- 4.3 The performance security shall be denominated in the currency of the contract or in a freely convertible currency acceptable to the client and shall be in one of the following forms:
 - 4.3.1 a bank guarantee or an irrevocable letter of credit issued by a reputable bank located in the client's country or abroad, acceptable to the client, in the form provided in the bidding documents or another form acceptable to the client; or
 - 4.3.2 a cashier's or certified cheque
- 4.4 The performance security will be discharged by the client and returned to the service provider not later than thirty (30) days following the date of completion of the service provider's performance obligations under the contract, including any warranty obligations, unless otherwise specified in SCC.
- 4.5 The performance security will be discharged by the client and returned to the service provider not later than thirty (30) days following the date of completion of the service provider's performance obligations under the contract, including any warranty obligations, unless otherwise specified in SCC.

5. Insurance

- 5.1 The service rendered under the contract shall be fully insured in a freely convertible currency against loss or damage incidental to manufacture or acquisition, transportation,

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storage and delivery in the manner specified in the SCC. The contractor will ensure that the insurance liability cover is adequate. Proof of insurance shall be submitted within 7 days of issue of letter of appointment.

6. Payment

- 6.1 The method and conditions of payment to be made to the service provider under this contract shall be specified in SCC.
- 6.2 Monthly payment for the goods and services as per tender scope.
- 6.3 Payment will be made in South African Rand unless otherwise stipulated in SCC.
- 6.4 It is the requirement of AIDC for the successful bidder to maintain a valid Tax Clearance Certificate and a valid CSD Status (National Treasury CSD Number must be provided) for the duration of the project. Therefore, a new valid Tax Clearance Certificate must be provided upon expiry of the previous one. The Tax Status will continuously be checked on SARS on-line system during the duration of the contract.

7. Prices

- 7.1 Prices charged by the service provider for services performed under the contract shall not vary from the prices quoted by the service provider in his / her bid, with the exception of any price adjustments authorized in SCC or in the client's request for bid validity extension, as the case may be.

8. Assignment

- 8.1 The service provider shall not assign, in whole or in part, its obligations to perform under the contract, except with AIDC's prior written consent.
- 8.2 AIDC on the other hand will in due course have the right to assign its contract with the service provider to another legal entity owned by the Gauteng Provincial Government. Due written notice will in such an instance be provided to the service provider.

9. Subcontracts

- 9.1 The Service Provider shall not subcontract work without the prior written consent of AIDC.

10. Penalties

- 10.1 Without restricting the Client's rights in any way, should the performance standards not be adhered to, and the Client or its tenants suffer any financial loss as results of negligence, theft, vandalism, etc. such loss shall be recovered from the service provider.
- 10.2 The Client shall also be entitled to levy a penalty up to a maximum of 15% of the monthly contract price for any poor performance.
- 10.3 The above penalty will be applied on an escalating scale up to a maximum of 15% of the monthly contract price depending on the severity of the non-performance. The escalating scale will be provided to the service provider as an annexure to the SLA.
- 10.4 For the duration of the award of this contract / tender, the bidder needs to maintain a valid BEE certificate. Upon expiry of the BEE certificate, the AIDC will give 3 months for a renewed valid BEE certificate. Thereafter, AIDC will deduct R 10 000 per month until a valid BEE certificate is obtained.

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11 Early Termination

11.1 The AIDC can provide a 60-day notice period for earlier termination, if the AIDC needs to participate in a transversal contract from Treasury, DED or GGDA on an earlier date than this contract's end date.

I, the service provider, has read the above PARTS E1, E2, E3 and "General Condition of Contract" (Annexure A) and confirm that I/we fully understand and comprehend its meanings intentions, provisions, stipulations and conditions as related to this invitation to bid.

Signed aton this..... day of20...

Signature of service provider (same person as in PART A)

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ANNEXURE A

HEALTH AND SAFETY SPECIFICATION

1. The security service provider shall comply with all applicable OHS Act, Act 85 of 1993 including local municipality bylaws and National Environmental Management Act at all AIDC sites.
2. The service provider to submit the Letter of Good standing (COIDA).
3. The service provider to submit Public Liability Insurance Certificate as outlined in the tender scope.
4. The service provider to have competent First Aiders, Fire Fighters upon appointment.
5. The Service provider to appoint a competent Security Risk Assessor, Incident Investigator.
6. The service provider to have Equipment registers and inspection checklists.
7. Inspection and Audits shall be conducted from time to time by the AIDC SHEQ Department.
8. The service provider to comply with all applicable COVID-19 related requirements.

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