



Province of the
EASTERN CAPE
OFFICE OF THE PREMIER

**APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY, DELIVERY AND MAINTENANCE
OF VARIOUS COMPUTER EQUIPMENT AND ACCESSORIES ON AN AS AND WHEN REQUIRED
BASIS FOR A PERIOD OF 36 MONTHS.**

BID NO: SCMU 1-23/24-0010

NAME OF BIDDER:	
CSD NUMBER	
COMPULSORY BRIEFING/ CLARIFICATION	26 FEBRUARY 2024 @ 10:00
CLOSING DATE	11 MARCH 2024
CLOSING TIME	11H00 am
BID TOTAL AMOUNT (INCLUDING VAT)	R.....

PREPARED BY:

SUPPLY CHAIN MANAGEMENT UNIT
OFFICE OF THE PREMIER
PRIVATE BAG X 0047
BHISHO
Website: www.ecprov.gov.za

TABLE OF CONTENT

DESCRIPTION	PAGE
Checklist	3
Bid Notice	4
Special Conditions of Bid	5-14
Certificate of authority for signatory and JV	15-16
Invitation to Bid (SBD 1)	17-19
Specification	20-24
Expected deliverables and outputs	25-26
Evaluation Criteria	27-30
Pricing Schedule	31-32
Bidder's Disclosure (SBD 4)	33-34
Preference Points Claim Form (SBD 6.1)	35-338
Annexure B	39

CHECK LIST

Please ensure that all the following documents have been submitted with your Bid / tender document. Failure to submit these documents could result in your quotation/bid being seen as unresponsive.

Description	Done
<u>Tax Status Verification for Price Quotations and Competitive Bids</u> Tax Compliance status and company directors of bidders will be verified on the CSD for all price quotations and competitive bids. Hard copies of Tax Certificate and CK documents are therefore no longer needed to be attached in the bid. Tax status must remain Compliant for conducting business with state.	
All forms of verification documents are attached to qualify for preference points as per each specific goal.	
Joint Venture: In the case of a joint venture a Joint Venture Agreement or an Intention to form a Joint Venture Agreement must be attached	
This tender will be subject to the Government Procurement: General Conditions of Contract of July 2010	

Please ensure that all the following sections of the Bid Document have been completed in full. Failure to comply will result in the Quotation / Bid being seen as unresponsive.

Description	
Section 3: 1. Detailed quotation (show breakdowns)	
Section 4: 1. Certificate of authority for signatory must be completed and signed in full.	
2. Schedule of work carried out by the bidder must be completed.	
3. Equity Ownership Declaration must be completed and signed in full.	
4. All SBD documents must be completed signed in full and witnessed, failure to do so will result in the quotation/bid being eliminated.	

ALL FORMS TO BE COMPLETED IN BLACK INK

NO CORRECTION FLUID TO BE USED IN THE DOCUMENT

CHANGES SHOULD BE MADE BY DRAWING A LINE THROUGH THE INCORRECT INFORMATION, AND INITIALING THE CHANGE

NO LATE BIDS WILL BE ACCEPTED

NO CESSIONS ALLOWED AT THIS STAGE!

BID NOTICE

Bids are hereby invited from suitable and qualified SERVICE PROVIDERS for:

APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY, DELIVERY AND MAINTENANCE OF VARIOUS COMPUTER EQUIPMENT AND ACCESSORIES ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.

Bid Documents are available at Office of the Premier, Independence Avenue, old ECDC Building Bhishe Second Floor, Office Number 2056. Electronic Documents will be available as from the 9th February 2024 on the website www.ecprov.gov.za under Procurement and also on the National Treasury e-tenders page: www.etenders.gov.za

Completed bid documents in a sealed envelope endorsed with the relevant bid number, bid description must be deposited in the bid box situated at Office of the Premier, Independence Avenue old ECDC Building, Ground Floor (Reception Area) not later than **11 O'clock on 11th March 2024** when bids will be opened in public.

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT WILL BE APPLIED AND POINTS WILL BE AWARDED AS FOLLOWS:

Price	- 80 points
Specific goals	- 20 points

BID EVALUATION

The bid will be evaluated in two (02) phases as follows:

- a) **Phase 1:** Mandatory Requirements and SCM Compliance
- b) **Phase 2:** Price and Specific goals

BREIFING SESSION

Date: 26 February 2024
Time: 10h00
Venue: Virtual (MS Teams)

Link to be requested from: scmrequests@ecotp.gov.za

ENQUIRIES WITH REGARD TO THIS ADVERT MAY BE DIRECTED TO:

Admin Enquiries: Sinoluhlu Maya (Ms)
Email: Sinoluhlu.maya@ecotp.gov.za

Technical Enquiries: Siphiwo Mahlahla
Email: Siphiwo.mahlahla@ecotp.gov.za

All proposals shall hold good for 90 (ninety) days after bid closing date. The lowest or any bid will not necessarily be accepted. Electronic, telegraphic or facsimile bids will not be considered.

Special Conditions of Bid

Annexure: Standard Conditions of Tender

1 General

1.1 Actions

The employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in F.2 and F.3, timeously and with integrity, and behave equitably, honestly and transparently.

1.2 Tender Documents

The documents issued by the employer for the purpose of a tender offer are listed in the tender data.

1.3 Interpretation

1.3.1 The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these conditions of tender.

1.3.2 These conditions of tender, the tender data and tender schedules which are only required for tender evaluation purposes, shall not form part of any contract arising from the invitation to tender.

1.3.3 For the purposes of these conditions for the calling for expressions of interest, the following definitions apply:

- a) **comparative offer** means the tenderer's financial offer after the factors of non-firm prices, all unconditional discounts and any other tendered parameters that will affect the value of the financial offer have been taken into consideration
- b) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process; and
- c) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels
- d) **quality (functionality)** means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs

1.4 Communication and employer's agent

Each communication between the employer and a tenderer shall be to or from the employer's agent only, and in a form that can be read, copied and recorded. Writing shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a tenderer. The name and contact details of the employer's agent are stated in the tender data.

1.5 The employer's right to accept or reject any tender offer

1.5.1 The employer may accept or reject any variation, deviation, tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a tenderer for such cancellation and rejection, but will give written reasons for such action upon written request to do so.

1.5.2 The employer may not subsequent to the cancellation or abandonment of a tender process or the rejection of all responsive tender offers re-issue a tender covering substantially the same scope of work within a period of six months unless only one tender was received and such tender was returned unopened to the tenderer

2 Tenderer's obligations

2.1 Eligibility

Submit a tender offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of his principals, is not under any restriction to do business with employer.

2.2 Cost of tendering

Accept that the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer satisfy requirements.

2.3 Check documents

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

2.4 Confidentiality and copyright of documents

Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

2.5 Reference documents

Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

2.6 Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.

2.7 Clarification meeting

Attend, where required, a clarification meeting at which tenderers may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the tender data.

2.8 Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.

2.9 Insurance

Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.

2.10 Pricing the tender offer

2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.

2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.

2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.

2.10.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

2.11 Alterations to documents

Not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations. Erasures and the use of masking fluid are prohibited.

2.12 Alternative tender offers

2.12.1 Submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender documents with the alternative requirements the tenderer proposes.

2.12.2 Accept that an alternative tender offer may be based only on the criteria stated in the tender data or criteria otherwise acceptable to the employer.

2.13 Submitting a tender offer

2.13.1 Submit a tender offer to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

2.13.2 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing in black ink.

2.13.3 Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

2.13.4 Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

2.13.5 Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

2.13.6 Where a two-envelope system is required in terms of the tender data, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

2.13.7 Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.

2.13.8 Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

2.14 Information and data to be completed in all respects

Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

2.15 Closing time

2.15.1 Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Proof of posting shall not be accepted as proof of delivery. The employer shall **not** accept tender offers submitted by telegraph, telex, facsimile or e-mail, unless stated otherwise in the tender data.

2.15.2 Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

2.16 Tender offer validity

2.16.1 Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.

2.16.2 If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period.

2.17 Clarification of tender offer after submission

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the total of the prices or substance of the tender offer is sought, offered, or permitted. The total of the prices stated by the tenderer shall be binding upon the tenderer.

Note: Sub-clause F.2.17 does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so.

2.18 Provide other material

2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

2.18.2 Dispose of samples of materials provided for evaluation by the employer, where required.

2.19 Inspections, tests and analysis

Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.

2.20 Submit securities, bonds, policies, etc.

If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

2.21 Check final draft

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.

2.22 Return of other tender documents

If so instructed by the employer, return all retained tender documents within 28 days after the expiry of the validity period stated in the tender data.

2.23 Certificates

Include in the tender submission or provide the employer with any certificates as stated in the tender data.

3 The employer's undertakings

3.1 Respond to clarification

Respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents.

3.2 Issue Addenda

If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until seven days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time

stated in the Tender Data, the Employer may grant such extension and, shall then notify all tenderers who drew documents.

3.3 Return late tender offers

Return tender offers received after the closing time stated in the Tender Data, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the tenderer concerned.

3.4 Opening of tender submissions

3.4.1 Unless the two-envelope system is to be followed, open valid tender submissions in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened.

3.4.2 Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each tenderer whose tender offer is opened, the total of his prices, preferences claimed and time for completion, if any, for the main tender offer only.

3.4.3 Make available the record outlined in F.3.4.2 to all interested persons upon request.

3.5 Two-envelope system

3.5.1 Where stated in the tender data that a two-envelope system is to be followed, open only the technical proposal of valid tenders in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data and announce the name of each tenderer whose technical proposal is opened.

3.5.2 Evaluate the quality of the technical proposals offered by tenderers, then advise tenderers who remain in contention for the award of the contract of the time and place when the financial proposals will be opened. Open only the financial proposals of tenderers, who score in the quality evaluation more than the minimum number of points for quality stated in the tender data, and announce the score obtained for the technical proposals and the total price and any preferences claimed. Return unopened financial proposals to tenderers whose technical proposals failed to achieve the minimum number of points for quality.

3.6 Non-disclosure

Not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer.

3.7 Grounds for rejection and disqualification

Determine whether there has been any effort by a tenderer to influence the processing of tender offers and instantly disqualify a tenderer (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices.

3.8 Test for responsiveness

3.8.1 Determine, on opening and before detailed evaluation, whether each tender offer properly received:

- a) complies with the requirements of these Conditions of Tender,
- b) has been properly and fully completed and signed, and
- c) is responsive to the other requirements of the tender documents.

3.8.2 A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:

- a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,
- b) change the Employer's or the tenderer's risks and responsibilities under the contract, or
- c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.

Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

3.9 Arithmetical errors

3.9.1 Check responsive tender offers for arithmetical errors, correcting them in the following manner:

- a) Where there is a discrepancy between the amounts in figures and in words, the amount in words shall govern.
- b) If bills of quantities (or schedule of quantities or schedule of rates) apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.
- c) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.

3.9.2 Consider the rejection of a tender offer if the tenderer does not correct or accept the correction of his arithmetical errors in the manner described in F.3.9.1.

3.10 Clarification of a tender offer

Obtain clarification from a tenderer on any matter that could give rise to ambiguity in a contract arising from the tender offer.

3.11 Evaluation of tender offers

3.11.1 General

Appoint an evaluation panel of not less than three persons. Reduce each responsive tender offer to a comparative offer and evaluate it using the tender evaluation method that is indicated in the advertised evaluation criteria utilizing either:

Method 1: Financial offer	1) Rank tender offers from the most favourable to the least favourable comparative offer. 2) Recommend highest ranked tenderer for the award of the contract, unless there are compelling and justifiable reasons not to do so.
Method 2: Financial offer and preferences	1) Score tender evaluation points for financial offer. 2) Confirm that tenderers are eligible for the preferences claimed and if so, score tender evaluation points for preferencing. 3) Calculate total tender evaluation points. 4) Rank tender offers from the highest number of tender evaluation points to the lowest. 5) Recommend tenderer with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.
Method 3: Financial offer and quality	1) Score quality, rejecting all tender offers that fail to score the minimum number of points for quality stated in the Tender data. 2) Score tender evaluation points for financial offer. 3) Calculate total tender evaluation points. 4) Rank tender offers from the highest number of tender evaluation points to the lowest. 5) Recommend tenderer with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.
Method 4: Financial offer, quality and preferences	1) Score quality, rejecting all tender offers that fail to score the minimum number of points for quality stated in the Tender data. 2) Score tender evaluation points for financial offer. 3) Confirm that tenderers are eligible for the preferences claimed, and if so, score tender evaluation points for preferencing. 4) Calculate total tender evaluation points. 5) Rank tender offers from the highest number of tender evaluation points to the lowest. 6) Recommend tenderer with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Score financial offers, preferences and quality, as relevant, to two decimal places.

3.11.2 Scoring Financial Offers

The points scored for the financial component will be calculated using the formula as set out in form ECBD 6.1 – PURCHASES, paragraph 5.

3.11.3 Scoring quality (functionality)

Score quality in each of the categories in accordance with the Tender Data and calculate total score for quality.

3.12 Insurance provided by the employer

If requested by the proposed successful tenderer, submit for the tenderer's information the policies and / or certificates of insurance which the conditions of contract identified in the contract data, require the employer to provide.

3.13 Acceptance of tender offer

3.13.1 Accept tender offer only if the tenderer complies with the legal requirements stated in the Tender Data.

3.13.2 Accept the tender offer; if in the opinion of the employer, it does not present any risk to the department.

13.3 Notify the successful tenderer of the employer's acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period. Providing the form of offer and acceptance does not contain any qualifying statements, it will constitute the formation of a contract between the employer and the successful tenderer as described in the form of offer and acceptance.

3.14 Notice to unsuccessful tenderers

After the successful tenderer has acknowledged the employer's notice of acceptance, notify other tenderers that their tender offers have not been accepted through same medium utilized for advert.

F.3.15. Prepare contract documents

If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) addenda issued during the tender period,
- b) inclusion of some of the returnable documents,
- c) other revisions agreed between the employer and the successful tenderer, and
- d) the schedule of deviations attached to the form of offer and acceptance, if any.

3.16 Issue final contract

Prepare and issue the final draft of contract documents to the successful tenderer for acceptance as soon as possible after the date of the employer's signing of the form of offer and acceptance (including the schedule of deviations, if any). Only those documents that the conditions of tender require the tenderer to submit, after acceptance by the employer, shall be included.

3.17 Complete adjudicator's contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

3.18 Provide copies of the contracts

Provide to the successful tenderer the number of copies stated in the Tender Data of the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.

FORMS TO BE COMPLETED BY THE BIDDER
--

THESE FORMS MUST BE COMPLETED USING BLACK INK

Where the space provided in the bound document is insufficient, separate schedules may be drawn up in accordance with the given formats. These schedules shall then be bound together with a suitable contents page and submitted with the bid documents. All such schedules must be signed, and clearly marked as appendices to these relevant forms.

All ECBD documents must be completed, signed in full and witnessed, failure to do so may result in the quotation/bid being eliminated.

PART A: CERTIFICATE OF AUTHORITY FOR SIGNATORY

Signatory for companies shall confirm their authority thereto by attaching a duly signed and dated copy of the relevant resolution of the board of directors to this form.

An example is given below:

By resolution of the board of directors passed at a meeting held on

Mr. /Ms, whose signature appears below, has been duly authorized

to sign all documents in connection with the Bid for **APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY, DELIVERY AND MAINTENANCE OF VARIOUS COMPUTER EQUIPMENT AND ACCESSORIES ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.** and any Contract that

may arise there from on behalf of (name of Service Provider in block capitals)

SIGNED ON BEHALF OF THE COMPANY:

IN HIS/HER CAPACITY AS:

DATE:

SIGNATURE OF SIGNATORY:

WITNESSES: 1.

2.

PART B: CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This Returnable Schedule is to be completed by joint ventures.

We, the undersigned, are submitting this Bid in Joint Venture and hereby authorise Mr/Ms , authorised signatory of the company , acting in the capacity of lead partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
Lead partner		Signature. Name Designation
		Signature. Name Designation
		Signature. Name Designation
		Signature. Name Designation

ATTACH SERVICE LEVEL AGREEMENT BETWEEN JOINT VENTURE PARTIES TO NEXT PAGE. "FAILURE TO SUBMIT JOINT VENTURE AGREEMENT AS PART OF THE COMPLETION OF THE BID WILL RESULT IN YOUR BID BEING REJECTED."

**PART C
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF RURAL DEVELOPMENT AND AGRARIAN REFORM					
BID NUMBER:	SCMU1-23-24-0010	CLOSING DATE:	11 MARCH 2024	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY, DELIVERY AND MAINTENANCE OF VARIOUS COMPUTER EQUIPMENT AND ACCESSORIES ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT;					
EASTERN CAPE OFFICE OF THE PREMIER					
INDEPENDENCE AVENUE					
ECDC BUILDING					
BISHO					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	MS. S MAYA		CONTACT PERSON	MR S MAHLAHLA	
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER	-		FACSIMILE NUMBER	-	
E-MAIL ADDRESS	sinoluhlu.maya@ecotp.gov.za		E-MAIL ADDRESS	siphiwo.mahlahl@ecotp.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
SPECIFIC GOALS CLAIMED	TICK APPLICABLE BOX] ☐ Yes ☐ No		ALL SUPPORTING DOCUMENTATION FOR THE GOALS CLAIMED ATTACHED		TICK APPLICABLE BOX] ☐ Yes ☐ No
[ALL DOCUMENTATION REQUIRED FOR THE CLAIM OF PREFERENCE POINTS AS PER THE SPECIFIC GOALS DETAILED IN THE EVALUATION CRITERIA.]					
1.1.1.1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		1.1.1.2 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?
NO

☐ YES ☐

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 D

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 2010 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 WITH NON-COMPLIANT TAX STATUS AT DATE OF CLOSING OF BID/ QUOTATION WILL BE NOTIFIED AND GRANTED 7 WORKING DAYS TO RECTIFY THE STATUS.
- 2.3 SHOULD THE STATUS REMAIN NON-COMPLIANT AFTER 7 WORKING DAYS THE BID WILL BE DEEMED NONRESPONSIVE WITHOUT FURTHER COMMUNICATION TO THE BIDDER.
- 2.4 FOR BIDDERS WHO ARE NONVAT VENDORS, ALL BID OFFERS ABOVE R 1 MILLION **MUST** INCORPORATE VAT. SHOULD A BID ABOVE R 1M BE AWARDED TO NONVAT VENDOR THE BIDDER WILL BE REQUIRED TO REGISTER FOR VAT PRIOR TO SIGNING OF CONTRACT.
- 2.5 WHERE BIDDER TENDERED ABOVE R 1 MILLION AND NOT INCLUDED VAT THE TENDERED AMOUNT WILL NOT BE LATER ADJUSTED TO INCLUDE VAT.
- 2.6 THE COMPLIANT TAX STATUS REQUIREMENTS ARE ALSO APPLICABLE TO FOREIGN BIDDERS WHO WISH TO SUBMIT A TENDER OFFER.
- 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:

.....

TERMS OF REFERENCE

1. BACKGROUND

- 1.1** The Eastern Cape Office of the Premier (ECOTP) invites bids from accredited service providers on SITA RFB 740 to supply and deliver laptops and desktops for the department on as and when required for a period of thirty-six (36) months.

2. OBJECTIVE

- 2.1** The objective of this bid is to appoint a suitable service provider to supply and deliver laptops and desktops to the department in terms of the scope of work.

3. SCOPE OF WORK AND EXPECTED DELIVERABLES

The scope of work entails the following:

- 3.1** The successful bidder must supply and deliver laptops and desktops with the following technical specification

LAPTOPS:

ITEM	CATEGORY 1	CATEGORY 2	CATEGORY 3
QTY	120	120	60
	<u>HP (ProBook 450) OR EQUIVALENT</u> Product type: Notebook (Latest Generation) Form factor: Clamshell Processor family: Intel Core i5 Processor model: i5-1335U Processor frequency: Minimum 3.40 / 4.60 GHz (12 MB Cache, 10 Cores) Display diagonal: Min 35.6 cm (14") - Maximum 39.6 cm (15.6") HD type: Full HD Display resolution: 1920 x 1080 pixels Display: Anti-Glare Built-in Webcam: 5MP Internal memory: 16 GB 3200 MHz (1 x 16 GB)(upgradeable) Internal memory type: DDR4-SDRAM Total storage capacity: 512 GB Storage media: SSD	<u>HP (ProBook 450) OR EQUIVALENT</u> Product type: Notebook (Latest Generation) Form factor: Clamshell Processor family: Intel Core i5 Processor model: i5-1335U Processor frequency: 3.40 / 4.60 GHz (12 MB Cache, 10 Cores) Display diagonal: Min 35.6 cm (14") - Maximum 39.6 cm (15.6") HD type: Full HD Display resolution: 1920 x 1080 pixels Display: Anti-Glare Built-in Webcam: 5MP Internal memory: 16 GB 3200 MHz (1 x 16 GB) (upgradeable) Internal memory type: DDR4-SDRAM Total storage capacity: 512 GB	<u>HP (ProBook 450) OR EQUIVALENT</u> Product type: Hybrid (2-in-1) (latest Generation) Form factor: Convertible (Folder) Processor family: Intel Core i7 Processor model: i7-1355U Processor frequency: 3.70 / 5.00 GHz (12MB Cache, 10 cores) Display diagonal: Minimum 33.8 cm (13.3") Maximum 35.6 cm (14") HD type: WUXGA Display resolution: 1920 x 1200 pixels Display: Touchscreen, Anti-glare, Anti-reflection, Anti-Smudge Built-in Webcam: 5MP Internal memory: 32 GB Internal memory type: LPDDR5-SDRAM

ITEM	CATEGORY 1	CATEGORY 2	CATEGORY 3
QTY	120	120	60
	Operating system installed: Windows 11 Pro Military Grade Test: Minimum 14 - Max 18 Device Tracking: Absolute Persistence (Include 4 year license) Mobile Broadband: 4G/LTE (with SIM slot) Ports: 2x USB Type-A (1x charging, 1x power); 1x AC power; 1x HDMI 2.1; 1x stereo headphone/microphone combo jack; 1x RJ-45; 2x USB Type-C, SIM. Keyboard: Spill resistant Accessories: • Wireless Device Mouse • Combination cable lock • Logitech H390 USB Headset (or equivalent) USB Headset/Mic combo (leather-type earcups/noise cancelling technology) • Clamshell Carry bag – 15.6”	Storage media: SSD Operating system installed: Windows 11 Pro Military Grade Test: Minimum 14 - Max 18 Device Tracking: Absolute Persistence (Include 4 year license) Mobile Broadband: 4G/LTE (with SIM slot) Ports: 2x USB Type-A (1x charging, 1x power); 1x AC power; 1x HDMI 2.1; 1x stereo headphone/microphone combo jack; 1x RJ-45; 2x USB Type-C, SIM. Keyboard: Spill resistant Accessories: • Wireless Device Mouse • Combination cable lock • Logitech H390 USB Headset (or equivalent) USB Headset/Mic	Total storage capacity: Minimum 500Gb Storage media: SSD On-board graphics card model: Intel Iris Xe Graphics Military Grade Test: Minimum 14 - Max 18 Device Tracking: Absolute Persistence (Include 4-year license) Operating system installed: Windows 11 Pro Mobile Broadband: 4G/LTE (with SIM slot) Ports: 2x Thunderbolt 4 with USB Type-C (USB Power Delivery, DisplayPort 1.4); 2x USB Type-A (1 charging); 1x HDMI 2.1; 1x stereo headphone/microphone combo jack Keyboard: Spill resistant Accessories: • Wireless Device Mouse • Combination cable lock • Logitech H390 USB Headset (or equivalent) USB Headset/Mic combo (leather-type earcups/noise cancelling technology)

ITEM	CATEGORY 1	CATEGORY 2	CATEGORY 3
QTY	120	120	60
	Warranty: Total of 4 year ONSITE accidental damage protection	combo (leather-type earcups/noise cancelling technology) • Clamshell Carry bag – 15.6” Warranty: Total of 4 year ONSITE accidental damage protection.	• Clamshell Carry bag – 14” Warranty: Total of 4 year ONSITE accidental damage protection.

DESKTOPS

Item	Description	QTY
	<u>MICROTOWER PC "OR EQUIVALENT" (Latest Generation)</u> Chassis type: Tower Form factor: Microtower Product type: PC Processor family: Intel Core i3 Processor model: i3-10400 Processor frequency: 32.9/4.30 GHz (12 MB cache, 6 cores) Internal memory: 16 GB RAM (2 x 8 GB) Internal memory type: DDR4-SDRAM Memory clock speed: 2666 MHz Total storage capacity: 250GB Storage media: SSD On-board graphics card model: Intel UHD Graphics Operating system installed: Windows 11 Pro Operating system architecture: 64-bit Product colour: Black Ports: 2) USB 2.0 Type-A ports (rear) (2) USB 2.0 Type-A ports (front) (3) USB 3.2 Gen 1 Type-A ports (rear) (2) USB 3.2 Gen 2 Type-A port (front) (1) RJ-45 (network) connector (rear) (1) DisplayPort 1.4 connector (rear) (1) HDMI 1.4 (rear) (1) Microphone/headphone combo jack (front) CTIA and OMTP headset support (3) Internal SATA port (1) Internal M.2 PCIe x4 2280 (for storage) (1) Internal M.2 PCIe x1 2230 (for WLAN) (2) Internal PCIe x1 Gen 3 (1) Internal PCIe x16 Gen 3 Monitor: 21" – 22" Monitor 1920 x 1080p FHD 16:9 60Hz 5ms Keyboard/Mouse: All PCs to include at minimum a wired keyboard and mouse.	100

PLEASE NOTE:

- Wherever a brand name is specified in this bid document (i.e. in the specifications, pricing schedule or bill of quantities or anywhere in this document), the department's requirement is not

limited to the specified brand name, but requires an item similar/equivalent or better than specified.

- Only SITA Accredited Service Providers on SITA Contract RFB740 from the Eastern Cape Province are invited to respond or in the event you are not on SITA contract provide proof. The bidder might've applied to be on the SITA contract after the publishing of the Transversal Contracts, hence the bidder needs to submit proof should the bidder not appear on the list provided by the contracts.
- Any specification related enquiries may be directed to Mr S. Mahlahla at 072 346 7959

EXPECTED DELIVERABLES AND OUTPUTS

- a. A successful service provider is required to deliver within six (6) weeks on receipt of a purchase order.
- b. Supply all required equipment in accordance with the specification as outlined in scope of work.
- c. For Laptops: A total warranty period of 4 years must be included with a Next Business Day Onsite Warranty with Accidental Damage Protection (ADP).
- d. Where the tendered models are either discontinued or replaced, the replacement items must be equivalent to or better than tendered items. All units must be the latest generation series model and CPU.
- e. For Laptops: Absolute Premium (LOCATE - GPS, Wi-Fi and its IP address), LOCK (Remotely lock a device to restrict unauthorized access), DELETE (Remotely and permanently erase your sensitive data and files), RECOVER (Get your stolen device back using Absolute's acclaimed Investigations Team) must be included in the unit price for 4 years – these will be activated by the OTP on commissioning of the units.
- f. Pre-imaging: The tenderer must provide a pre-imaging service that ensures that a standard image is factory loaded that will be compatible with Microsoft Autopilot. The Tenderer must ensure that they work together with OTP Departmental ICT to create the base image for each model procured and assist in any subsequent updates.
- g. End of life recovery services (e-waste disposal) must be included in the service offering as a value add.
- h. Accessories must be costed – these will not necessarily be bundled with each unit order, and the OTP reserve the right to order relevant quantities as and when required.

4. CONFIDENTIALITY & LOGISTICAL INFORMATION

- 4.1** The information provided by OTP must be kept confidential until publication. Bidders are expected to comply with information security; Protection of Information Act 84 of 1982 prohibits disclosure of protected documents.

5. PROJECT DURATION

The successful bidder shall render the required services over a period of thirty-six months (36) months with an option to renew in line with the relevant PMFA regulations.

6. CONDITIONS OF THE CONTRACT

- 6.1** The successful bidder is expected to enter into a Service Level Agreement (SLA) with OTP after the award of the contract. OTP reserves the right to terminate the contract should the successful bidder fail to perform according to the requirements stipulated in the Service Level Agreement.
- 6.2** OTP may require the successful bidder to be screened before appointment letter is issued to determine suitability to be contracted by the department.
- 6.3** The successful bidder must have premises or offices within the EC province from which business will be conducted within twenty-one (21) days upon receipt of appointment letter.

7. PROJECT COSTING

The following terms and conditions must strictly be adhered to by all bidders:

- 7.1** A pricing schedule (Annexure A) is attached, and the bidder is expected to complete and sign the pricing schedule.
- 7.2** Bidders must quote on all the numbered items in Annexure A and indicate the brand name that they have quoted for.
- 7.3** ECOTP will place orders as and when required during the contract period but not exceed the required quantities.
- 7.4** Pricing for laptops and desktops must include all required items in the product description above.
- 7.5** Prices must be VAT inclusive. ECOTP does not pay VAT to vendors that are not registered with SARS. It is compulsory for bidders with taxable supplies exceeding R1, 000,000.00 (excluding VAT) in a 12-month period to register for VAT.

8. BRIEFING SESSION

- 8.1** A compulsory briefing session will be held virtually through MS teams. Link to join must be requested via email to scmrequests@ecotp.gov.za / sinoluhlu.maya@ecotp.gov.za

9. BID EVALUATION CRITERIA

Responses will be evaluated using a predetermined set of evaluation criteria. The evaluation criteria is designed to reflect OTP's requirements in terms of identifying a suitable service provider and ensure the selection process is transparent and afford all the bidders a fair opportunity for evaluation and selection.

All bids shall be evaluated in two (02) phases as follows:

a) Phase 1: Administrative Compliance

The purpose of this evaluation phase is to determine which bid responses are responsive to the minimum bid specifications and the minimum bid requirements. Bid proposals that do not meet the minimum bid specifications and or minimum bid requirements will be regarded as "non-responsive" and will not be considered for further evaluation.

b) **Phase 2: Price and Specific goals**

9.1 ADMINISTRATIVE COMPLIANCE

Bidders' proposals must meet the following minimum requirements and the required supporting documents must be submitted with the completed quotation document in a sealed envelope in the bid box at the closing date and time. Failure to comply will automatically eliminate the bid for further consideration:

- a. Bids must be submitted on the original documents and bids which are late, incomplete, unsigned or submitted by facsimile or electronically, will not be accepted.
- b. Invitation to Bid, SBD1 must be completed and signed.
- c. SBD 3.1- Pricing Schedule- Firm Prices – must be completed.
- d. Declaration of Interest – SBD 4, must be completed and signed.
- e. Only one offer per bidder is allowed. Bidders are also not allowed to submit a bid whilst they are in agreements with other bidders in the form of joint ventures or consortiums.
- f. Service Provider must be registered on Central Supplier Database (CSD). If you are not registered proceed to complete the registration of your company prior to submitting your proposal. Visit <https://secure.csd.gov.za/> to obtain your vendor number.
- g. Tax Status Verification for Price Quotations and Competitive Bids - Tax Compliance status and company directors of bidders will be verified on the CSD for all price quotations and competitive bids
- h.
- i. Tax Compliance status and company directors of bidders will be verified on the CSD for all price quotations and competitive bids. Hard copies of Tax Certificate and CK documents are therefore no longer needed to be attached in the bid. Tax status must remain Compliant for conducting business with state.
- j. Only SITA Accredited Service Providers on SITA Contract RFB740 from the Eastern Cape Province are invited to respond or in the event you are not on SITA contract provide proof. The bidder might've applied to be on the SITA contract after the publishing of the Transversal Contracts, hence the bidder needs to submit proof should the bidder not appear on the list provided by the contracts.

NOTE: FAILURE TO COMPLY WITH ALL THE ABOVE REQUIREMENTS WILL RESULT IN DISQUALIFICATION OF THE BID

9.2 PHASE 2 PRICE & SPECIFIC GOALS

Only Bidders that have met all the requirements of phase 1 will be evaluated in phase 2 for price and specific goals. Price and specific goals will be evaluated as follows:

In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in the table below as may be supported by proof/ documentation stated in the conditions of this tender:

The applicable preference point system for this tender is the **80/20** preference point system. The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where?

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

POINTS AWARDED FOR SPECIFIC GOALS (20 Points)

Specific goals for the tender and points claimed are indicated per the table below.

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Documentation to be submitted by bidders to validate their claim for points
Youth owned entities	5	-ID document. -Company registration (CIPC)
Women owned Entities	5	-Company registration (CIPC) -ID
Entities owned by people with disabilities	5	Proof of disability such as SASSA registration or confirmation of disability from a relevant authority
South African citizen - who, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act 200 of 1993)	3	-ID Copy -CIPC (Company registration)

Eastern Cape based Suppliers	2	Municipal Bill statement / Lease agreement
Total	20	

Specific goals points will be allocated to bidders on submission of documentation stated above as evidence required to substantiate the points claimed.

10. SUPPLIER DUE DILIGENCE

10.1 OTP reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include interviews, presentations, site inspection and requests for additional information.

11. SUBMISSION OF PROPOSALS

11.1 Bid documents must be placed in the bid box situated at OTP (ECDC building), Ground Floor at security, Independence Avenue, Bhisho OR couriered to the aforesaid address on or before the closing date and time. Service Providers who courier document must ensure that the document is placed in the bid box before the closing date and time.

11.2 Bid documents will only be considered if received by OTP before the closing date and time, regardless of the method used to send or deliver such documents to OTP

12. COMMUNICATION

All communication or correspondence concerning this bid should be directed as follows:

With regard to Terms of Reference:	With regard to SCM Information
Ms. Sinoluhlu Maya Supply Chain Management Bhisho e-mail:sinoluhlu.maya@ecotp.gov.za	Mr. Siphiwo Mahlahla Asset Management Bhisho e-mail:siphiwo.mahlahla@ecotp.gov.za

13. ANNEXURE A

PRICING SCHEDULE – FIRM PRICES

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO FUEL PRICE FLUCTUATIONS) WILL NOT BE CONSIDERED

NAME	OF	BIDDER:

OFFER TO BE **VALID FOR NINETY (90) DAYS** FROM THE CLOSING DATE OF BID.

OTP is seeking services from suitable service providers for **APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY, DELIVERY AND MAINTENANCE OF VARIOUS COMPUTER EQUIPMENT AND ACCESSORIES ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.**

ITEM NO.	ITEM DESCRIPTION	QTY	PRICE PER UNIT	TOTAL PRICE (must be firm & Including delivery cost)
A1	Category 1 laptops	120	..... .....	..... .....
A2	Category 2 laptops	120	..... .....	..... .....
A3	Category 3 laptops	60	..... .....	..... .....
A4	Desktops	100	..... .....	..... .....
B	Sub Total			..... .....
C	Vat (15%) – if applicable			..... .....

TOTAL AMOUNT CARRIED TO FORM OF BID

R.....

AMOUNT IN WORDS:

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

- 2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

- 2.2.1 If so, furnish particulars:

.....

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

- 2.3.1 If so, furnish particulars:

.....

DECLARATION

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



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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....	
Signature	Date
.....	
Position	Name of bidder

² 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.



PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation



to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 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
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.3.

3.3.1. POINTS AWARDED FOR PRICE

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

80/20	or	90/10
$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$	or	$Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$

Where



Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Documentation to be submitted by bidders to validate their claim for points
Youth owned entities	5	-ID document. -Company registration (CIPC)
Women owned Entities	5	-Company registration (CIPC) -ID
Entities owned by people with disabilities	5	Proof of disability such as SASSA registration or confirmation of disability from a relevant authority
South African citizen - who, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act 200 of 1993)	3	-ID Copy -CIPC (Company registration)
Eastern Cape based Suppliers	2	Municipal Bill statement / Lease agreement
Total	20	

DECLARATION WITH REGARD TO COMPANY/FIRM



4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....



ANNEXURE B

Suppliers and Service Providers are to provide references to confirm pervious goods or services contracts of a similar nature were completed satisfactorily. Failure to complete this page may result in your bid being eliminated.

YEAR COMPLETED										
OF VALUE WORK										
NATURE OF WORK										
CONTACT PERSON (NAME & TEL NO)										
EMPLOYER (NAME & TEL NO)										

SIGNED ON BEHALF OF THE BIDDER:

