



AREA COMMISSIONER OFFICE: FREE STATE & NORTHERN CAPE: DU TOITSPAN ROAD, DU TOITSPAN BUILDING 5, KIMBERLEY; 8300; Tel (053) 836 9000; Fax (053) 831 4977

Ref: 6/1/3/4

Enquiries: MAREKO K.S

Date: 04 JULY 2022

The Manager

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

Sir / Madam

BID NUMBER: KLYQ 39/2022: SUPPLY AND DELIVERY OF PERISHABLES (BEEF FORE QUARTER, CHICKEN & FISH) TO BE DELIVERED INTO OUR STORES AT TSWELOPELE CORRECTIONAL CENTRE: SUPPLY CHAIN: PERIOD: ONCE-OFF: AREA COMMISSIONER KIMBERLEY: DEPARTMENT OF CORRECTIONAL SERVICES: FREE STATE AND NORTHERN CAPE REGION

The Department of Correctional Services requires the item(s) as described per attached formal price quotation invitation.

You are requested to complete the formal price quotation documents and submit it to the address indicated in the SBD 1.

Bidders must take note of the following:

- The closing date of the formal price quotation will be at **11h00** on **11 JULY 2022** and will be valid for a period of sixty (60) days after the closing date.
- Price Quotation must be submitted in a sealed envelope. The name and address of the bidder, the formal price quotation number and closing date must be indicated on the envelope. The envelope must not contain documents relating to any other formal price quotation.
- It is the responsibility of bidders to ensure that the formal price quotation reach the address indicated on the SBD 1 before the closing date and time. **No late formal price quotations will be accepted.**
- Bidders need to acquaint themselves with the contents of the attached General Conditions of Contract and Special Conditions of Contract, (BD 4.2).
- A pre-qualifying criterion to this formal price quotation is that only formal price quotations with a B-BBEE Level one (1) to four (4) will be considered. Only bidders that meet the qualifying criteria as required by paragraph 7.1.2 of the Special Conditions (BD 4.2) will be considered.
- It is the responsibility of bidders to ensure that they are registered on the National Treasury Central Supplier Database (CSD). Bids or price quotations cannot be awarded to any supplier who is not registered on CSD
- The following bid documents must be completed in ink, signed and submitted **in an original format**



The following documentation must be submitted with your bid:

- An original or an original certified copy of a Certificate of acceptability for the Food Premises, issued by the relevant local municipality in terms of Regulation 638 (Regulations governing general hygiene requirements for food premises and the transport of food, (BD 4.2 paragraph 7.2.2.1))
- Bidders bidding for the **perishable food items** must provide proof of the availability of the **appropriate vehicles to enable delivery of food items to the institutions** in terms of Regulation 638 (Regulation Governing General Hygiene Requirements for Food Premises and the Transport of Food). Certified copies of vehicle registration certificate should be attached. If the vehicle does not belong to your company, or one of its directors, a letter of intent to enter into vehicle leasing contract should be attached. The date of certification of the original should not be older than six (6) months
- Valid and original / original certified copy of B-BBEE Status Level Verification Certificate, (BD 4.2 paragraph 7.3.4). Date of certification may not be older than six (6) months (BD 4.2 paragraph 3.2) **or**

Valid and original / original certified copy of sworn affidavit for B-BBEE Exempted Micro Enterprise/ B-BBEE Qualifying Small Enterprise, (BD 4.2 paragraph 7.3.5.2). Date of certification may not be older than six (6) months (BD 4.2 paragraph 3.2).
- Original certified copy(s) of ID document(s) of the directors/shareholders/members. Date of certification may not be older than six (6) months (BD 4.2 paragraph 3.2)
- CIPRO Certificate;

IMPORTANT NOTICE: The Commissioner of oath must append a signature, date and also print out name. Copies that do not comply with this regulation will be regarded as invalid.

The date of certification of the original on all copies submitted should not be older than six (6) months.

VERY IMPORTANT NOTICE: Service Providers must at all times ensure compliance with the preventative measures espoused by the National Department of Health in combating the spread of COVID 19. Your Company is requested to either provide this office with your disaster plan in terms of COVID 19 or an assurance letter which details preventative mechanism for COVID 19.

VERY IMPORTANT NOTICE: Service Providers must take note that quantities advertised are 1 month total, therefore upon the awarding of the contract your company will be given the delivery schedule with quantities to be delivered and sign the Service Level Agreement.

An order will be issued to the successful bidder that will notify him/her of the acceptance of his/her bid.

Yours faithfully

MANAGER SUPPLY CHAIN
KIMBERLEY MANAGEMENT AREA
SALI W. J.



**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (DEPARTMENT OF CORRECTIONAL SERVICES)					
BID NUMBER:	KLYQ 39/2022	CLOSING DATE:	11 JULY 2022	CLOSING TIME:	11H00
DESCRIPTION	SUPPLY AND DELIVERY OF PERISHABLES (BEEF FORE QUARTER, CHICKEN & FISH) TO BE DELIVERED INTO OUR STORES AT TSWELOPELE CORRECTIONAL CENTRE: SUPPLY CHAIN: PERIOD: ONCE-OFF: AREA COMMISSIONER KIMBERLEY: DEPARTMENT OF CORRECTIONAL SERVICES: FREE STATE AND NORTHERN CAPE REGION				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7). (THE SBD 7 IS NOT APPLICABLE TO PRICE QUOTATIONS)					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

THE AREA COMMISSIONER DEPARTMENT OF CORRECTIONAL SERVICES KIMBERLEY PRIVATE BAG X 6006 KIMBERLEY 8300	
OR	
THE BID DOCUMENTS MAY BE DEPOSITED IN THE BID BOX WHICH IS IDENTIFIED AS THE BID BOX OF THE DEPARTMENT OF CORRECTIONAL SERVICES AREA COMMISSIONERS OFFICE, GROUND FLOOR, DU TOITSPAN BUILDING 5, DU TOITSPAN ROAD, KIMBERLEY, 8300	

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					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT ☐ Yes ☐ No		
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT	☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN			



(CCA) AND NAME THE APPLICABLE IN THE TICK BOX	ACCREDITATION SYSTEM (SANAS)		
	☐	A REGISTERED AUDITOR	
		NAME:	
[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] A BIDDER OTHER THAN EME OR QSE MUST SUBMIT THEIR ORIGINAL AND VALID / ORIGINAL CERTIFIED COPY OF B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE SUBSTANTIATING THEIR B-BBEE RATING ISSUED BY A REGISTERED AUDITOR APPROVED BY IRBA OR A VERIFICATION AGENCY ACCREDITED BY SANAS			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF] CK REPORT		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? ☐ Yes ☐ No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER			DATE: 2020/...../.....
INITIALS AND SURNAME IN PRINT:			
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/PUBLIC ENTITY	CORRECTIONAL SERVICES	CONTACT PERSON	
CONTACT PERSON	K.S MAREKO	Jeanette Van Wyk	Joy Sali
TELEPHONE NUMBER	054 836 6283	053 8366705	053 836 6701
FACSIMILE NUMBER	053 836 6286	053 8366286	053 836 6286
E-MAIL ADDRESS	Keitumetse.mareko@dcs.gov.za	Jeanette.vanwyk@dcs.gov.za	



PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED OR ONLINE)
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, THE BID DOCUMENT WILL BE CONSIDERED AS UNACCEPTABLE.
- 1.5. 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 LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

3.5.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.



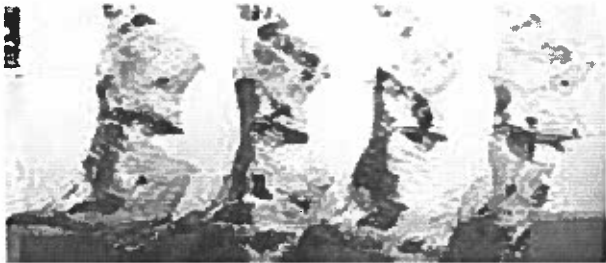
PRICING SCHEDULE – FIRM PRICES (PURCHASES)

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

PERISHABLE PROVISIONS

Name of bidder:	Price Quotation number: KLYQ 39/2022
Closing Time: 11:00 on 11 JULY 2022	

OFFER TO BE VALID FOR **60 DAYS** FROM THE CLOSING DATE OF FORMAL PRICE QUOTATION.

ITEM NO.	DESCRIPTION		
1.	BEEF FORE-QUARTERS GRADED AS C1  All products delivered must comply with the required quality, packaging and grading standards. Beef externally procured must be fore- quarters graded as C1 according to the meat classification Regulations No.R.863 of 1 September 2006. Head, entrails, trotters and hide must not form part of the carcass. Carcasses must be transported in a refrigerated truck or vehicle in a hygienic way and must be covered suitably so that it is protected to the satisfaction of the receiving officer against dust and other possible contamination. The carcass must be free of blood clots. No frozen meat may be delivered, except in cases where such meat is requested or its delivery is specifically authorized. Meat that has been thawed and re-frozen must not be accepted. Meat packaging must be see-through to display the bright red colour. Fresh meat may not be treated with a preservative. Meat must be firm, fresh and with its natural colour retained after refrigeration. If there is an order for cut-up full quarters of which the mass is less than that of a full quarter, meat must be delivered from such a cut-up quarter containing a reasonable portion of "best" cuts in relation to the other parts. Meat of the "C" age group, bulls castrated in an advanced lifetime or that show signs that they have not been thoroughly castrated must not be accepted unless specifically included in a special contract. All carcasses must be inspected by a qualified and authorized official and must be certified as fit for human consumption. Sufficient space must be allowed between carcasses to allow unrestricted air flow between the carcasses during transportation and storage. Carcasses must be hanging on stainless steel meat rails during storage and transportation.		
ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY (INCLUDING ALL APPLICABLE TAXES)
1.	±6 000 Kg	BEEF - AS PER SPECIFICATION	R...../Kg R.....Total Amount



"ALL APPLICABLE TAXES" includes Value-added tax, pay as you earn, income tax, unemployment Insurance fund contributions and skills development levies.

NOTE: According to the VAT Act, 1991 (Act No. 89 of 1991), all contract prices are inclusive of 15% Value-Added Tax (VAT), except in the case of a person that is not required to register for Value-Added Tax.

Required by:

KIMBERLEY MANAGEMENT AREA

At :

CNR NOBENGULA STREET AND
SCHMISDRIFT ROAD

Brand and model :

.....

Country of origin :

.....

Does the offer comply with the specification?

*

Yes	No
-----	----

If not to specification, indicate deviation(s)

.....

Period required for delivery

7 days after receipt of order

Delivery basis (all delivery costs must be included in the bid price)

DELIVERY INTO TRANSIT

Are you the actual manufacturer/dealer (who normally keeps stock of the required items)?

*

Yes	No
-----	----

If not, kindly indicate the following:

.....

What value will you add to the contract?

.....

Details of your supplier (manufacturer/producer/dealer) from whom you will source the item. **It is compulsory for Bidders to complete this section in full.**

.....

Name of supplier:

.....

Physical Address:

.....

Telephone number:

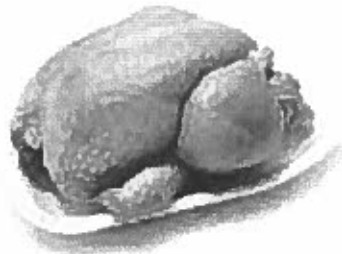
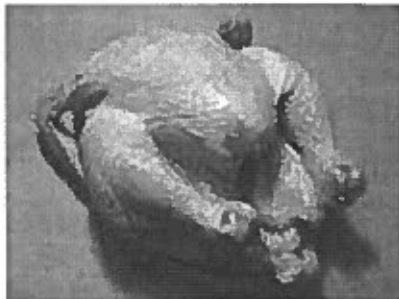
.....

E-mail address:

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

*Mark the relevant block with an X



ITEM NO.	DESCRIPTION		
2.	CHICKEN (WHOLE)		
	  All products delivered must comply with at least the grading, quality, packing and marking requirements of Grade "A" slaughtered poultry as set out in the regulations made in terms of section 15 of the Agricultural Products Standards Act 119 of 1990. Poultry carcasses must be packed and sealed individually in plastic bags, frozen, free from any feathers, young and firm with no bad odours. Poultry carcasses must be transported in a refrigerated truck/vehicle. Fresh carcasses at a temperature not exceeding 7°C. Frozen carcasses at a temperature that does not exceed -18°C. Slaughtered poultry must be plucked and cleaned properly, be well fleshed, without bruises and torn skin. The carcass must not be changing colour (e.g. greenish) in between the wings, thighs and on the inside. Intestines, head, feet and giblets must not form part of the bird carcass. Poultry carcasses must be packed in clean meat trays or foil lined boxes that must not be wet. Poultry carcasses must be inspected by a qualified and authorized official and must be certified as fit for human consumption. Poultry deliveries must be rejected if any sign of defrosting and re-freezing is evident e.g. boxes with wet markings, especially in the corners.		
ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY (INCLUDING ALL APPLICABLE TAXES)
2.	± 5500 KG	CHICKEN - AS PER SPECIFICATION	R...../KG - R.....Total Amount

"ALL APPLICABLE TAXES" includes Value-added tax, pay as you earn, income tax, unemployment Insurance fund contributions and skills development levies.

NOTE: According to the VAT Act, 1991 (Act No. 89 of 1991), all contract prices are inclusive of 15% Value-Added Tax (VAT), except in the case of a person that is not required to register for Value-Added Tax.

Required by:

KIMBERLEY MANAGEMENT AREA

At :

CNR NOBENGULA STREET AND
SCHMISDRIFT ROAD

Brand and model :

.....

Country of origin :

.....

Does the offer comply with the specification?

* ☐ Yes ☐ No

If not to specification, indicate deviation(s)

.....



Period required for delivery

7 days after receipt of order

Delivery basis (all delivery costs must be included in the bid price)

DELIVERY INTO TRANSIT

Are you the actual manufacturer/dealer (who normally keeps stock of the required items)?

*	Yes	No
---	-----	----

If not, kindly indicate the following:

.....

What value will you add to the contract?

.....

Details of your supplier (manufacturer/producer/dealer) from whom you will source the item. **It is compulsory for Bidders to complete this section in full.**

.....

Name of supplier:

.....

Physical Address:

.....

Telephone number:

.....

E-mail address:

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

*Mark the relevant block with an X



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

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

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

1. GENERAL CONDITIONS

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

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

1.2 The value of this bid is estimated to not exceed R1 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	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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

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

2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an



organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

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

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

or

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

Where:

P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 $P_{\min}$ = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
------------------------------------	---------------------------------	---------------------------------



1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

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

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

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

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people	☐	☐
Black people who are youth	☐	☐



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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:

8.2 VAT registration number:

8.3 Company registration number:

8.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificates, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;



- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

- 1.
- 2.

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

DATE:
ADDRESS



DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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



4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes	No
4.4.1	If so, furnish particulars:		

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



CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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



CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

BID NUMBER: KLYQ 39/2022

DESCRIPTION: FORMAL PRICE QUOTATION: KLYQ 39/2022: SUPPLY AND DELIVERY OF PERISHABLES (BEEF FORE QUARTER, CHICKEN & FISH) TO BE DELIVERED INTO OUR STORES AT TSWELOPELE CORRECTIONAL CENTRE: SUPPLY CHAIN: PERIOD: ONCE-OFF: AREA COMMISSIONER KIMBERLEY: DEPARTMENT OF CORRECTIONAL SERVICES: FREE STATE AND NORTHERN CAPE REGION

(Bid Number and Description)

in response to the invitation for the bid made by:

DEPARTMENT OF CORRECTIONAL SERVICES – FREE STATE AND NORTHERN CAPE REGION

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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



SBD 9

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder