



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

SCM REQUEST FOR QUOTATION FORM

SCM OFFICIAL DETAILS

SCM Official Name	<u>Andiswa Woko</u>	Email Address	andiswaw@nfvf.co.za
RFQ Issue date	<u>21 June 2024</u>	Closing Date	<u>5 July 2024</u>

RFQ DETAILS

Ref Number	RFQ01- ANNUAL REPORT
RFQ Description	THE APPOINTMENT OF A SERVICE PROVIDER TO DESIGN, LAYOUT, PRINT AND DELIVER NFVF ANNUAL REPORT
RFQ Closing Time	11:00

The NFVF requires the services of a service provider to design, layout, print and deliver its 2023/24 Annual Report (AR) which details its performance from 1 April 2023 – 31 March 2024.

Annual Report

1. Design, Layout and Printing Specifications

Item Description	Quantity
Language:	English
Size	A4 (approx. 200 pages)
Paper	Cover 250 gsm Matt Laminate – Spot UV Inner 135 gsm
Paper	Inside (Text) 150 gsm
Binding	Perfect Bound (Booklet Style)
Colour	Full colour
Font Size	Arial 11
Editing and Proofreading	From draft to the final print-ready version following the approval process
Design Artwork, Layout and Printing	100 hard copies
NFVF branded DVDs (Content: Annual	10
Hard copies of final draft for approval	5

2. Requirements from the Service Provider

The service provider must submit a written proposal, which must address the following:

- A detailed methodology and approach including project plan with clearly stipulated timelines and milestones on the design, content structure, review and approval process, compliance and standards to corporate governance code, best practices in reporting, confidentiality of information.
- A detailed project budget proposal inclusive of VAT.
- Proven ability including testimonials and references.

2 The service provider is requested to provide summarised CVs of all members of the core project team, their experience in similar events as well as their roles and responsibilities.

3 The project team should be the same throughout the process; any deviation from this should be in writing and approved by the NFVF. The project leader involved in the project should be the same throughout the project life cycle unless there are specific reasons to change.

4. The service provider must submit a written proposal, which must address the following:

- A detailed methodology and approach including project plan with clearly stipulated timelines and milestones on the design, content structure, review and approval process, compliance and standards to corporate governance code, best practices in reporting, confidentiality of information.
- A detailed project budget proposal inclusive of VAT.
- Proven ability including testimonials and references.

5 The service provider is requested to provide summarised CVs of all members of the core project team, their experience in similar events as well as their roles and responsibilities.

6 The project team should be the same throughout the process; any deviation from this should be in writing and approved by the NFVF. The project leader involved in the project should

be the same throughout the project life cycle unless there are specific reasons to change.

3. EVALUATION CRITERIA

Bidders will be evaluated in three (3) Phases (Phase 1, 2 and 3)

Phase 1: Administrative Compliance Evaluation

Phase 2: Functionality Evaluation

Phase 3: Price and Specific goals

Phase 1- Evaluation for legal/administrative mandatory requirements:

This entails the initial screening of bids/proposal responses received on the closing date of the invitation.

Bidders must comply with the requirements and submit all required document(s) indicated hereunder with the bid documents at the closing date and time of bid. Bidders will be assessed on whether they have provided all mandatory documents. Failure to comply with all the pre-qualification criteria may lead to total disqualification.

Bidders are required to submit the following documents including those on the tender document:

3.1. Phase 1 Administrative Compliance Evaluation

- Proof of registration with the Central Supplier Database by submitting the CSD report. In case of a Joint Venture, each party must provide proof of registration with CSD and their tax compliance status will be verified through the CSD. Bidderstax status must be in order in line with Treasury Regulations and must reflect on CSD.
- Fully Completed and signed Standard Bidding Documents attached to the bid. In the case of a Joint Venture, a written agreement between the parties which must clearly set out the roles and responsibilities of each member.
- In the case of a Joint Venture submitting a tender, include a resolution of each company of the Joint Venture together with a resolution by its members authorizing a member of the Joint Venture to sign the documents on behalf of the Joint Venture.
- Certified Copy of Company Registration Documents. In the case of a Joint Venture, all parties must submit certified copies of incorporation documents.
- Certified copy of B-BBEE Certificate. A Joint Venture will qualify for the specific goal points as a legal entity, provided that the legal entity submits their B-BBEE status level certificate. Failure on the part of the bidder to comply with the above will be deemed that preference points for specific

goals are not claimed and will therefore be allocated a zero (0).

3.2. Phase 2- Evaluation based on Functionality requirements:

Bidders who submitted all the required administration documents will be evaluated on functionality as per the below evaluation criteria, where the minimum threshold is 75 points (for both Functionality and presentation).

Bidders who scored the overall score of 75 points and above will be evaluated in the next stage of the evaluation (Phase 3) and bidders who scored below 75 points will be disqualified from the evaluation process.

3.3. Phase 3 – Evaluation based on Price and Specific goals.

Bidders who obtain an overall score of 75 points and above will be evaluated on 80/20 preference points system.

80 points is for pricing and 20 points is specific goals.

80 points is for pricing and 20 points is specific goals.

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

THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

$P_{\min}$ = Comparative price of lowest acceptable bid

4. FUNCTIONALITY CRITERIA

No	Description	Weight
1	Bidders Relevant Experience – Design, Writing, Editing and Printing of Annual Report Previous experience in producing annual reports (Bidders to submit company profile and samples of the annual maybe be shared via link) a) Less than 3 years = 0 points b) 3 years = 10 points c) 4 – 6 years = 25 points d) 7 years and above = 20 points	20 Points
2	Methodology a) Understanding of Project Scope = 20 points Demonstration of clear understanding of project objectives, scope and deliverables with timeframes. Adequacy and appropriateness will be assessed. b) Project implementation schedule (Activity, task, and sub-task wise) = 15 points Appropriateness of identified tasks (5), deliverables (3), defining milestones (2) and timeliness (5) c) Project implementation Risks and Risk Management proposal = 5 points Adequacy of understanding of project risks and appropriateness of proposed mitigation measures	40 Points
3	Graphic Designer Experience (Bidders to submit CV`s with experience in graphic designing or related field) a) Less than 3 years = 0 points b) 3 years = 3 points c) 4 – 6 years = 5 points d) 7 years and above = 10 points	10 Points

4	Experience of a writer and editor: CV`s to be submitted. a) Less than 3 years = 0 points b) 3 years = 3 points c) 4 – 6 years = 5 points d) 7 years and above = 10 points	10 Points
5	Contactable References: (Bidders to submit signed contactable reference letters for similar projects, on the client`s letterhead). a) Less than 2 signed reference letters = 0 Points b) 2 signed reference letters = 5 points c) 3 signed reference letters = 10 points d) 4 signed reference letters = 15 points e) 5 or more signed reference letters = 20 points	20 Points



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

NOTE: FOR PROCUREMENT OF GOODS AND SERVICES EXCEEDING THE THRESHOLD VALUE OF R2000.00, PREFERENTIAL PROCUREMENT REGULATION OF 2022 WOULD APPLY.

Quotations above the value of R2000.00 will be evaluated on 80/20 preference points system, where 80 is for price and 20 for specific goals.

The following table would apply for allocation of preference points

Specific Goals (PPPFA sec 2 (1) (d) Enterprises	Number of points (80/20 system)	Proof to be submitted to claim specific goals
SMME (Small Micro Medium Enterprise) EME & QSE	5	Valid B-BBEE certificate or Affidavit
Owned by black people (50% or more)	3	Valid B-BBEE certificate or Affidavit
Owned by black people who are youth	5	Certified ID copies of directors
Owned by Black people who are woman (30% or more)	4	Valid B-BBEE certificate or Affidavit
Owned by black people with disabilities	3	Medical certificate
TOTAL	20	

Bidders are required to provide proof of claim for each specific goal and failure to provide proof, zero will be allocated on that specific goal.



national film and video foundation
 SOUTH AFRICA
 an agency of the Department of Sport, Arts and Culture

NB: Compliance Checklist Requirements for all Services/Goods and works

No	Description of requirements	
a.	CSD registration proof	
b.	Valid TCC Status or Pin certificate	
c.	Company Registration certificate	
Suppliers are eligible to complete and signed the below forms- Mandatory		
e.	SBD 4	
f.	SBD 6.1	
g.	SBD 8	
i.	SBD 9	

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

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.



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

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:

.....
.....



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

3 DECLARATION

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

- 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.



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture



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.

Position	Name of bidder
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	



SBD6.1

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT**

REGULATIONS 2022

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

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL
CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF SPECIFIC
GOALS, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT**



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

REGULATIONS, 2022.

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 000 000.00 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000.00 (all applicable taxes included).

1.2 The value of this bid is estimated not to exceed R50 000 000.00 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) Specific goals points

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 SPECIFIC GOALS POINTS	20
Total points for Price and specific goals must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a proof of claim for specific goals including a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a



national film and video foundation
SOUTH AFRICA

an agency of the Department of Sport, Arts and Culture

Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract; 14



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at
the time of bid invitations, and includes all applicable taxes and excise duties
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.



national film and video foundation
SOUTH AFRICA

an agency of the Department of Sport, Arts and Culture

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for Specific points.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for specific points, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

4. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

$$P_s = 80 - \frac{P_t - P_{\min}}{P_{\max} - P_{\min}} \times 80$$

$$P_s = 90 - \frac{P_t - P_{\min}}{P_{\max} - P_{\min}} \times 90$$

Where
 P_s = Price score
 P_t = Tender price
 $P_{\max}$ = Maximum price
 $P_{\min}$ = Minimum price



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

5. Points awarded for SPECIFIC GOALS

5.1 In terms of Preferential Procurement Regulation of 2022, preference points must be awarded to a bidder based on valid proof submitted of claiming for specific goals as per the table below:

Specific Goals (Informed by PPPFA sec 2 (1) (d) Enterprises	Number of points (90/10 system)	Number of points (80/20 system)
SMME (Small Micro Medium Enterprise) EME & QSE	2	4
Owned by black people (50% or more)	2	4
Owned by black people who are youth	2	4
Owned by Black people who are woman (30% or more)	2	4
Owned by black people with disabilities	2	4
TOTAL	10	20

5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level



national film and video foundation
SOUTH AFRICA

an agency of the Department of Sport, Arts and Culture

certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

- 6.1 Bidders who claim points in respect of Specific goals must complete the following:

7. SPECIFIC GOALS CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

- 7.1 B-BBEE Status Level of Contribution: = (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a submitted valid proof.



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

(i) what percentage of the contract will be subcontracted?

.....%

(ii) the name of the sub-contractor?

(iii) the B-BBEE status level of the sub-contractor?

.....

(iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm

:

9.2 VAT registration number :

9.3 Company registration number

:

9.4 TYPE OF COMPANY/ FIRM



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

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

9.7 Total number of years the company/firm has been in business?

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the specific goal 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;



national film and video foundation
SOUTH AFRICA

an agency of the Department of Sport, Arts and Culture

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

WITNESSES:

1.

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

2.

DATE:.....

ADDRESS:.....

.....

SBD 8

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 National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		



national film and video foundation

SOUTH AFRICA

an agency of the Department of Sport, Arts and Culture

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)? To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	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:		



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

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



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

SBD 9

D2: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect: I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture



national film and video foundation
SOUTH AFRICA

an agency of the Department of Sport, Arts and Culture

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.
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.



national film and video foundation
SOUTH AFRICA

an agency of the Department of Sport, Arts and Culture

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.

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

.....
Position

.....

.....

Name of Bidder

Date



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture