PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF DEPARTMENT/ PUBLIC ENTITY*)					
BID NUMBER:	**PPSA 004/2022**	CLOSING DATE:**15 JULY 2022**		CLOSING TIME:	**11H00**
DESCRIPTION	**Appointment of the service provider to supply, deliver, deploy, support and configuration of the following hardware solutions namely Dell network switches PPSA 004/2022**				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*
Public Protector South Africa
175 Lunnon Street
Hillcrest Office Park
Pretoria

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON	**MCATHY RAMOSIBUDI**	CONTACT PERSON	**NKELE NEMUSIMBORI**
TELEPHONE NUMBER	**012 366 7014**	TELEPHONE NUMBER	**012 366 7032**
FACSIMILE NUMBER	**N/A**	FACSIMILE NUMBER	**N/A**
E-MAIL ADDRESS	**McathyR@pprotect.org**	E-MAIL ADDRESS	**nkelen@pprotect.org**

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		**OR**	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

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

PART B
TERMS AND CONDITIONS FOR BIDDING

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

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

SIGNATURE OF BIDDER:

……

CAPACITY UNDER WHICH THIS BID IS SIGNED:

……

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

DATE:

……...

SBD 3.1

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

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder……	Bid number PPSA 004/2022
Closing Time 11:00	Closing date 15 JULY 2022

OFFER TO BE VALID FOR **120 DAYS** FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)

- Required by: ……
- At: ……

……

- Brand and model ……
- Country of origin ……
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s) ……
- Period required for delivery ……
  *Delivery: Firm/not firm
- Delivery basis ……

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

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.
*Delete if not applicable

BIDDER'S DISCLOSURE SBD4

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:

……

……

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.

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:
…….
…….

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.

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

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.

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

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.

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1. GENERAL CONDITIONS

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

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

1.2

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

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

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**

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right) \quad \text{or} \quad Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = 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 last 51% owned by:	**EME** √	**QSE** √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:…….

8.2 VAT registration number:……..……

8.3 Company registration number:……..……..……

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

……
……
……
……
……..

8.6 COMPANY CLASSIFICATION

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

[*TICK APPLICABLE BOX*]

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

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

i) The information furnished is true and correct;

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

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding process;

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution.

WITNESSES 1. …….. 2. ……	…… SIGNATURE(S) OF BIDDERS(S) DATE: …….. ADDRESS …….. …….. ……..

PUBLIC PROTECTOR
SOUTH AFRICA

TERMS OF REFERENCE AND CONDITIONS OF BID

TO SUPPLY, DELIVER, DEPLOY, SUPPORT AND CONFIGURATION OF THE FOLLOWING HARDWARE SOLUTIONS NAMELY DELL NETWORK SWITCHES

BID NUMBER: PPSA 004/2022

ISSUE DATE: 15 JUNE 2022

CLOSING DATE AND TIME OF BID: 15 JULY 2022 AT 11:00 AM

BID VALIDITY PERIOD: 120 DAYS

ABBREVIATIONS

B-BBEE – Broad Based Black Economic Empowerment

CSD – Central Supplier Database

CV – Curriculum Vitae

DTI – Department of Trade and Industry

FICA – Financial Intelligence Centre Act

NPA – National Prosecuting Authority

PIN – Personal Identification Number

PPPFA – Preferential procurement Policy Framework Act

PPSA – Public Protector South Africa

RFP – Request For Proposal

SARS – South African Revenue Services

SBD – Standard Bidding Document

SLA – Service Level Agreement

SMME – Small Medium and Micro Enterprise

TCS – Tax Compliance Status

TOR – Terms of reference

PART A: TERMS OF REFERENCE

1. PURPOSE

1.1 The purpose of this document is to invite **DELL accredited bidders** to supply, deliver, deploy, configuration and support the following hardware solutions:

1.1.1 Network switches

2. SCOPE OF WORK

Public Protector South Africa (PPSA) invites DELL accredited suppliers to submit proposals to supply, install and support DELL network switches. The scope of work encompasses the following:

2.1 Supply of all items listed from clause 3 up to 5 of the Bill of Materials (BOM).

2.2 Replace old Dell network switches.

2.3 Test and deploy the new network switches.

2.4 Completion certificate to be issued by the supplier upon finalization of the project.

2.5 Provide the various DELL support as indicated under BILL of Materials.

2.6 The bidder to fully configure the entire solution.

2.7 Solution implementation to be in accordance with DELL best practices.

3.1 DNS4112 [DATACENTER Smart Value]

Dell EMC Networking S4112F - [DNS4112]

3.1.1 Components

- 1 x 210-AOYR Dell EMC Switch S4112F, 12 x 10GbE SFP+, 3 x 100GbE QSFP28, IO to FAN, 2 x AC PSU
- 2 x 450-ABCL C13 Power Cord 220V 1.8M South Africa
- 1 x 470-ABOV Dell Networking Cable 100GbE, QSFP28 to QSFP28, Passive Copper Direct Attach Cable, 1Meter
- x 470-AAGR Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 5 Meter
- 470-AAGT Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 7 Meter
- 1 x 770-BCTF Dell Networking Dual Tray, one Rack Unit, 4-post rack only, S4112
- 1 x 528-10337 Thank you for choosing Dell ProSupport Plus. For Tech Support, visit

3.1.2 Software

- 1 x 634-BQZX OS10 Enterprise, S4112F
- 1 x 634-BYIJ OS10 SmartFabric Services

3.1.3 Service

- 1 x 647-10219 Partner Operations Support
- 1 x 487-14729 1 Year ProSupport Plus OS10 Enterprise Software Support-Maintenance
- 1 x 683-19054 ProDeploy Plus Dell Networking S Series 4XXX Switch - Deployment
- 1 x 683-19055 ProDeploy Plus Dell Networking S Series 4XXX Switch - Deployment Verification
- 1 x 709-13025 Base Warranty
- 1 x 709-16406 1Yr Return to Depot - Minimum Warranty

- 1 x 709-16407 90 Day SW Bug Fixes
- 1 x 865-74698 5Yr ProSupport Plus and 4hr Mission Critical

3.2 DNS4112 [DATACENTER Smart Value]

Dell EMC Networking S4112F - [DNS4112]

3.2.1 Components

- 1 x 210-AOYR Dell EMC Switch S4112F, 12 x 10GbE SFP+, 3 x 100GbE QSFP28, IO to FAN, 2 x AC PSU
- 2 x 450-ABCL C13 Power Cord 220V 1.8M South Africa
- 1 x 470-ABOV Dell Networking Cable 100GbE, QSFP28 to QSFP28, Passive Copper Direct Attach Cable, 1Meter
- x 470-AAGR Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 5 Meter
- x 470-AAGT Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 7 Meter
- 1 x 528-10337 Thank you for choosing Dell ProSupport Plus. For Tech Support, visit

3.2.2 Software

- 1 x 634-BQZX OS10 Enterprise, S4112F
- 1 x 634-BYIJ OS10 SmartFabric Services

3.2.3 Service

- 1 x 647-10219 Partner Operations Support
- 1 x 487-14729 1 Year ProSupport Plus OS10 Enterprise Software Support-Maintenance
- 1 x 683-19054 ProDeploy Plus Dell Networking S Series 4XXX Switch - Deployment
- 1 x 683-19055 ProDeploy Plus Dell Networking S Series 4XXX Switch - Deployment Verification
- 1 x 709-13025 Base Warranty
- 1 x 709-16406 1Yr Return to Depot - Minimum Warranty

- 1 x 709-16407 90 Day SW Bug Fixes
- 1 x 865-74698 5Yr ProSupport Plus and 4hr Mission Critical

4. NETWORK SWITCHES

DESCRIPTION	QTY	UNIT PRICE	15% VAT (FOR VAT REGISTERED VENDORS	TOTAL COST
Networking Smart Value[CAMPUS Smart Value Dell EMC PowerSwitch N3248P - [DNN3248P]	6			
DNS3148T[DATACENTER Smart Value Dell EMC Networking S3148T - [DNS3148T]	1			
TOTAL COST INCLUSIVE 15% VAT				

4.1 NETWORK SWITCHES BREAKDOWN

4.1.1 Dell EMC Networking S3148T - [DNS3148T]]

4.1.1.1 Components

- 1 x 210-AIMR Dell Networking S3148, L3, 48x 1GbE, 2xCombo, 2x 10GbE SFP+ fixed ports, Stacking, IO to PSU airflow, 1x AC PSU
- 1 x 407-BBEF Dell Networking, Transceiver, SFP+, 10GbE, SR, 850nm Wavelength, 300m Reach
- 1 x 450-AART Rack Power Cord 2M, C13/C14, 12A
- 1 x 519-12719 Redeploy Dell Networking S Series 3xxx Switch - Deployment - Remote
- 1 x 528-10337 Thank you for choosing Dell ProSupport Plus.

4.1.1.2 Service

- 1 x 647-10218 Partner Operations Support
- 1 x 709-14107 S3148,S3148P Base Warranty
- 1 x 709-14108 S3148P Limited Lifetime Hardware Warranty - Minimum Warranty
- 1 x 709-14109 S3148P 90 Days Software Support (Bug Fixes), Software Media Replacement
- 1 x 865-11523 S3148,S3148P 5Yr ProSupport Plus and 4hr Mission Critical

4.2 DNN1524P [CAMPUS Smart Value | Dell EMC Networking N1524P - [DNN1524P]

4.2.1 Components

- 1 x 210-AEVY Dell Networking N1524P, PoE+, 24x 1GbE + 4x 10GbE SFP+ fixed ports, Stacking, IO to PSU airflow, AC
- 1 x 450-ADXE South Africa 250V C15 Power Cord
- 1 x 470-AAGN Dell Networking, Cable, SFP+ to SFP+, 10GbE, Copper Twinax Direct Attach Cable, 1 Meter
- 1 x 528-10337 Thank you for choosing Dell ProSupport Plus. For Tech Support, visit
- //www.dell.com/contactdell

4.2.2 Service

- 1 x 647-10219 Partner Operations Support
- 1 x 683-19363 Redeploy Plus Dell Networking N Series 1XXX/2XXX Switch - Deployment
- 1 x 683-19364 Redeploy Plus Dell Networking L2 N Series 1XXX/2XXX Switch - Deployment Verification
- 1 x 709-13101 N1524,N1524P Base Warranty
- 1 x 709-13102 N1524,N1524P Lifetime Limited Hardware Warranty - Minimum Warranty
- 1 x 709-13104 N1524,N1524P 90 Days Software Support (Bug Fixes), Software Media Replacement
- 1 x 710-75049 N1524,N1524P 5Yr ProSupport Plus and 4hr Mission Critical

5. OTHER SERVICES

DESCRIPTION	TOTAL COST INCLUSIVE 15% VAT
Full installation, deployment and DELL support of the solutions	
TOTAL COST INCLUSIVE 15% VAT	

6. DELIVERY ADDRESS

6.1 Equipment to be delivered and installed at Hillcrest Office Park, 175 Lunnon Rd, Hillcrest, Pretoria, 0002.

7. THE BID WILL BE EVALUATED AS OUTLINED BELOW:

7.1 Phase1 evaluation : Bidders must ensure that they complete and sign documents as indicated below, and the documents must be submitted as part of the bid document by the closing date and time:

7.1.1 Signed SBD 1: Invitation to Bid

7.1.2 Signed SBD 4: Declaration of interest

7.1.3 Signed SBD 6.1: Preference Points claim form in terms of the Preferential Procurement Regulations 2017

7.1.4 Original or certified **valid** BBBEE certificate

7.2 Phase 2 evaluation: Below are mandatory required documents which must be submitted with the bid document and only bidders that have submitted all the documents will be evaluated further. Non submission of all mandatory documents may disqualify the bidder:

7.2.1 Bidders must be Dell accredited as a resellers to supply, install and support the Network Switches (**valid certificate of DELL accreditation must be submitted with the proposal and the document will be verified during the evaluation process)**

7.2.2 Companies must have at least three (3) years' experience in supplying, installation and support of Dell networks switches. Bidder to submit names of

clients, contract period (with start and end date)and value, and the names and telephone numbers of the persons with who contact can be made for reference purposes (attach letter in the client's company letterhead)

7.2.3 The bidder must be registered on Central Supplier Database (CSD): The bidder must ensure that their company is registered on CSD (attach the CSD report with the bid document or provide bidder CSD registration number).

7.2.4 Submission of one (1) original proposal document and one (1) memory stick / USB. The bidder to ensure that all the information in the proposal document is the same as in the memory stick / USB.

7.2.5 Fully completed SBD 3.1

All accreditations will be confirmed with DELL and bidders who are not accredited to supply, install and support this equipment will be disqualified from the bidding process

7.3. Phase 3 evaluation: Only bidders that qualified through the mandatory evaluations will further be evaluated for **Pricing and BBBEE**: Price (80/100) and BBBEE (20/100)

7.3.1 Pricing and BBBEE

In terms of Regulation 6(2) and 7(2) of the Preferential Procurement Regulations 2017, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

Criteria	Weight	Sub-criteria
Total Price	80/100	Benchmark against lowest quote
Contribution to BBBEE	20/100	Points will be awarded to bidders according to their BBBEE status level of contributor as indicated in the BBBEE accreditation certification as indicated below:
BBBEE LEVELS		**SCORES**
Level 1		20
Level 2		18
Level 3		14
Level 4		12
Level 5		8
Level 6		6

Level 7	4
Level 8	2
Non- compliant Contributor	0

7.3.2 Bidders are required to complete the preference claim form (SBD 6.1), and submit their original and valid B-BBEE status level verification certificate or a certified copy thereof at the closing date and time of the bid in order to claim the B-BBEE status level point.

7.3.3 The points scored by a bidder in respect of the level of B-BBEE contribution will be added to the points scored for price.

7.3.4 Only bidders who have completed and signed the declaration part of the preference claim form and who have submitted a B-BBEE status level certificate issued by a registered auditor, accounting officer (as contemplated in section 60(4) of the Close Corporation Act, 1984 (Act no. 69 of 1984)) or an accredited verification agency will be considered for preference points.

7.3.5 Failure on the part of the bidder to comply with paragraphs 7.3.3 and 7.3.4 above will be deemed that preference points for B-BBEE status level of contribution are not claimed and will therefore be allocated a zero (0).

7.3.6 The points scored will be rounded off to the nearest 2 decimals.

7.3.7 In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of preference points for B-BBEE

7.3.8 However, when functionality is part of the evaluation process and two or more bidders have scored equal points including equal preference points for B-BBEE, the contract will be awarded to the bidder scoring the highest for functionality

7.3.9 A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points

PART B: ADDITIONAL REQUIREMENTS AND CONDITIONS OF BID

8. ADDITIONAL REQUIRED INFORMATION

8.1. Company profile

8.1 Bidders must furnish the following information clearly indicated per annexure regarding their company as part of the bid. Where not applicable, it must clearly be indicated as such:

8.1.1 Personnel complement, divided into -

8.1.1.1Management personnel;

8.1.1.2 Supervisors; and

8.1.1.3 Workers. Full time: ..... Part time: .....

8.1.2 Composition in terms of shareholding

8.1.3 Address of Head Office.

8.1.4 Addresses of regional offices/branches

8.1.5 Bidders to indicate date from when the company commenced its operations.

8.1.6 Bidders to provide the details of completed contracts for the appointment of the service to supply, deliver, deploy and support the following hardware solutions namely Dell network switches**.** Submit the signed reference letters / contracts where the supply and delivery of DELL hardware (network switches) were successfully completed within the past three (03) years, e.g. names of clients, contract period and value, and the names and telephone numbers of the persons with who contact can be made for reference purposes.

8.1.7 Bidders to indicate their company financial position i.e. annual turnover.

8.1.8 Bidders to submit the names, postal address and telephone number(s) of banker(s) and the name of the contact person where financial enquiries may be answered.

8.1.9 Bidders to submit the name, address and telephone number of auditor(s) and the name of the contact person where financial enquiries may be answered.

8.1.10 Bidders to indicate the name, identity numbers and street addresses of all partners must be indicated where persons, who are a partnership or a company / Joint Ventures / Consortium comprising a partnership, tender.

9. Previous experience

9.1 Bidders must submit written and signed reference letter/s from current or previous clients for the supply, deliver, deploy and support the following hardware solutions namely DELL network was successfully implemented. Provide signed reference letters that indicates the following:

9.1.1 Value of the project,

9.1.2 Contract period and

9.1.3 The industry/sector were the contract was carried out.

9.2 Due diligence may be conducted to verify all information that has been provided on the shortlisted bidders.

10. CONDITIONS OF BIDS

10.1 PPSA reserve the rights:

10.1.1 The PPSA reserves the right to disqualify any bidder which does not comply with any one or more of the required information as indicated below:

10.1.2 If the bidder/s submit their bids without all the data and information requested.

10.1.3 Proposal that did not submit mandatory documents stipulated in the RFP document;

10.1.4 Proposal that fails to comply with the specification.

10.1.5 Proposal that contains any information that is found to be incorrect or misleading in anyway or Bidders who submit information that is fraudulent, factually untrue or inaccurate information.

10.1.6 Bidders who submit incomplete information and documentation according to the requirements of this RFP document;

10.1.7 Bidders who receive information not available to other potential bidders through fraudulent means;

10.1.8 Bidder local content requirement does not comply with National Treasury designated sectors as updated from time to time.

10.1.9 PPSA further reserve the right to:

10.1.9.1 Not to award or cancel this bid at any time.

10.1.9.2 To negotiate with one or more Preferred or Reserved Bidders identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other Bidder who has not been awarded the status of the Preferred or Reserved Bidder.

10.1.9.3 To award in part or in full.

10.1.9.4 To award this bid to one or more bidders.

10.1.9.5 To negotiate prices of items that are contracted and should these items be available at a competitive price than the contracted price, PPSA will request the current bidder to reduce their price to be inline failing which; these will be purchase out of contract.

10.1.9.6 To cancel and/or terminate the bid process at any stage, including after the Closing Date and/or after presentations have been made, and/or after bids have been evaluated and/or after the Preferred Bidders have been notified of their status as such.

10.1.9.7 To carry out explanatory meetings in order to verify the nature and quality of the services bided for, whether before or after adjudication of the bid at bidder's corporate offices and / or at client sites if so required.

10.1.9.8 To award the contract to a Bidder whose bid was not the lowest in price.

10.1.9.9 To award the bid to a Bidder who is not the highest scoring Bidder.

10.1.9.9 To correct any mistakes at any stage of the bid that may have been in the bid documents or occurred at any stage of the bid process.

10.1.9.10 To amend any bid conditions, bid validity period, RFP specifications, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued and where the PPSA have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the PPSA's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

10.1.9.11 Not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the PPSA.

10.1.9.12 To request all relevant information, agreements and other documents to verify information supplied in the bid response.

10.1.9.13 To conduct background checks, including FICA verification, on the bidding entity and any of its directors / trustees / shareholders / members

11. Undertakings by the Bidder

11.1 By submitting a bid in response to the RFP, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the PPSA on the terms and conditions and in accordance with the specifications stipulated in this RFP document.

11.2 The bidder shall prepare for a possible presentation should PPSA require such and the bidder shall be notified before the actual presentation date. Such presentation may include a practical demonstration of services as called for in this RFP.

11.3 The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the PPSA during the bid validity period indicated in the RFP and calculated from the bid closing hour and date such offer and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.

11.4 The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFP; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.

11.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with PPSA, as the principal(s) liable for the due fulfilment of such contract.

11.6 The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become PPSA property unless otherwise stated by the bidder/s at the time of submission.

11.7 No attempt may be made, whether directly or indirectly, to canvass any member of PPSA employees before the award of the contract.

11.8 Any enquiries must be referred, in writing, to the specified persons.

12. Contract requirements

12.1. Contract period

12.1.1 The start date of the project implementation will be confirmed with the successful bidder upon contract negotiations. The initiative is based on deliverables. This is once off purchase.

12.2 General terms and conditions of contract

12.2.1 Bidders must complete the attached the General Terms and Conditions of the contract.

13. Price basis

13.1 Bidders shall take into account that PPSA's total requirements will be allocated to one bidder.

13.2 Bidders shall quote prices in South African Rand and Value Added Tax shall be included:

13.2.1 For PPSA to be in a position to facilitate the evaluation of bids and the administration of the contract it is required that bidders must provide all inclusive pricing.

13.3 Bidders shall quote on the basis indicated in the Pricing Schedule.

13.4 Prices tendered for must be inclusive of all required deliverables as per specification.

13.5 PPSA requires an all-inclusive and fully transparent cost structure.

13.6 Where figures are referred to in numerals and in words and there is a conflict between the two, the words will prevail.

13.7 The successful bidder shall commit to the programme of continuous improvement, which will result in cost-efficiencies during the duration of the contract.

13.8 Bidders must warrant to PPSA and indicate that the pricing quoted is free of any errors or omissions and that the Bidder is able to deliver the contract on the prices quoted.

14. Payment terms

14.1 The standard 30 day payment period will apply on the payment of all invoices from receipt of valid invoice.

15. Tax clearance certificate

15.1 Government is committed to reducing supply chain related fraud and ensuring that persons conducting business with the State are not afforded any scope to abuse the supply chain management system.

15.2 It is therefore essential to ensure that persons conducting business with the State are tax compliant when participating in tenders or other bidding processes. On 18 April 2016, the South African Revenue Service (SARS) introduced an enhanced TCS system aimed at improving compliance and making it easier for taxpayers to manage their tax affairs.

15.3 Implementation of the tax compliance status system:

15.3.1 In order to comply with the new TCS system and the condition of bids that a successful bidder's tax matters must be in order, Accounting Officers and accounting authorities of all PFMA complaint institutions must:

15.3.1.1 Designated officials, preferably from Supply Chain Management Unit, whose function will be to verify the tax compliance status of a bidder on the South African Revenue Services' Tax compliance status system housed on eFilling.

15.3.1.2 Utilise the SBD1 issued by National Treasury when inviting bids,

15.3.1.3 As a bid condition, accounting officer or accounting authorities must request bidders to register on Government's Central Supplier Database and to include in their bid their Master Registration Number (Supplier Number) in order to enable the institution to verify the supplier's tax status on the Central Supplier Database.

15.4 The CSD and tax compliance status PIN are the approved methods to be used to prove tax compliance as the South African Revenue Services (SARS) no longer issues Tax Clearance

Certificates but has made provision online, via e-Filing, for bidders to print their own Tax Clearance Certificates which they can submit with their bids or price quotations.

15.5 Accounting Officers are therefore required to accept printed or copies of Tax Clearance Certificates submitted by bidders and verify their authenticity on e-Filing. The verification result will be filed for audit purposes.

15.6 Where a bidder does not submit a tax compliance status PIN but provides a Central Supplier Database (CSD) number, the accounting officer and accounting authority must utilise the CSD number via its website www.csd.gov.za to access the supplier records and to verify the bidder's tax compliance status. A printed screen view at the time of verification should then be attached to the supplier's records for audit purposes.

16. Counter Conditions

16.1 Bidder's attention is drawn to the fact that amendments to any of this condition of bid by bidders may results in the invalidation of the bids.

17. Fronting

17.1 The PPSA support the Broad Black Based Economic Empowerment and recognises that the real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Based on the above (PPSA) condemns any form of fronting.

17.2 The PPSA, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in the bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry /investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder /contractor to conduct business with the public sector for a period not exceeding ten years. The matter may be reported to the National Prosecuting Authority (NPA) for criminal investigation and charges in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

18. Promotion of Emerging Black owned bidders

18.1 It is the PPSA's objective to promote transformation across all industries and/ or sectors of the South African economy and as such, bidders are encouraged to partner with a black owned entity (being 50%+1 black owned and controlled). Such partnership may include the formation of a Joint Venture and/ or subcontracting agreement etc., where a portion of the work under this tender would be undertaken by black owned entities. To give effect to this requirement, bidders are required to submit a partnership / subcontracting proposal detailing the portion of work to be outsourced, level of involvement of the black owned partner and where relevant, submit a consolidated B-BBEE scorecard in-line with the provisions of the PPPFA Regulations which will be considered as part of the B-BBEE scoring.

19. Supplier Performance Management

19.1 Supplier Performance Management is viewed by the PPSA as a critical component in ensuring value for money acquisition and good supplier relations between the PPSA and all its suppliers.

19.2 The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the PPSA, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier's performance and ensure effective delivery of service, quality and value-add to PPSA's business.

19.3 Successful bidders will be required to comply with the above-mentioned conditions, and also provide a scorecard on how their product / service offering is being measured to achieve the objectives of these conditions.

20 Supplier Development

20.1 The PPSA promotes enterprise development. In this regard, successful bidders may be required to mentor SMMEs and/ or designated group which are at least 51% owned by:

20.1.1 black people

20.1.2 black people who are youth

20.1.3 black people who are women

20.1.4 black people that formed a cooperative (primary, secondary or tertiary cooperative) or

20.1.5 black people living in rural areas or underdeveloped area or township.

21. Screening

21.1 Acceptance of this bid may be subject to the condition that the successful bidder must be cleared by the appropriate authorities to render the service within the organ of the state.

22. PPSA requires bidder(s) to declare

In the Bidder's Technical response, Bidder(s) are required to declare the following:

22.1 Confirm that the bidder(s) is to: –

22.1.1 Act honestly, fairly, and with due skill, care and diligence, in the interests of PPSA;

22.1.2 Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;

22.1.3 Act with circumspection and treat PPSA fairly in a situation of conflicting interests;

22.1.4 Comply with all applicable statutory or common law requirements applicable to the conduct of business;

22.1.5 Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with PPSA;

22.1.6 Avoidance of fraudulent and misleading advertising, canvassing and marketing;

22.1.7 To conduct their business activities with transparency and consistently uphold the interests and needs of PPSA as a client before any other consideration; and

22.1.8 To ensure that any information acquired by the bidder(s) from PPSA will not be used or disclosed unless the written consent of the client has been obtained to do so.

23. Conflict of interest, corruption and fraud

23.1 PPSA reserves its right to disqualify any bidder who either itself or any of whose members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of PPSA or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity")

23.1.1 Engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;

23.1.2 Seeks any assistance, other than assistance officially provided by PPSA, from any employee, advisor or other representative of PPSA in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to PPSA;

23.1.3 Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of PPSA's officers, directors, employees, advisors or other representatives;

23.1.4 Makes or offers any gift, gratuity, anything of any value or other inducement, to any PPSA's officers, directors, employees, advisors or other representatives in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to PPSA;

23.1.5 Accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to PPSA;

23.1.6 Pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to PPSA;

23.1.7 Has in the past engaged in any matter referred to above; or

23.1.8 Has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such bidder, member or director's name not specifically appearing on the List of Tender Defaulters kept at National Treasury.

24. Misrepresentation

24.1 The bidder should note that the terms of its Tender will be incorporated in the proposed contract by reference and that PPSA relies upon the bidder's Tender as a material representation in making an award to a successful bidder and in concluding an agreement with the bidder.

24.2 It follows therefore that misrepresentations in a Tender may give rise to service termination and a claim by PPSA against the bidder notwithstanding the conclusion of the Service Level Agreement between PPSA and the bidder for the provision of the Service in question. In the event of a conflict between the bidder's proposal and the Service Level Agreement concluded between the parties, the Service Level Agreement will prevail.

25. Preparation costs

25.1 The Bidder will bear all its costs in preparing, submitting and presenting any response or Tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing PPSA, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their response to this bid.

26. Indemnity

26.1 If a bidder breaches the conditions of this bid and, as a result of that breach, PPSA incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the bidder indemnifies and holds PPSA harmless from any and all such costs which PPSA may incur and for any damages or losses PPSA may suffer.

26. Precedence

26.1 This document will prevail over any information provided during any briefing session whether oral or written, unless such written information provided, expressly amends this document by reference.

27. Limitation of liability

27.1 A bidder participates in this bid process entirely at its own risk and cost. PPSA shall not be liable to compensate a bidder on any grounds whatsoever for any costs incurred or any damages suffered as a result of the Bidder's participation in this Bid process.

28. Tender defaulters and restricted suppliers

28.1 No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appear on the Register of Tender Defaulters kept by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers. PPSA reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been listed as defaulted with National Treasury by another government institution.

29. Governing Law

29.1 South African law governs this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

30. Responsibility for sub-contractors and bidder's personnel

30.1 A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid. In the event that PPSA allows a bidder to make use of sub-contractors, such sub-contractors will at all times remain the responsibility of the bidder and PPSA will not under any circumstances be liable for any losses or damages incurred by or caused by such sub-contractors.

31. Confidentiality

31.1 Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's tender(s) will be disclosed by any bidder or other person not officially involved with PPSA 's examination and evaluation of a Tender.

31.2 No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Tender. This bid and any other documents supplied by PPSA remain proprietary to PPSA and must be promptly returned to PPSA upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived there from.

31.3 Throughout this bid process and thereafter, bidder(s) must secure PPSA's written approval prior to the release of any information that pertains to (a) the potential work or activities to which this bid relates; or (b) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

32. Proposal documents

32.1 No bids submitted by Facsimile, telegram, email will be considered. It is the bidder's sole responsibility to ensure that the complete bid has been received by the Closing Date and Time. Giving the bid to a courier prior to the Closing Date without actual receipt by PPSA before the Closing Date and Time will not excuse the late delivery of a bid.

32.2 If a courier service company is being used for delivery of the bid response, the bid description must be endorsed on the delivery note/courier packaging and the courier must ensure that documents are placed / deposited into the bid box. **The PPSA will not be held responsible for any delays where bid documents are handed to the PPSA Receptionist, switchboard operator, security personnel etc.**

32.3 Where a bid response is not in the bid box at the time of the bid closing, such a bid document will be regarded as a late bid. **It is the PPSA's policy not to consider late bids for tender evaluation.**

32.4 All documents and correspondence must be in English, failure to comply, the bid proposal will not be evaluated.

32.4.1.1Proposals must be compiled in the following manner:

32.4.1.2. One (1) original proposal (marked 'original') must be submitted and should not be retyped and One (1) electronic copies **(on memory stick / USB)**

32.4.1.3. All Annexures, company profiles, CV's, etc., shall form part of the **'ORIGINAL'** as well as the **'MEMORY STICK / USB'** proposals.

32.4.1.4 All proposals must be delivered **sealed**. The following information shall appear on the outside of the sealed proposal be placed in the bid box at the Main Reception area at, 175 Lunnon Street, Hillcrest Office Park, Hillcrest, Pretoria:

32.4.4 Name of bidder;

32.4.5 Description of proposal;

32.4.6 Bid / tender number;

32.4.7 Closing date and time;

32.4.8 The name and address of the Bidder must be written on the front or back side of the proposal/envelope.

32.5 Bids submitted by bidders which are, or are comprised companies must be signed by a person or persons duly authorised thereto by a resolution of the applicable Board of Directors, a copy of which Resolution, duly certified, must be submitted with the bid.

32.6 The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated. No liability will be accepted by PPSA in regard to anything arising from the fact that pages of a bid are missing or duplicated.

33. Consultation prior to submission of the bid documents

Bidders shall consult, **in writing**, with the PPSA's officials indicated below should there appear to be any discrepancy, ambiguity or uncertainty pertaining to the meaning or effect of any description, dimension, quality, quantity or any other information contained in this bid. PPSA undertakes to provide clarification in writing to all Bidders, provided that the request is received prior to the closing date and time for clarifications.

Officials	Location	Contact Details
Nkele Nemusimbori /Mcathy Ramosibudi	Public Protector South Africa 175 Lunnon Street Hillcrest Office Park Pretoria	Tel: 012 366 7014 / 7032 069 534 8378 Email: nkelen@pprotect.org McathyM@pprotect.org

34. Clarifications and communication

34.1. Bidders are encouraged to submit clarification questions in writing to Public Protector South Africa (PPSA) officials mentioned above not later than on **06 July 2022 at 11H00** No further questions will be entertained after this period.

34.2. The PPSA will respond in writing to queries and distribute to all bidders who attended the briefing session after receipt of questions.

34.3. The PPSA may respond to any enquiry in its absolute discretion and the bidder acknowledges that it will have no claim against the PPSA on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.

34.4. Oral communication or instruction by PPSA or its representative shall have no standing in this bid unless and until they have been confirmed in writing.

34.5. PPSA accepts no responsibility for the failure of any bidder not receiving notifications or correspondence relating to this bid.

34.6. Whilst all due care has been taken in connection with the preparation of this bid, PPSA makes no representations or warranties that the content of the bid or any information communicated to or provided to Bidder(s) during the bidding process is, or will be, accurate, current or complete. PPSA, and its employees and advisors will not be liable with respect to any information communicated which may not accurate, current or complete.

34.7. If Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by PPSA (other than minor clerical matters), the Bidder(s) must promptly notify PPSA in writing of such discrepancy, ambiguity, error or inconsistency in order to afford PPSA an opportunity to consider what corrective action is necessary (if any).

34.8. Any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by PPSA will, if possible, be corrected and provided to all Bidder(s) without attribution to the Bidder(s) who provided the written notice.

34.9. All persons (including Bidder(s)) obtaining or receiving the bid and any other information in connection with the Bid or the Tendering process must keep the contents of the Bid and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this Bid.

35. BIDDER DECLARATION

The bidder hereby declares the following:

We confirm that _____ (Bidder's Name) will:

a. Appointment of the service provider to supply, deliver, deploy and support the following hardware solutions DELL network switches for Public Protector South Africa (PPSA) in Head office.

b. Act honestly, fairly, and with due skill, care and diligence, in the interests of the PPSA;

c. Employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;

d. Act with circumspection and treat PPSA fairly in a situation of conflicting interests;

e. Comply with all applicable statutory or common law requirements applicable to the conduct of business;

f. Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with PPSA;

g. Avoid fraudulent and misleading advertising, canvassing and marketing;

h. Conduct business activities with transparency and consistently uphold the interests and needs of PPSA as a client before any other consideration; and

i. Ensure that any information acquired by the bidder(s) from PPSA will not be used or disclosed unless the written consent of the client has been obtained to do so.

Signature:

_____Date:_____

Print Name of Signatory:

_____Designation_____

FOR AND ON BEHALF OF

_____

CONTENTS OF THIS DOCUMENT IS NOTED: ……..

SERVICE PROVIDERS INITIALS / SIGNATURE Important: Failure to complete/sign/initial this document in original ink will invalidate your tender!! Failure to sign/initial any alterations or corrections made may also invalidate your tender!! The use of any correction fluid, tape or similar products

VERIFICATION DOCUMENT

Required documentation to be attached to the cover pages as indicated below.

To assist bidders to check that all required documents are included in the file.

ID	RETURNABLE DOCUMENTS	YES
1.	Cover Page: (the cover page must clearly indicate the RFP reference number, bid description and the bidder's name)	
1.	Invitation to bid (SBD1)	
2.	Special Bid Conditions	
3.	Specification	
4.	General Conditions of Contract	
5.	Valid Tax Clearance Certificate (SBD 2)	
6.	Pricing Schedule Firm Price (SBD 3.3)	
7.	Detailed Pricing Schedule	
8.	Declaration of Interest (SBD 4)	
9.	Preferential Points Claim Form (SBD 6.1)	
10.	Declaration Certificate for Local Production Content (SBD 6.2)	**Not applicable**
11.	BBBEE Documents (Only If Bidders want to claim preferential points of 20 %,(Status Level Verification Certificate)	
12.	Copy of Board Resolutions, duly certified	
13.	Company Registration Documents	
14.	Signed JV / Consortium Agreement	**If applicable**
15.	Company Profile (Not more than 3 pages)	
16.	Complex Group Structure (if applicable)	
17.	Employment Equity Approved Plan	
18.	List of shareholders on company letterhead	
19.	Share Certificates	
20.	Identity Documents of Shareholders	
21.	List of directors on company letterhead	
22.	List of beneficiaries in the case of a Trust (full names, not initials)	
23.	Latest audited Financial Statements	
26.	**Mandatory documents**	
24.1	Bidders must be Dell accredited as a resellers to supply, install and support the Network Switches (**valid certificate of DELL accreditation must be submitted with the proposal and the document will be verified during the evaluation process)**	
24.2	Companies must have at least three (3) years' experience in supplying, installation and support of Dell networks switches. Bidder to submit names of clients, contract period (with start and end date)and value, and the names and telephone numbers of the persons with who contact can be made for reference purposes (attach letter in the client's company	

	letterhead)	
24.3	The bidder must be registered on Central Supplier Database (CSD): The bidder must ensure that their company is registered on CSD (attach the CSD report with the bid document or provide bidder CSD registration number).	
24.4	Submission of one (1) original proposal document and one (1) memory stick / USB. The bidder to ensure that all the information in the proposal document is the same as in the memory stick / USB.	
24.5	Fully completed SBD 3.1	

Invitation to bid (SBD1)

Attach the required documents to and immediately after this cover page and return with proposal documentation

Specification and conditions of bid

Attach the required documents to and immediately after this cover page and return with proposal documentation

General Conditions of Contract

Attach the required documents to and immediately after this cover page and return with proposal documentation

Tax Clearance certificate

1. Bidders to attach a valid tax clearance certificate / SARS pin to and immediately after this page.
2. If bidding company is a JV or Consortium then valid Tax Clearance Certificate for all the parties must be submitted with the proposal.

Declaration of Interest (SBD 4)

Attach the required documents to and immediately after this cover page and return with proposal documentation

Preferential Points Claim Form (SBD 6.1)

Attach the required documents to and immediately after this cover page and return with proposal documentation

Declaration Certificate for Local Production Content (SBD 6.2)

Not applicable

Attach the required documents to and immediately after this cover page and return with proposal documentation

BBBEE accreditation certificate

If Bidders want to claim preferential points, then bidders must submit one of the following documents applicable to their companies

- Bidders other than EME's that want to claim preferential points should submit original and valid BBBEE status Level Verification Certificate or certified copies thereof together with their bids, from verification agencies accredited by SANAS or registered auditors approved by Independent Regulatory Board of Auditors (IRBA).
- EME's that want to claim preferential points should submit certificate issued by Accounting Officer (as contemplated in the Closed Corporation Act (CCA)) or Registered Auditor or Verification Agencies accredited by SANAS.
- A trust, consortium or joint venture will qualify for points for their BBBEE status level as a legal entity, provided that the entity submits their BBBEE status level certificate.
- A trust, consortium or joint venture will qualify for points for their BBBEE status level as an unincorporated entity, provided that the entity submits their consolidated BBBEE scorecards as if they were a group structure and that such a consolidated BBBEE scorecard is prepared for every separate tender.

Company registration

Attach company registration documents to and immediately after this cover page and return with proposal documentation.

Joint venture / Consortium agreement

Is the bidding entity a JV or Consortium Yes / No

If Yes:

1. Attach agreements **signed** by all parties thereto immediately after this cover page and return with proposal

Company Profile (Not more than 3 pages)

PTY's (Circle the correct answer)

i)	Is your company a Pty? Yes/ No
ii)	Has the company been trading in the past 12 months? Yes/ No

If the answer to both the above is a yes, then attach (previous financial year) audited financial statements **signed** by auditors or registered accountants to and immediately after this cover page and return with proposal.

If the answer to (ii) is NO, then attach a signed confirmation letter from the auditor.

Close Corporations (Circle the correct answer)

iii)	Is your company a Close Corporation? Yes / No
iv)	Has it been trading in the past 12 months? Yes/ No

If yes to both the above, attach (previous financial year) financial statements signed by the members to and immediately after this cover page and return with proposal.

If the answer to (iv) is NO, then attach a signed confirmation letter from the auditor.

Complex Group Structure

Does your company have other companies as shareholders Yes/No
If yes, bidders are requested to submit the following:

1. Total breakdown of the shareholding in those companies/organization
2. Diagram of the group structure

Employment Equity approved plan:

1. Please attach employment equity plans submitted to and approved by the Department of Labour

2. Enterprises employing less than fifty (50) people are exempted from this requirement.

Shareholders:

Bidders to submit the list of shareholders on the company letterhead as follows:

First Name	Middle Name (where applicable)	Surnames	Percentage (%)	Gender	Race

N.B. Share certificates must be submitted.

Identity documents:

Attach the required documents to and immediately after this cover page and return with proposal documentation

Note: Please note that Listed companies are exempted from this requirement

Directors:

Bidders to submit the list of Directors on the company letterhead as follows:

First Name	Middle Name (where applicable)	Surnames	Percentage (%)	Gender

Trust beneficiaries:

Bidders to provide definition of the trust/share scheme and submit the list of trust beneficiaries as follows:

First Name	Middle Name (where applicable)	Surnames	Percentage(%)	Gender	Race

Bidders must be Dell accredited as a resellers to supply, install and support the Network Switches (**valid certificate of DELL accreditation must be submitted with the proposal and the document will be verified during the evaluation process)**

Attach the required documents to and immediately after this cover page and return with proposal documentation

Companies must have at least three (3) years' experience in supplying, installation and support of Dell networks switches. Bidder to submit names of clients, contract period (with start and end date) and value, and the names and telephone numbers of the persons with who contact can be made for reference purposes (attach letter in the client's company letterhead)

Attach the required documents to and immediately after this cover page and return with proposal documentation

The bidder must be registered on Central Supplier Database (CSD): The bidder must ensure that their company is registered on CSD (attach the CSD report with the bid document or provide bidder CSD registration number).

Attach the required documents to and immediately after this cover page and return with proposal documentation

Submission of one (1) original proposal document and one (1) memory stick / USB. The bidder to ensure that all the information in the proposal document is the same as in the memory stick / USB.

Attach the required documents to and immediately after this cover page and return with proposal documentation

Fully completed SBD 3.1

Attach the required documents to and immediately after this cover page and return with proposal documentation