



REQUEST FOR PROPOSAL

TENDER NUMBER	DLCA/2021/06
DESCRIPTION	To invite potential and qualified service providers to submit proposals for the supply and delivering of Notice-to-Collect-Document (NCD) forms to the DLCA for a period of twenty-four (24) months, on a monthly basis.
TENDER BRIEFING	As a result of COVID-19 pandemic, there will be no physical briefing but only a compulsory online information session on the 25th October 2021 at 11:00. Failure to attend compulsory online session will be disqualified. Virtual link meeting. Join on your computer or mobile app https://dot-gov-za.zoom.us/j/98694276357?pwd=TDFjZWtCV2trM2tSVkQ0RjVKKT2NzQT09 Meeting ID: 986 9427 6357 Passcode: L+9pm9AK Other enquiries can be made in writing as follows: Administration/Supply Chain Management: Kganki Kekana tenders@dlca.gov.za Technical: Cecilia Williams cecilia.williams@dlca.gov.za
CLOSING DATE	DATE: 08 November 2021 TIME: 11H00 (GMT +2) at below mentioned address ADDRESS: 459b Tsitsa Street, Erasmuskloof, Pretoria East.

Terms of Reference: Notice to Collect Forms

1 INTRODUCTION AND BACKGROUND

The Driving Licence Card Account (DLCA) was established in 1997 in terms of the Public Finance Management Act of 1999 (PFMA) under the Department of Transport (DoT) to produce and deliver driving licence cards in South Africa.

2 PURPOSE

The purpose of this Terms of Reference's (TOR's) is to invite potential and qualified service providers to submit proposals for the supply and delivering of Notice-to-Collect-Document (NCD) forms to the DLCA for a period of twenty-four (24) months, on a monthly basis.

3 SCOPE

3.1. The successful service provider is expected to provide and deliver an estimated 3.8 million forms for the period of twenty-four (24) months as and when required by DLCA.

4. PROJECT REQUIREMENTS

- 4.1.** The service provider should have knowledge and experience in the printing industry.
- 4.2.** The service provider should be able to provide NCDs to the DLCA in the agreed time and ensure availability to respond to any queries that may arise during the contract period.
- 4.3. Quantity** – the estimated quantity of forms required per year is 3.8 million.
- 4.4. Delivery**
 - 4.4.1.** The service provider has to adhere to the stated delivery period for the duration of the contract term.

Terms of Reference: Notice to Collect Forms

- 4.4.2. Goods must be delivered as required, off-loaded from truck by the contracted service provider to the designated area/ place as indicated on the official purchase order.
- 4.4.3. All deliveries must be accompanied by a delivery note stating the official order number against which the delivery has been effected.
- 4.4.4. Delivery of ordered goods, should be made during working hours before 12h00.

4.5. Product Compliance

- 4.5.1. The paper on which the form is printed must be ISO compliant.
- 4.5.2. The Entity reserves the right to return goods supplied should it be proven that it is inferior quality.
- 4.5.3. The product must comply with the technical requirements as listed below:
 - 4.5.3.1. Document must be printed in black on both sides, 160gsm Eltoro complete. Size of form is 304mm x 192mm supplied continues and fan-folded.
 - 4.5.3.2. Two (2) longitudinal perforations, 12mm each in width and one start on the left edge of form and the other on the right edge of form.
 - 4.5.3.3. Both longitudinal perforations are punched with holes equidistance apart of 9mm between each hole and holes are 4mm in diameter.
 - 4.5.3.4. The form has three (3) lateral perforations and each is 168mm in width and is not crossing the two longitudinal perforations,
 - 4.5.3.5. The first lateral perforation is 95mm in length from top edge.
 - 4.5.3.6. The second lateral perforation is 22mm in length from first perforation.
 - 4.5.3.7. The third lateral perforation is 95mm in length from second perforation and from the third lateral perforation to the edge is 92mm.
 - 4.5.3.8. Between the second and the third lateral perforation a sesame label is applied to the front and is 31mm x 51mm,

Terms of Reference: Notice to Collect Forms

4.6. Services and duties will include but not limited to:

- 4.6.1. The service provider must be able to deliver an initial order within two weeks of contract being awarded, subsequent orders must be delivered within seven (7) working days of order by the DLCA.
- 4.6.2. Delivery of NCDs must be made in accordance with the instructions stipulated on the official DLCA purchase order.

5. FINANCIAL PROPOSAL

- 5.1. Detailed costing aligned to the scope of work must be submitted;
- 5.2. The proposed project costs must be all-inclusive; and
- 5.3. The DLCA reserves the right to negotiate the selection/prioritization of deliverables in line with the contract price.

6. EVALUATION METHODOLOGY

6.1 Cost

- 6.1.1 The service provider will be requested to provide costing regarding the work to be undertaken. The total cost must be VAT inclusive and should be in South African currency (i.e. Rands). Detailed breakdown of the total bid must be attached. A 80/20 Preferential Point System would be used.

6.2 Broad-Based Black Economic Empowerment (B-BBEE)

- 6.2.1 Provisions of the Preferential Procurement Policy Framework Act (PPPFA) 2017 and its regulation will apply in terms of awarding points.
- 6.2.2 Bidders are required to submit original certificates or certified copies thereof together with their bids, to substantiate their BBEE rating claims.
- 6.2.3 Bidders who do not submit their B-BBEE status level verification certificates or are non-compliant contributors to B-BBEE will not qualify for preference points for B-BBEE.

Terms of Reference: Notice to Collect Forms

6.2.4 In a case of Exempted Micro Enterprise (EMEs), Accounting Officer must ensure that the B-BBEE Status Level Verification Certificates submitted are issued by the following agencies:

- a) Verification agencies accredited by SANAS; or
- b) Sworn affidavits by DTI

The table below depicts the B-BBEE status level of contribution:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

3.1 6.3 Company Experience

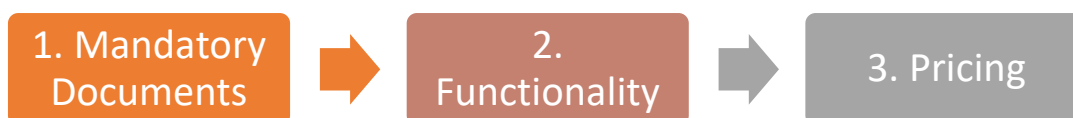
Service providers should have at least five (5) years' experience in the printing industry. Proof of the current or previous contract/reference letter under the client – company letter head/appointment letter that confirms that the firm is managing or has previously managed the contract must be attached.

Terms of Reference: Notice to Collect Forms

7. EVALUATION CRITERIA

Bids will be evaluated on 80/20 point system as outlined in the Preferential Procurement Regulations of 2017.

The proposals will be evaluated in three phases:



7.1. Phase 1: Mandatory Documents

Submission of the following:

1.	Valid Certified BBBEE verification certificate or Sworn Affidavit issued by DTI Failure to submit will not lead disqualification but BBBEE points forfeiture
2.	Central Supplier Database summary report
3.	Valid Tax Compliance Status (with SARS PIN CODE)
4.	PIFSA certification must be attached
5.	The whole bid document should be signed and each page be initialed were required

Note: Bidders who fail to comply with the mandatory requirements will be disqualified.

Terms of Reference: Notice to Collect Forms

7.2. Phase 2: Functionality

An assessment of Functionality will be based on the evaluation criteria noted in the table below. Each of the evaluation criteria in the table will carry a weighting as indicated, and the Service provider will be required to score a minimum of 80 points (out of the 100 points), i.e. 80%, for Functionality in order to qualify to proceed to Stage 3.

No	Criteria	Method of Measure	Weight
1	Capability and Experience (in the printing industry)	Proven track record: provide signed reference letters of projects undertaken within five (5) years. Proof of current or previous reference letters under the client-company letter head indicating the contract value, duration of the project (indicate the commence date and completion date), contact details and email address must be attached. 1.1 Value of Projects: • >R2 million = 30 points • >R1.5 million - ≤R2 million = 25 points • R1 million - ≤R1.5 million = 20 points • <R1 million = 10 points NB: Suppliers must provide purchase order or reference letters/appointment letters as evidence of number of projects. If the reference or appointment letter provided doesn't have the client-company letter head, contract value, duration (indicating the commence date and completion date), contact details and email address. No points will be allocated.	30

Terms of Reference: Notice to Collect Forms

No	Criteria	Method of Measure	Weight
		A minimum of three (3) contactable, signed references indicating service provider's verifiable experience in the printing industry must be attached. The reference letters should indicate the duration of the project (commence date and completion date). 1.2 Company experience: • More than 3 years= 20 points • More than 2 – equal or less than 3 Years = 15 points • 1 year- equal or less than 2 years = 5 points • Less than 1 year = 0 points	20
2	Technical proposal	Technical proposals will be evaluated for 100% compliance to the sample provided. Please see below description/specification of the NCD form: • Document must be printed in black on both sides, 160gsm Eltoro complete. Size of form is 304mm x 192mm supplied continues and fan-folded. • Two (2) longitudinal perforations, 12mm each in width and one start on the left edge of form and the other on the right edge of form. • Both longitudinal perforations are punched with holes equidistance apart of 9mm between each hole and holes are 4mm in diameter.	50

Terms of Reference: Notice to Collect Forms

No	Criteria	Method of Measure	Weight
		- The form has three (3) lateral perforations and each is 168mm in width and is not crossing the two longitudinal perforations, the first lateral perforation is 95mm in length from top edge, the second lateral perforation is 22mm in length from first perforation, and the third lateral perforation is 95mm in length from second perforation and from the third lateral perforation to the edge is 92mm. - Between the second and the third lateral perforation a sesame label is applied to the front and is 31mm x 51mm, (Provide Samples) NB: Failure to provide exact sample will result in the bidder not obtaining any points in this criteria. Refer to the sample provided.	
	TOTAL	100	

7.3. Phase 3: Price and PPPFA Calculations

If you attained 80 points/percent or more in Stage 2 you will now be evaluated for **Price** in terms of the **80/20-preference point system**, where 80 points will be for **Price** and 20 points will be for your **B-BBEE status**. The contract would be awarded to the service provider scoring the highest score.

The points scored in respect of B-BBEE contribution (i.e. HDI status) will be added to the points scored for price.

Terms of Reference: Notice to Collect Forms

The following formula will be used to calculate the points for **Price**:

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

P min

Where

P_s = Points scored for comparative price of bid or offer under consideration.

P_t = Comparative price of bid or offer under consideration.

P min = Comparative price of lowest acceptable bid or offer

Points must be awarded to a bidder for attaining the BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

Bidders must submit original and valid B-BBEE status level verification certificate or certified copies thereof, issued by accredited Verification Agencies by SANAS or a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice together with their bids to substantiate their B-BBEE claims. The Exempted Micro Enterprise must submit a sworn affidavit on the template as issued by DTI.

Terms of Reference: Notice to Collect Forms

8. THE TOTAL COST WILL BE USED TO CALCULATE POINTS FOR PRICE CLARIFICATION

- 8.1.** The DLCA may request clarity of further information regarding any aspect of the bid. The service provider should supply the requested information within forty-eight (48) hours after the request has been made.
- 8.2.** The DLCA reserves the right to conduct a security background check or screening of the service provider.
- 8.3.** The DLCA reserves the right to conduct mandatory site inspection to the offices of the service provider.

9. CONDITIONS OF TENDER

- 9.1.** The DLCA reserve the right not to award the tender.
- 9.2.** The DLCA may request clarity of further information regarding any aspect of the bid. The service provider should supply the requested information within forty-eight (48) hours after the request has been made.
- 9.3.** The DLCA reserves the right to conduct a security background check or screening of the service provider.
- 9.4.** The DLCA reserves the right to conduct mandatory site inspection to the offices of the service provider.
- 9.5.** Any conditions imposed by the service provider that is restrictive or contrary to any part of these Terms of Reference will automatically disqualify the service provider.
- 9.6.** The service provider will be held liable for any damage or loss suffered by the entity, because of the service provider's own or his/her employees' negligence or intent, which originated at the site. The service provider will have to pay damages or replace any stolen item damaged or stolen due to the negligence or intent of the service provider's own employees.
- 9.7.** The service provider must, at his/her own expenses, take out sufficient insurance against any claims, cost, loss and/or damage ensuing from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.

Terms of Reference: Notice to Collect Forms

- 9.8.** A copy of such insurance contract must be handed to the DLCA Representative on commencement of the service. Evidence that such insurance premiums have indeed been paid, or is being sought must be furnished on request.
- 9.9.** DLCA does not bind itself to accept the lowest quote.
- 9.10.** The DLCA reserves the right to invite bidders for presentation at bidders' own cost and perform site visits on short listed bidders before the award of the bid, as part of evaluation process.
- 9.11.** Any shortcomings in this specification must be identified by the service provider prior to the awarding of the bid and raised with the DLCA for rectification and agreement.
- 9.12.** Any shortcomings identified by the service provider after the bid has been awarded and that would have had an impact on the bid price will be for the account of the service provider.
- 9.13.** The winning service provider must be willing to sign a service level agreement with the DLCA.

10. CONTRACT PERFORMANCE

- 10.1.** Preferred Service provider will enter into a contract with the DLCA, which with a format, term and conditions set by the DLCA.
- 10.2.** The performance of the Service Provider shall be reviewed quarterly during the period of the signed Service Level Agreement.
- 10.3.** If it is found that information provided is false including the breach of the General Condition of Contract, The DLCA reserves the right to terminate this contract with immediate effect.

Terms of Reference: Notice to Collect Forms

11. FORMAT AND SUBMISSION OF THE PROPOSAL

- 11.1.** All the official forms (SBD) must be completed and signed in all respects by bidders. Failure to comply will invalidate a bid.
- 11.2.** Bidders are requested to submit one (1) original plus hard copies in 4 USB/Harddrives.
- 11.3.** This is a two-stage bidding process in which proposals submitted must include technical and price, submitted in separate envelopes. For this purpose, the service provider must provide in respect of:
- 11.4. Clearly marked**
- a. Technical, **one (1) original** plus hard copies in 4 USB/Harddrives.
 - b. Clearly marked **price bid sheet, one (1)** original should include the name of service provider and certification that the person signing the proposal entitled to represent the service provider empowered to submit the bid and authorized to sign a contract with the DLCA.
- 11.5.** For ease of reference, bids should be packaged in the following format:
- a. Annexure A - Signed Tender Document and Completed SBD Forms
 - b. Annexure B - Mandatory Documents
 - c. Annexure C - Functionality Response
 - d. Annexure D - Company Profile
 - e. Annexure E - Any other supporting document

12. COMPULSORY INFORMATION SESSION & ENQUIRIES

- 12.1.** As a result of COVID-19 pandemic, there will be no physical tender briefing.
- 12.2.** However, an online session will be held as per page one of this document and other enquiries enquiries must be made in writing to the following:

Supply Chain Management / Admin	Technical
Mr. Kganki Kekana tenders@dlca.gov.za	Cecilia Williams cecilia.williams@dlca.gov.za

NB: All tender enquires must be in writing

13. CLOSING DATE

- 13.1. Proposals must be submitted on or before **08 November 2021** at the DLCA Offices Reception, 495b Tsitsa Street, Erasmuskloof, Pretoria.
- 13.2. There will a submission register which bidder must sign upon submitting their bid.
- 14.3. Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time for any unforeseen events that may delay the timeous delivery of the bid.

Terms of Reference: Notice to Collect Forms

SBD 1

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	DLCA/2021/06	CLOSING DATE:	08/11/2021	CLOSING TIME:	11H00
DESCRIPTION	Provision of Notice to Collect Forms				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
495B Tsitsa Street					
Erasmuskloof					
Pretoria					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		☐ Yes ☐ No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	☐	A REGISTERED AUDITOR			
		NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-					

Terms of Reference: Notice to Collect Forms

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 PART B:3 BELOW]
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE

Terms of Reference: Notice to Collect Forms

CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

☐ YES ☐ NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?

☐ YES ☐ NO

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA

☐ YES ☐ NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

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

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

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

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

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.....
Closing Time 11:00	Closing date.....

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

ITEM QUANTITY DESCRIPTION BID PRICE IN RSA CURRENCY NO.** (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

Terms of Reference: Notice to Collect Forms

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

SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 2.1 Full Name of bidder or his or her representative:
 - 2.2 Identity Number:
 - 2.3 Position occupied in the Company (director, trustee, shareholder²):
 - 2.4 Company Registration Number:
 - 2.5 Tax Reference Number:
 - 2.6 VAT Registration Number:
 - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹“State” means –

Terms of Reference: Notice to Collect Forms

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

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

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
Name of state institution at which you or the person
connected to the bidder is employed :
Position occupied in the state institution:

Any other particulars:

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

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

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

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

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

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

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

Terms of Reference: Notice to Collect Forms

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

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

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

2.10.1 If so, furnish particulars.

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

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

2.11.1 If so, furnish particulars:

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

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

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

Terms of Reference: Notice to Collect Forms

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature Date

.....
Position Name of bidder

May 2011

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

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

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

1. GENERAL CONDITIONS

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

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

Terms of Reference: Notice to Collect Forms

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

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

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim 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;

Terms of Reference: Notice to Collect Forms

(h) “**proof of B-BBEE status level of contributor**” means:

- 1) B-BBEE Status level certificate issued by an authorized body or person;
- 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
- 3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) “**QSE**” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(j) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14

Terms of Reference: Notice to Collect Forms

4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
---	----------	----------

Terms of Reference: Notice to Collect Forms

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

Terms of Reference: Notice to Collect Forms

- ☐ 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

.....

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

Terms of Reference: Notice to Collect Forms

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:		

SBD 8

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

Js365bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

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;
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.

Terms of Reference: Notice to Collect Forms

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.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

Js914w 2