



INVITATION TO SUBMIT A PROPOSAL FOR REQUIREMENTS OF THE SOUTH AFRICAN BUREAU OF STANDARDS (SABS)

RFP NUMBER: RFP/20/312

DESCRIPTION: APPOINTMENT OF EXPERIENCED AND REPUTABLE COMPANY FOR THE SUPPORT SERVICES FOR THE OPEN TEXT LIVE-LINK SYSTEM

CLOSING DATE FOR THE RFP: 30 JUNE 2021 @11:00am

COMPULSARY BRIEFING SESSION: 18 JUNE 2021 @11:00am on TEAMS

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THE FOLLOWING PARTICULARS MUST BE FURNISHED (SBD 1)
(FAILURE TO DO SO MAY RESULT IN YOUR PROPOSAL BEING DISQUALIFIED)

NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	(CODE)		(NUMBER)	
FACSIMILE NUMBER	(CODE)		(NUMBER)	
CELLPHONE NUMBER				
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED?	YES or NO
HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED?	YES OR NO
<u>IF YES, WHO WAS THE CERTIFICATE ISSUED BY?</u> 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 ☐ [TICK APPLICABLE BOX]	

NAME OF AUTHORISED PERSON	
SIGNATURE OF BIDDER	
CAPACITY UNDER WHICH THIS BID IS SIGNED	
DATE	



1. Intent

The South African Bureau of Standards (SABS) is inviting experienced and reputable company to support services for the OPEN TEXT LIVE-LINK system

2. Confidentiality

This document may not be used for any purpose by the Bidder other than for developing their response to it, and all reasonable efforts must be taken by the Bidder to ensure confidentiality of any information provided. This document and any other information of a confidential nature provided to the Bidder during the course of the Request for Proposal (RFP) process are to be covered by the non-disclosure agreement signed between the SABS and the Bidder.

3. Procedural compliance

3.1 Responsibility for costs

Under no circumstances shall the SABS accept any responsibility whatsoever for any of the Bidder's costs associated with the preparation and/or submission of its Bid/Proposal, including any costs incurred by the Bidder prior to the signature, by both parties, of an agreement resulting from a successful bid.

3.2 Amendments to the RFP

Amendments to this document shall only be effective if agreed by the SABS and confirmed in a written addendum to the RFP. The SABS reserves the right to modify the scope of this document at any time prior to and after the award of the tender.

3.3 Delivery of proposals or bids

The Bidder is responsible for ensuring that the Bid/Proposal is sealed and delivered on time in the SABS tender box. The SABS undertakes that the Bids/Proposals shall be stored in a secure place, opened at the same time and not before the deadline for submission.

3.4 No obligation to proceed

The SABS reserves the right to discontinue the RFP process at any time prior to the formation of the envisaged agreement and will give written reasons for the cancellation upon written request to do so. The SABS, its subsidiaries, shareholders, advisors, directors, employees, representatives including the SABS Representative shall not be liable for any losses, claims or damages of whatsoever nature or howsoever arising that may be sustained by a Bidder or any other person as a result of its participation or any amendment, termination or suspension of the process set out in this RFP or its exclusion from participating in the tender process at any point. It is an express term that SABS shall in no way be liable for any indirect/consequential damages, loss of profits, etc. suffered by the Bidder during the RFP process, award, negotiating and/or contracting phase.

After any cancellation of the tender process or the rejection of all tenders due to non-compliance with the thresholds, SABS may abandon the proposed work and services, have it performed in any other manner, or re-issue a similar invitation to tender at any time.



3.5 No contract

Bidders shall note that this RFP does not commit the SABS to any course of action resulting from the receipt of Bids/Proposals and the SABS may, at its discretion, reject any Bid/Proposal that does not conform to instructions and specifications that are contained herein or select a Bidder based upon its own unique set of criteria. SABS also reserves the right not to select a Bidder/award the tender. The SABS does not become bound by any obligations prior to the signature, by both parties, of an agreement - to be negotiated, resulting from a successful bid.

Nothing in this document shall be construed as a contract between the parties and no communication, whether verbal or written, by the SABS personnel or agents during the course of this process shall create such a contract in respect of the requirements specified in this RFP.

SABS shall not be liable for any fees incurred due to any work done/services performed by the Bidder prior to signature, by both parties, of an agreement resulting from a successful bid.

3.6 Validity of proposals

The proposal shall remain valid for a period of one hundred and twenty (120) days from the submission date, where after such proposal expires. SABS retains the right, but is under no obligation, to request Bidders to extend the validity periods of their proposals, prior to expiry thereof. Such request, if any, shall be in writing. The Bidder is not obliged to extend the validity period.

3.7 Intellectual Property

The Bidder undertakes that the South African Bureau of Standards retains ownership of all Intellectual property rights on all material and processes developed that relate to the service provided for and on its behalf by the Bidder. The Bidder undertakes to transfer all said Intellectual Property Rights, whether registered and / or unregistered, to the SABS, including undertaking to sign all forms necessary to affect such transfer.

4. General Instructions

4.1 Assumptions

The SABS has endeavoured to provide sufficient guidance to inform Bidders' Bids/Proposals. However, it may be necessary to make some assumptions. Where assumptions have been made these must be documented in the Bid/Proposal. The SABS accepts no responsibility for assumptions made by the Bidder.

4.2 Requests for clarification/additional information

Requests for additional information, questions or issues fundamental to the quality or clarity of the response should be submitted using the '**Request for Proposal Enquiry**'. Additional information will be provided at the discretion of the SABS. The SABS also reserves the right to provide the same information to all other interested Bidders.

4.3 Contact information



All enquiries regarding this RFP must be e-mailed to portia.semenya@sabs.co.za and not contact any other SABS personnel regarding this RFP as this may lead to disqualification of the bid. Also note that any canvassing by Bidders regarding this RFP will result in disqualification.

4.4 Timescale

The proposed timescales for the RFP process are indicated below.

Item	Milestone	Date
1	Date of RFP advertisement	01 June 2021
2	Closing date for the proposal	30 June 2021 @11:00am
3	Compulsory briefing session	18 June 2021 @11:00am VIA TEAMS
4	Method of Submitting the proposals	A Tender Box will be situated at the Ground Floor Reception
5	Evaluation of proposals (Bidders note that SABS can call for Presentations of bidders offers in between the evaluation dates)	TBA
6	Appointment of the successful Bidder	TBA
7	Contract Negotiations	TBA
8	Signing of Contract	TBA
9	Contract Commencement	TBA

4.5 Management summary

This section should be submitted as a separate document. The information to be provided in the Management Summary shall include, but not be limited to the following items

- Company profile

4.6 Presentations

The SABS reserve the right to request bidders to present for clarification.

4.7 Clarification and inspections

There will be Compulsory Briefing session on the **18 June 2021 @11:00am ON TEAMS Meeting**. Bidders who are interested to be part of the compulsory briefing sessions they should send reservation email to portia.semenya@sabs.co.za before the end of business on the **11 June 2021** to get the link to the meeting. Please send the following:

- Name of the company
- Company representative
- Contact Details
- Valid Email address

4.8 Submitting a response

4.8.1 Due date

- Proposals/ Bids are to be submitted by closing date and time as stipulated on page 1.
- Proposals/ Bids must be hand delivered and placed in the Tender Box situated at:
SABS Reception
SABS Offices
1 Dr Lategan Road
Groenkloof, Pretoria
- Bidders may make use of courier services or alternative means, at their own cost and must ensure that bids are deposited in the SABS tender box.
- The responsibility for on-time delivery rests entirely with the Bidders.
- **Electronic Proposals/ Bids will NOT be accepted.**
- **Late submissions will NOT be accepted.**

4.8.2 Responses to the RFP Format

- All responses to the RFP must be submitted in two sealed envelopes; the first envelop shall have the technical, compliance and BBBEE response and the second envelop shall only have the financial response. Bidders must ensure that they do not indicate any financial information in the first envelope. SABS may disqualify Bidders who fail to adhere to this requirement.

Bidders are required to package their response/Bid as follows:

- **Volume 1 part A: Returnable documents (Tender Forms)**
- **Volume 1 part B: Technical or Functional Response (response to scope of work)**

Bidders must submit 1 original response and 1 copy and an electronic version which **must be contained in a Memory stick clearly** marked in the Bidders name. The sealed envelopes must indicate the following: **Bidder's Name, The Tender Number, RFP Closing date and Time, The number of copies contained and The Bidders return address. (NO BID WILL BE ACCEPTABLE WITHOUT A MEMORY STICK)**

- Bidders must ensure that their response to the RFP is in accordance with the structure of this document.
- Where Bidders are required to sign forms they are required to do so using a black ink pen
- Any documents forming part of the original responses to RFP but which are not original in nature, must be certified as a true copy by a Commissioner of Oaths.
- Each response to RFP must be in English and submitted in A4 format, except other graphic illustrations, which may not exceed A3 format, unless the contrary is specifically allowed for in this RFP. Responses to RFP must be neatly and functionally bound, preferably according to their different sections.
- The original responses to RFP must be signed by a person duly authorized by each consortium member and Subcontractor to sign on their behalf, which authorization must form part of the responses to RFP as proof of authorization. By signing the responses to RFP the signatory warrants that all information supplied by it in its responses to RFP is true and correct and that the responses to RFP and each party whom the responses to RFP signatory represents, considers themselves subject to and bound by the terms and conditions of this RFP.

- The responses to RFP formulation must be clear and concise and follow a clear methodology which responses to RFP must explain upfront in a concise Executive Summary and follow throughout the responses to RFP.
- Responses to RFP must provide sufficient information and detail in order to enable SABS to evaluate the responses to RFP, but should not provide unnecessary detail which does not add value and detracts from the ability of SABS to effectively evaluate and understand the responses to RFP. The use of numbered headings, bullet points, sections, appendices and schedules are encouraged.
- Information submitted as part of a responses to RFP must as far as possible, be ordered according to the order of the required information requested by SABS.
- Responses to RFP must ensure that each requirement contained in the RFP is succinctly addressed.
- Responses to RFP should as far as possible use the terms and definitions applied in this RFP and should clearly indicate its interpretation of any differing terminology applied.

4.8.3 Proposal format

Each proposal shall include a detailed description of the Bidder's capabilities with regard to the requirements set out in **Appendix A**

4.8.4 Central Supplier Database (CSD) Registration

Service providers and suppliers who wish to render services to SABS will no longer register at SABS directly. Suppliers will have to register on National Treasury Central Supplier Database (CSD) as per National Circular No 3 of 2015/6 – Central Supplier Database;

1. In order to meet this requirement bidders are required to complete in full the TCC 001 'Application for a Tax Clearance Certificate' form available from any SARS branch or on the website www.sars.gov.za. The Tax Clearance Certificate requirements are also applicable to foreign bidders / individuals who wish to submit proposals.
2. The original Tax Clearance Certificate must be submitted together with the proposal.
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate and a Consortia / Joint Ventures / Sub-contractors agreement.

5. Evaluation of the RFP

Stage 1: Mandatory Criteria

- Open text partner (from Silver up to Platinum)
- All support resources must possess Opentext Content Server Certification applicable to version 16.2.11 or latest.

Stage 2: Returnable documents

- Signed Non-disclosure agreement
- Declaration of Interest
- CSD Report
- SBD 1, Page 2 of the RFP Document
- SBD 6.1
- SBD 9

Stage 3 – Technical/Functionality Evaluation

Responsive services providers will be evaluated on functionality. The minimum score for functionality is 80%, Bidders who do not achieve the 80% threshold on technical evaluation will be automatically disqualified.

Bidder must clearly respond to each of the be low, this will be strictly reviewed and scored according to the overall feedback provided in the proposal **and clearly numbered in the Table of contents**

Bidders will be evaluated on a scale of 0 – 5 where; 0 = very poor, 1 = Poor; 2 = Average; 3 = Good; 4 = Very good and 5 = Excellent

Values: 0 = Requirement not met; 3 = Partially met; 5 = Requirement met

No	Criteria	Weight
1	MAINTENANCE AND SUPPORT CONTRACTS Demonstrates ability to support and maintain the Opentext Content server as indicated in the scope section 3. Contracts must have been valid within a 5 years period. • Less than 2 Support services contracts • Less than 5 Support services contracts • More than 5 Support services contracts	20%
		Less than 2 support service contracts = 0
		Between 3 to 4 support services contracts = 3
		More than 5 support service contracts = 5
2	TRACK RECORD 2.1 Years' of experience in Opentext content server implementation and or support services. • Less than 3 years • Less than 5 years • More than 5 years	20% to be changed
		Less than 3 years = 0
		Less than 5 years = 3
		More than 5 years = 5
	2.2 Number of previous satisfied clients of medium to large enterprises. • Less than 3 testimonials • Less than 5 testimonials • More than 5 testimonials	20%
		Less than 3 testimonials = 0
		Less than 5 testimonials = 3
		More than 5 testimonials = 5
3	DEMONSTRATION OF SKILLS AND CAPACITY 3.1 Skills Provide a list of the qualified resources that will be responsible for and working on the SABS technology including a ' <u>rate card</u> ' for all resources required to complete a project.	15% to be discussed/charged 0-5
		Not all Resources provided on rate card = 0

	- Content Server Business Consultant Certification - Content Server System Administrator Certification - Content Server Solution Developer Certification	All Resources provided on rate card = 5
	3.2 Capacity (Resource experience, attach CV/profile)	15%
	Experience of onsite personnel that will be responsible for and working on the SABS technology as per the scope of work.	Less than 3 years = 0
	- Less than 3 years average experience - Less than 5 years average experience - More than 5 years average experience	Less than 5 years = 3
		More than 5 years = 5
4	SERVICE TRANSITION PLAN (From Current to new)	10% 0 or 5
	The bidder is required to provide a plan indicating how they will transition the services at the beginning and at the end of contract term.	Plan does not cover the requirement = 0
	- On-boarding plan with timeline - Off-boarding plan with timeline	Plan covers the requirement = 5
	TOTAL	100%

6. BBBEE Compliance

- Certificates issued by IRBA and Accounting Officers have been discontinued, bidders will be automatically disqualified if they can submit such certificate.
- SANAS BBBEE certificates are identifiable by a SANAS logo and a unique BVA number
- The sworn affidavit must be sign by an independent commissioner of oath.
- Bidders must make sure that their sworn affidavit is complete in full
- Bidders must make sure that the sworn affidavit indicate the Financial year
- Bidders must indicate on the sworn affidavit if the turnover if base on Management account or Financial account.
- A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate
- BBBEE Certificate and Sworn affidavit must be valid at the time of the closing of the tender.

7. Disqualifying criteria is as follows:

- Bidders who do not meet all the requirements as specified on the RFP document scope of work will not be evaluated any further.
- Bidders whose solution is encumbered by any Intellectual Property rights, whether registered and / or unregistered, including but not limited to Copyrights, Patents, Know-How, Registered Designs, Trade Marks, Trade Secrets and the like, will not be considered for award of the bid.
- Bidders who make a misrepresentation on the above 2 points or any other material fact.
- Incomplete submissions with reference to the list of returnable documents defined in Section 3.5
- Any attempt to make contact with the SABS staff other than those designated as contacts.



8. Feedback on Proposals

Once the recommendation to the Tender Committee has been approved, the successful and unsuccessful bidder(s) will be notified in writing.

Successful bidder/s will be issued with a notification letter. Such notification does not constitute an agreement. The award is wholly subject to the successful Bidder entering into a duly signed contract with SABS.

9. Contracting

Successful bidder(s) will be required to enter into a contract with the SABS for period of three (3) years. A formal Agreement will be signed with the successful bidder and SABS further reserves the right to amend, alter or delete clauses relating to, but not limited to: insurance, indemnity, undertaking, guarantees, Intellectual Property, service levels and / or tax compliance.

SABS shall not be liable for any costs expended by the bidder prior to any formal agreement being signed. **It is therefore imperative that NO SERVICES are rendered prior to the formal agreement becoming effective.**

Appendix A : SCOPE OF WORK

1. OVERVIEW

This Request for Proposal (RFP) serves as an invitation for bidders to submit a proposal for the provision of support service for OPEN TEXT Content Server platform which is predominantly used by the Standards Division at the South African Bureau of Standards (SABS). The duration of the service will be for a period of one year.

2. OBJECTIVES

The following are the key high-level service objectives the SABS expects to achieve through this RFP:

- To meet SABS business needs for available, reliable, scalable and secure services.
- Provide applications that support business operations of the SABS.
- Improve end users experience and productivity.

3. SCOPE OF WORK

The successful bidder will be required to provide application support and maintenance services.

- Proactive support (22 hours/month)

FREQUENCY	TASK
DAILY	Application Checks
	Check Failing processes and report to 2 ND level
	Ensure Tomcat is running
	Ensure OTDS is running
	Ensure Archive Server jobs are running
	Check Notifications functions
	Free disk space on archive and administration partitions (buffers, pools etc.)
	Free disk space on File Store server
	Content Suite services are running
	Ensure web services are running
	Database availability
	Archive Server Services Running
	Database data file utilisation monitoring and changes
	Monitor and address disk space capacity
MONTHLY	Administration – SLA performance meeting
QUARTERLY	Administration – Service highlight reports
AD-HOC	Investigate and resolve issues arising from checks, operations
	Daily administration tasks
	User Log-in management
	Groups management
	End user support (system usage)
	Performance analysis and tuning
	Related Projects (system upgrades, installs, configurations, etc.)

- Reactive support(32 hours/month)
 - All Incident and service request Remediation
 - Participate in continuity and recovery testing events
 - participate in continuity and recovery failovers event
- The successful bidder should cater for patch and version updates.

The system is to be accessed by branch offices throughout the country. The SABS currently runs the following configuration:

- OPENTEXT Content Server version 16.2.11 or latest.
- Oracle Database 11g R2 enterprise edition.



a. PLANNED ENHANCEMENTS

Consulting services will be scoped as and when required and the cost will be determined on a time and material basis. The bidder must also cater for consulting services for continuous improvements to cater for new business requirements and system enhancements. **60 hours/ month** for the duration of the contract will be used as a baseline to guide the budget. The hours will be billed as consumed not on a monthly basis. The rate per hour for all the resources must be supplied for a period 36 months

- **Enhancement examples:**
 - Appworks implementation
 - RFX, Contract Management, Records Management, etc.
 - Integration

4. MANDATORY/MINIMUM REQUIRED AFFILIATION

- Open text partner (from Silver up to Platinum)
- All support resources must possess Content Server Certification.

***NB:** Bidders that do not meet all the above requirements will not be considered for further evaluation.

***NB:** Bidders are expected to obtain a score of not less than 80% in the evaluation criteria to be considered for further evaluation.

5. SLA REQUIREMENTS

Priority	Resolution Target (Time to Resolve)	Description	SLA Target (Percentage)	Measure
1	1 Hour	Major Incident: A severe incident that affects income-generating applications demands immediate attention. Critical Service has been disrupted. Customer impact high. Business Impact and Risk are High.	95%	Service Desk Logs with Timestamps
2	4 Hours	Incident that affects a production application that demand attention. Critical Service has been affected Business risk is moderate to high	95%	Service Desk Logs with Timestamps

SABS

3	8 Hours	Incident that affects a non- critical application that demand attention. Service has been affected Business risk is low to moderate	95%	Service Desk Logs with Timestamps
4	2 Days	Incident that affects a non- critical application. Minimal impact to the customer Business risk is low	95%	Service Desk Logs with Timestamps
5	In terms of the agreement	Request for an enhancement or project No immediate risk or impact	95%	Service Desk Logs with Timestamps

Appendix B

NON DISCLOSURE AGREEMENT

THIS AGREEMENT is made BETWEEN

The South African Bureau of Standards (SABS), an organisation established in terms of section 2 of the Standards Act (29 of 1993), whose registered office is at 1 Dr Lateran Road, Groenkloof, Pretoria, 0001, South Africa.

AND _____ ("the Bidder"),
Registration Number: _____ whose registered office is at _____

(Hereinafter referred to as the "parties")

WHEREAS in the course of discussions and/or negotiations with the South African Bureau of Standards, the Bidder has received, or may receive in future, information relating to **RFP/20/312** for the South African Bureau of Standards and other related information hereinafter referred to as "Confidential Information". "Confidential information" shall include, but not be limited to any information disclosed by the SABS and / or any of its affiliates, employees, agents, representatives, subcontractors and consultants to the Bidder, its employees, agents, representatives and consultants, whether orally, in writing, by graphic, pictorial or electronic format, which information includes but is not restricted to Business information, including know how, commercial and technical aspects of products, processes and services; status and capabilities of the SABS' business; The SABS or its subcontractors' marketing and planning programs, products specifications, Service specifications, plans, drawings, test results and findings; financial, operational and technical data; and particular types of technologies and inventions, that already currently exist or that the SABS wishes to be developed, which could be subject to intellectual property rights, whether registered and/or unregistered.

Therefore the parties wish to agree as follows:

1. The Bidder undertakes to keep strictly secret and confidential all confidential information relayed or transmitted to it in any manner or form and will not divulge any part of the Confidential Information directly or indirectly to any person, firm or entity (other than such of its employees who have a need to know the Confidential Information for the purposes of fulfilling the Bidder's obligation to the South African Bureau of Standards).
2. The Bidder undertakes to not make copies of the Confidential Information or otherwise disseminate any of the Confidential Information (except as may be required to fulfil specific obligations towards South African Bureau of Standards) without South African Bureau of Standards express prior written consent.
3. This agreement applies to information whether or not such information is marked as or appears to be confidential and whether or not such information is of commercial use to South African Bureau of Standards or any other party.

4. This agreement shall not apply to information which:-
- (a) the Bidder can show had been lawfully received by it prior to disclosure under this agreement.
 - (b) is in the public domain or becomes so otherwise than through breach of this agreement;
 - (c) was disclosed to the Bidder by a third party who was under no obligation of confidence in respect thereof;
5. The Bidder further undertakes that the South African Bureau of Standards retains ownership of all Intellectual property rights on all material and processes developed that relate to the service provided for and on its behalf by the Bidder. The Bidder undertakes to transfer all said Intellectual Property Rights, whether registered and / or unregistered, to the SABS, including undertaking to sign all forms necessary to affect such transfer.
6. The Bidder acknowledges that the confidentiality obligations extend from signature of this agreement and survive the termination of the tender process, whether the Bidder is successful or not.

IN WITNESS WHEREOF the parties hereto have executed this agreement in duplicate.

Signed at.....on this.....day of2021

On behalf of the South African Bureau of Standards(signature) Portia Semenya (Procurement)

Witness 1. Witness 2.

Signed at..... on this.....day of2021

Signed on behalf of the Bidder, duly authorised thereto..... (signature)

..... (name) (title)

Witness 1. Witness 2.

To: portia.semenya@sabs.co.za



Appendix C

SABS STANDARD TERMS AND CONDITIONS

Bidders must sign the terms and condition to indicate acceptance thereof. Should the bidder have a variation/s, these must be submitted as Annexure F1 indicating the clause number, the rational for not accepting that specific clause and provide an alternative clause.

NB: please download from the SABS website and return initialled pages with the tender

Appendix D

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 –
- (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 the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 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.

2.7.2.2 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**

2.8.1 If so, furnish particulars:
.....
.....
.....

2.9 Do you, or any person connected with the bidder, have 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? **YES / NO**

2.9.1 If so, furnish particulars.
.....
.....
.....

2.10 Are you, or any person connected with the bidder, 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? **YES/NO**



2.10.1If so, furnish particulars.

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

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

2.11.1If so, furnish particulars:

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

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

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

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 SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder



Appendix E
BBBEE Certificate



Appendix F
Management Summary (Company profile)



Appendix G
Page 2 of tender document (SBD 1)



Appendix G

Request for Proposal Enquiry

To: portia.semenya@sabs.co.za

From: _____

Questions:

Answers:

To: portia.semenya@sabs.co.za



Appendix I
Central Supplier Database Report (MA Number)

Appendix L

Standard Bid Document (SBD) 6.1

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 exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the 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	
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;
- (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
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	
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- 7.1.1 If yes, indicate:

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

(Tick applicable box)

YES		NO	
-----	--	----	--

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

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

Appendix M Standard Bid Document (SBD) 9

SBD 9

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.
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