



INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR THE REQUIREMENT OF SOUTH AFRICAN STATE THEATRE

BID NUMBER:	RFP No: SAST/2021/FACILITIES MANAGEMENT
DESCRIPTION:	Appointment of a professional service provider to provide Facilities Management services for the South African State Theatre.
PUBLISH DATE:	04 November 2021
COMPULSORY BRIEFING SESSION	16 November 2021 @ 11:00 am
CLOSING DATE & TIME	26 November 2021 @11:00 am
BID VALIDITY PERIOD:	90 Days after the closing date
DELIVERY ADDRESS	BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT: 320 Pretorius Street PRETORIA (at reception, on the lower ground)
ENQUIRIES:	Ms. Lerato Mmatloa Email : scm@statetheatre.co.za Tel : 012 392 4000
NB: Bidders must ensure that they sign the register at the reception when delivering their quotations	
Bidder Name :	

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATION, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITION OF CONTRACT.

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SECTION 1

1. Assignment objective

The objective of the assignment is to establish a facilities management (FM) service for the two main State Theatre infrastructure facilities i.e. the FH Odendaal Building, 320 Pretorius Street, Pretoria and Kilnerton building, Pretoria.

Request Proposals for the appointment of a professional service provider to provide Facilities Management for the South African State Theatre.

2. Background

THE SOUTH AFRICAN STATE THEATRE, a cultural institution in terms of the provisions of section 3(1) of the Cultural Institutions Act, 1998, also a Schedule 3A Public entity under the Public Finance Management Act, 1999 (the "SAST"), is a statutory agency tasked with the development, promotion and mainstreaming of Arts, Culture and Heritage programmes to contribute to the economic development of the sector and to foster social cohesion in Tshwane, greater Gauteng and all the citizens of our Society.

3. Scope of work

The project scope entails the following technical and soft FM services:

- The condition assessment of all the infrastructure facilities of the South African State Theatre to determine the state of the facilities and assess the maintenance requirements comprehensively;
- The development of bills of quantities for each facility based on the condition assessment to quantify any major repair work required and attach a financial estimate for implementation;
- The development of the individual maintenance plans, including both planned and unplanned maintenance, for each of the South African State Theatre's facilities. The

- The development of the lifecycle plans of each individual facility of the SAST;
- The development of the single point of contact for reporting, maintenance break down issues, dispatching maintenance response, and tracking of the executing of maintenance orders in terms of completeness and quality;
- The development of the comprehensive FM service plan and its implementation over the full contract period; and
- Monthly reporting on FM services in terms of implementation and financial progress against the developed FM and maintenance plans.

3.1 Work Plan

The appointed Professional Service Provider (PSP) will be required to develop a work plan that addresses all the tasks listed below and assign timelines for conclusion of each task. These must be presented in the form of a work plan that will be reviewed by the project manager and approved by the CEO (or his delegated personnel). The various levels of probability be conducted concurrently and not necessarily sequentially and this must be reflected in the work plan.

3.2 Functions to be performed

The following functions will be performed by the PSP throughout the duration of the appointment:

3.2.1 Developing the Immovable Asset Register

There is no existing Immovable Asset Register and a new one must be developed through a thorough audit of all the facilities the SAST makes use of in the provision of its approved programmes. The audit must strictly follow the existing User Immovable Asset Management Plan (UAMP) prescripts as required by the Government Immovable Asset Management Act (GIAMA). The information gathered during the audits must then be used to develop the SAST IAR with credible and verified information. The SAST IAR needs to be componentised to the required level as recommended in the Department of

Provincial and Local Government (DPLG) Guideline for Infrastructure Asset Management in Local Government and be GRAP 17 and other applicable legislation compliant.

At the conclusion of this task the fully developed IAR for the SAST shall be delivered in hard and soft copy for record purposes. The veracity of the information captured in the IAR shall be confirmed by the Facilities Management Unit of the SAST through various means prior to approving the developed IAR. This task will only be considered completed once approval of the updated IAR has been fully secured by the PSP.

It must be noted that approval of the IAR per facility should be sought by the PSP on an as and when required/completed basis. This will allow for the next tasks to commence, as the condition assessments on immovable assets can only be conducted on assets confirmed to be part of the approved IAR.

3.2.2 Conducting Condition Assessments(Full intrusive assessments)

Condition Assessments must be conducted on all immovable assets that the SAST makes use of, as captured in the approved IAR as developed by the appointed PSP. The PSP will be expected to produce the condition assessment reports in strict accordance with the prescripts of GIAMA and the applicable SAST UAMP templates. These templates will be made available to the appointed PSP with the information that needs to be updated.

Upon completion of the condition assessment, the PSP shall submit the following for approval:

- Individual immovable asset condition assessment reports in a pre-agreed format for all SAST facilities;
- Applicable updated UAMP templates reflecting the information from the condition assessment reports for each immovable asset at all SAST facilities; and
- Individual detailed Bills of Quantities with costing estimates for each immovable asset requiring refurbishment or renovations according to the condition assessment.
- Availability, condition, and location of existing drawings and documentation.

-
- Collection of all data base for each facility.

- Site plan for each facility.
- Confirmation of the square foot data for each facility.

3.2.3 Developing Maintenance Plans

The development of the individual maintenance plans, including both planned and unplanned maintenance, for each of the SAST facilities must be based on the results of the condition assessment. The maintenance plan should support the development vision of the SAST facilities, the required level service of each facility and facilitate prudent technical and financial decision-making. The plan will also demonstrate to funding agents and other stakeholders the SAST's ability to effectively manage its existing and proposed new infrastructure. The plans must include the following:

- Infrastructure Facility Identification, Description, Location and User;
- Responsible Facility Manager and contact information;
- Identified maintenance needs and their estimated budget requirements according to the following different categories:
- Address critical repairs and life safety issues separately from repairs anticipated over the term of the analysis.
- Provide a statement of observations regarding the properties compliance with the Buildings – Part S of the National Buildings Regulations and
Buildings Act (Facilities for Disabled persons)

- Planned Maintenance

Preventative/Routine Maintenance, which may include but not limited to; Fire Protection systems/Security Systems, servicing of air conditioners; routine maintenance of lifts and fire hydrants, regular checking of sewerage pipe leaks, replacement of old roofing, replacement of light bulbs, water pipes, leaking taps, landscaping maintenance and general cleaning;

- Major Scheduled Maintenance;

- Condition Based Maintenance;
 - Backlog Maintenance;
 - Statutory Maintenance; and
 - Periodic Maintenance.
 - Day to Day Maintenance
 - Emergency Maintenance;
 - Minor Repairs; and
 - Minor New Works.
- Major Facility Component breakdown so as to allocate the identified maintenance need appropriately;
 - Maintenance budget requirement responsibility between DSAC and the SAST;
 - Planned date of completion of the identified maintenance need; and
 - Maintenance prioritisation according to agreed criteria.

Energy efficiency analysis of the energy usage of all equipment, and identification of equipment using the most energy and what equipment upgrades may be necessary, that may provide a reasonable return on investment.

3.2.4 Development of Life-Cycle Plans

The appointed service provider will be expected to develop facility specific life-cycle plans for the planned useful life of the facility or a minimum 30-year horizon. The life-cycle plans are to include the following:

- Planned facility component refurbishment programme;
- Planned facility component reconfiguration programme;

- Planned facility component renovation programme;

- Planned facility component upgrade programme;
- Planned facility component disposal programme; and
- The corresponding estimated costs for each of the above plans projected over the 30-year planning horizon.
- The cost estimating each report will include a capital needs analysis with an estimated cost for each system or component repair or replacement anticipated during the evaluation term.
- The cost estimate for capital deficiencies will be based on the estimate for maintenance and repairs, but may, at option, also include project management, construction, and design fees.

3.2.5 Development of a FM Service Plan and Implementation

The development of a comprehensive FM Service Plan by the appointed service provider will immediately follow the approval and acceptance by the SAST of all of the above-mentioned plans. This is to ensure that the FM Service Plan fully addresses all the requirements of each of the stipulated plans. The FM Service Plan will therefore serve to bring all the services that will be rendered by the service provider under one plan spanning the duration of the assignment. Besides incorporating the previously indicated plans, the FM Service Plan must address the how, when and by whom in terms of the following:

- Sourcing of the maintenance issue inspections once a maintenance issue call has been logged;
- Establishing a relevant maintenance database of required maintenance service providers in conjunction with the SAST SCM;
- Issuing maintenance calls for quotation, evaluating and appointing service providers;
- Issuing works orders, tracking performance in execution, verifying the work done and assuring quality of service;
- Closing out maintenance issue calls and documenting the works done;

- Allocating all facilities management and/or maintenance work done to the correct infrastructure asset;
- Updating the asset register accordingly where necessary in terms of major maintenance work completed especially where the work affects the useful life of the asset or its replacement value;
- Managing the distribution of maintenance work responsibility between the SAST and DPW according to the maintenance plan of each facility and providing reports on such;
- Maintaining statistics on the maintenance trends in terms of frequency, costs, scale, etc, for reporting; and
- Providing monthly report on FM Services provided with corresponding financials and statistics.

3.2.6 Establishing the Facility Management Contact Centre

The appointed service provider will be expected to establish a dedicated Facilities Management Contact Centre to manage the following on behalf of the SAST:

- Provide one point of contact for all maintenance and facility management queries and information access;
- Receive all maintenance issue call loggings;
- Provide feedback to the caller on the status of their maintenance issue response; and
- Confirm the original caller's satisfaction upon completion of the maintenance issue response.

3.2.7 Information Management System

The appointed service provider will be expected to make use of an information management system in rendering the FM Service. The system should assist to run the entire service but mainly assist in the management and execution of the following

- Capturing and maintenance of the SAST asset register;
- Capturing and maintenance of the condition assessment reports linked to each asset in the register;
- Capturing and administration of the maintenance plans and tracking the progress of their implementation;
- Capturing and administration of the life-cycle plans and tracking the progress of their implementation;
- Managing all the services of the contact centre electronically;
- Managing the implementation of the rest of the FM services electronically including providing updated reports timeously and in different configurations as may be required by SAST and other stakeholders.

4. REQUIRED EXPERTISE, QUALIFICATIONS AND EXPERIENCE

A service provider bidding for this assignment should demonstrate the following:

- Professionally Registered Key Team Members with 5 to 10 built environment experience in the following disciplines:
 - Architect
 - Quantity Surveyor
 - Civil/Structural Engineer
 - Mechanical/Electrical Engineer
- Company experience on similar projects with contactable references;
- Good knowledge of the PFMA;
- Good knowledge of infrastructure planning and GIAMA;
- Understanding of public finance management and particularly of budgeting processes;

- Experience in infrastructure planning, budgeting, designing, managing and administration of projects and programmes, including human, technical and financial aspects of public sector projects;
- Facilities Management Information Management Systems;
- Good understanding of and the ability to implement programme management tools and practices; and
- Good communication, facilitation and leadership skills and the ability to influence people;

Service providers must reflect the above in the form of a proposal to execute the assignment detailed in these ToR with a clear and articulate approach and methodology.

5. TIMEFRAMES

The appointed service provider will be expected to attend a detailed project briefing with the SAST delegated team soon after appointment. Following the briefing the service provider will be expected to produce a detailed work plan reflecting all the tasks necessary to complete the assignment and the corresponding timeframes. The assignment period of the envisaged service provider will be in line with the required period to complete the implementation of the project.

The performance of the appointed service provider will be reviewed monthly, quarterly and annually based on the approved work plan of the service provider. Should performance be below the required standard according to the work plan, or should project funds not be available, the contract may be terminated through written notification. Adequate opportunity to improve performance will be provided to the service provider through written notices of poor performance.

The Service Provider is to submit a close-out report in the format provided by the SAST and all other developed documentation, 20 working days before the last day of the service.

On appointment, the Service Provider is to liaise with the SAST delegated team to agree on the date for submission of the project-plan.

6. ACCOUNTABILITY

The service provider will be accountable to and under the direction of the CEO and appointed SAST team in the performance of the assignment duties.

7. PROJECT COST

Payment for the project will be partially time-based plus approved disbursements. A detailed pricing schedule inclusive of professional fees, disbursements and VAT must be provided by the service provider as a Pricing Schedule 1.

The total bid price will count towards the pricing score during the evaluation of the bids.

Table 1 reflects the schedule to be used for pricing for this project with estimated hours to be dedicated for each major deliverable. The schedule is made up of the hour-based fee section (section 1 to 4) and section 5 based on the percentage of the Facilities Management estimated budget.

It must be noted however that the hours shown in table below are a mere estimate for the purpose of fair evaluation of the bids and not a final indication of the hours the assignment will require. The actual hours required by the different disciplines to complete each deliverable of the assignment will be determined during the inception stage of the project and reflected in the work plan.

PRICING SCHEDULE

Table 1: Pricing Schedule

Ref	Deliverable	Professional	Hours	Rate	Total
1	Immovable asset register		100		
1.1		Architect	320		
1.2		Quantity Surveyor	310		
1.3		Civil/ Structural Engineer	200		
1.4		Mechanical/Electrical Engineer	350		
A	Sub-total per deliverable		1280		
2	Condition Assessments				
2.1		Architect	80		
2.2		Quantity Surveyor	60		
2.3		Civil/ Structural engineer	60		

B	Sub-total per deliverable		200		
3	Maintenance & Lifecycle Plans				
		Architect	40		
		Quantity Surveyor	40		
		Civil/ Structural Engineer	40		
		Mechanical/Electrical Engineer	40		
C	Sub-total per deliverable		160		
4	FM Service Plan & Contact Centre				
		Facilities Manager	80		
		Facilities Management Administrator	80		
D	Sub-total per		160		

	deliverable				
Sub- Total (A+B+C+D)			1800		
5	FM Service Plan Implementation		Estimate	Percentage	Total
		FM Budget	R 2,000,000		
E	Sub-total per deliverable				
Sub-t otal (A+B+C+D+E)					
VAT (15%)					
Total (Copy to offer)					

8. EVALUATION CRITERIA

The bid will be evaluated and adjudicated using the 80/20 system (80 for functionality and 20 for B-BBEE). Functionality will be scored at a maximum of 100 points whereby the bidder must obtain a minimum of 70 points to qualify for the financial evaluation according to the criteria captured in the table below:

Table 2: Evaluation Criteria

Description of Quality Criteria and Sub-criteria		Total
Approach paper setting out the manner in which the bidder intends to satisfy the requirements established in the Scope of Work (not more than 5 pages). Attach proposed structural organogram and action plan for the implementation of the works. The approach plan must also provide details of the IT system that will be used in the execution of the FM Service. Approach paper's response to the Terms of Reference reflects: • Excellent understanding of what is required in the terms of reference and proposed action plan • Good understanding of what is required in the terms of reference and proposed action plan • Satisfactory understanding of what is required in the terms of reference and proposed action plan • Poor understanding of what is required in the terms of reference and proposed action plan • Not acceptable understanding of what is required in the terms of reference and proposed action plan	Excellent = 40 Good = 30 Satisfactory = 25 Poor = 10 Not acceptable = 0	40

Qualification and experience of key staff to be involved (2 page cv) • Certified Qualification and professional registration as per requirements (including the following) • Facilities Management Specialist • Architects • Quantity Surveyor • Civil/Structural Engineer • Mechanical/Electrical Engineer • For each professional listed above the following criteria will apply: ○ 10 years or more experience with a Degree/Btech = Excellent ○ 6 to 8 years' experience with a Degree/B-Tech = Good ○ 3 to 5 years' experience with a Degree/B-Tech = satisfactory ○ 1-2 years' experience with a Degree/B-Tech = Poor ○ 0 years' experience with a Degree/B-Tech = Not acceptable • Unregistered Professionals and professionals with any qualifications less than what's stipulated will score 0	Excellent = 30 Good = 25 Satisfactory = 20 Poor = 10 Not acceptable = 0	30

Company Experience on similar projects Number of Completed Similar Projects: • 5 or More Completed Similar Project = Excellent • 3-4 Completed Similar Projects = Good • 2 Completed Similar Projects = Satisfactory • 1 Completed Similar Projects = Poor • 0 Completed Similar Project = Not Acceptable (Provide reference letters as evidence)	Excellent = 30 Good = 25 Satisfactory = 20 Poor = 10 Not acceptable = 0	30
		100

SECTION 2

9. INSTRUCTIONS TO BIDDERS

9.1 General

Bidders must familiarize themselves with and comply with the mandatory requirements and ensure their availability for site visits and presentations, as may be required, on the appropriate dates.

9.2 Bidder Information

The required information on the bidder must be completed as stipulated in **paragraph 11 below. Failure to do so may result in disqualification.**

The successful bidder shall demonstrate to SAST that adequate pre-employment screening, including security screening was performed on the employees/subcontractors (staff).

9.2.1 The pre-employment screening shall as a minimum be:

9.2.1.1 Authenticate that staff are who they claim to be;

9.2.1.2 Confirm that staff have a right to work in the RSA;

9.2.1.3 Obtain written declaration from staff of any criminal record; and

9.2.1.4 Confirm that staff possesses the relevant qualifications to undertake the duties effectively and safety.

9.2.2 The successful bidder shall deploy competent staff, supervision and labour who are:

9.2.2.1 Appropriately experienced and trained for the work they are to undertake.

9.2.3 SAST and its representatives may seek formal assurance to this effect (including a formal (audit) at any time during the contract period.

9.3 Consortium

9.3.1 Bidders forming part of a Consortium must submit with their bid a copy of their Consortium agreement in a separate attachment. This must clearly indicate:

9.3.1.1 The form of agreement;

9.3.1.2 The respective roles and responsibilities of the members;

9.3.1.3 The identity of the lead company which will have overall responsibility;

9.4 Sub-contracting

9.4.1 Bidders must detail any work to be sub-contracted, the proposed sub-contractor(s) to be used,

9.4.2 SAST reserves the right to reject the use of any of the bidder's proposed subcontractors and any subcontractor proposed during the contract term.

9.4.3 Bidders are advised that SAST will not respond any direct approach from potential sub-contractors for details in respect of any particular item in this bid.

9.5 SAST Bidding rights

9.5.1 SAST reserves the right to:

9.5.1.1 extend the closing date;

9.5.1.2 verify any information contained in a proposal;

9.5.1.3 Request documentary proof regarding any bid issue;

9.5.1.4 Give preference to locally manufactured goods or locally sourced services;

9.5.1.5 Issue follow-up or supplementary questions during the response period or after receipt of tenders;

9.5.1.6 Make known to all bidders any questions submitted by a bidder including commercial and technical clarifications, together with answers given to any individual bidder, if it is considered to be relevant to the tender; and

9.5.1.7 Cancel or withdraw this request for tender as a whole or in part.

9.5.2 Evaluating Authorities' (BEC) of the evaluation process SAST may require bidders to arrange and/or participate in one or more of the following:

9.5.2.1 Interviews with, or written references from nominated references;

9.5.2.2 Reference site visits to the location(s) of nominated reference;

9.5.2.3 Interviews with bidder personnel who would be involved in the contract execution (day-to-day operations of the site);

9.5.3 Negotiations with the bidders.

9.5.4 Appoint one bidder or more than one bidder where necessary.

9.6 Bidding process

9.6.1 Bidders are required to:

9.6.1.1 respond in the English language;

9.6.1.2 A cover letter on the bidders company letterhead with clear reference to the bid of interest should accompany both the technical and pricing proposals;

9.6.1.3 All copies of the tender response must have signatures on the Declaration of Compliance to the SAST contact person;

9.6.1.4 Ensure that all document attachments are clearly marked and bound in a clear, logical and well-marked format with a table of contents ensuring ease of finding individual documents or sections; and

9.6.1.5 The original document must be signed in black ink by an authorized person, agent or representative and each and every page of the bidding documents shall contain the initials of the same signatory.

9.6.2 All costing information must be typed and signed by the bidder, no hand written costing/pricing will be accepted.

9.7 Bid submission requirements

Bidders must submit their responses and all supporting documents in properly labelled and sealed envelopes

Bidders must submit one (1) pack of original proposals, marked "ORIGINAL" in a separate envelope and two (2) packs of copies, marked "COPY" in a second envelope. **Bidders must also submit an Electronic copy (USB)**

Financial or pricing details must ONLY be included in the pack marked "ORIGINAL". Bids must be submitted in sealed envelopes clearly labelled to reflect the bid number, name, submission date and closing time.

Bids must be bound, indexed and set out in a tabulated format. Unbound or loose papers will be rejected.

NB. Failure to submit 1 original pack with financial/pricing details and 2 packs of copies (without financial/pricing details), will result in your bid being disqualified.

SECTION 3

10. RETURNABLE DOCUMENTS CHECKLIST

Please indicate that all mandatory documents are included in this bid by ticking the boxes in the checklist below. Responses received without all required documents will be considered invalid. Please also indicate where additional documents have been submitted to the main tender response.

10.1 Mandatory Documents

		Yes	No
1	Bidders information (Par 11 below)		
2	Valid Tax Pin issued by SARS		
3	If a consortium, Joint venture or Sub-contractor, valid tax Pin for each member		
4	CSD (Central Supplier Database) detailed report		
5	Certified Proof of valid Registration/affiliation to a recognized body (Engineering Council of South Africa)		
6	Valid B-BBEE Certificate (Sworn affidavit for SMEs and QSEs) SANAS approved. Share Certificate, Certified Company Registration certificate Ccertified directors ID copies		
7	Certified Proof of CIDB Registration CIDB minimum grade 2GB or higher for facilities Management, suppliers should also include their CRS number that proofs that are CIDB registered		

10.2 Mandatory Compliance Documents

		Yes	No
1	SBD 1 Invitation to Bid		
2	SBD 3.3 Pricing Schedule – Professional services		
3	SBD 4 Declaration of Interest		
4	SBD 6.1 Preference points claim form i.t.o PPR 2017		
5	SBD 8 Declaration of Bidder's Past Supply Chain Management Practices		
6	SBD 9 Certificate of Independent Bid Determination		
7	GCC (General conditions of contract) Obtainable from Treasury website)		

NB: bidders who fail to submit GCC will be disqualified.

11. BIDDER INFORMATION

The following particulars must be furnished (failure to do so shall result in your bid being disqualified)

Indicate the type of Bidding structure by marking with an 'X':	
Individual bidder	
Joint venture	
Consortium	
Using Subcontractors	
Other	

If individual bidder, indicate the following:	
Name of bidder	
Registration number	
VAT registration number	
Contact person	

Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	
If Joint Venture or Consortium, indicate the following:	
Name of prime contractor	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	
If Joint Venture or Consortium, indicate the following: <i>(To be completed for each JV/ Consortium member)</i>	
Name of Joint Venture/ Consortium member	
Registration number	
VAT registration number	
Contact person	
Telephone number	
Fax number	
E-mail address	
Postal address	
Physical address	

If using subcontractors, indicate the following:	
(Name of prime contractorTo be completed for each subcontractor)	
Name of subcontractorRegistration number	
Registration numberVAT registration number	
VAT registration numberContact person	
Contact personTelephone number	
Telephone numberFax number	
Fax numberE-mail address	
EPostal address-mail address	
Postal addressPhysical address	
Physical address	

12. STANDARD BIDDING DOCUMENTS

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES	☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES	☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES	☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES	☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES	

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

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT. 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.

- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

SBD 3.3

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: BID NO.:
.....

CLOSING TIME 11:00 CLOSING DATE.....

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

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

1.The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.
R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND
RATES APPLICABLE (CERTIFIED INVOICES MUST BE
RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
-----	R-----	R-----
-----	R-----	R-----
-----	R-----	R-----

PURCHASES ACCORDING TO WHICH THE PROJECT WILL BE
COMPLETED, COST PER PHASE AND MAN-DAYS TO BE
SPENT

-----	R-----	days
-----	R-----	days
-----	R-----	days
-----	R-----	days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED
RATE QUANTITY AMOUNT

R.....		
R.....		
R.....		

TOTAL: R.....

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked

for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....			R...
.....			R.....
.....			R.....
.....			R.....

TOTAL: R.....

6. Period required for commencement with project after Acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract?
*YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....
.....
.....
.....

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

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 **YES / NO**
 presently employed by the state?

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**

2.7.3 the appropriate authority to undertake remunerative work outside employment in the
 public sector?

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

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

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

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / **YES / NO**

2.9 trustees / shareholders / members or their spouses conduct business with the state in
 the previous twelve months?

2.9.1 If so, furnish particulars:

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

2.10 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.

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

2.11 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?

2.11.1 If so, furnish particulars.

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

2.12 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?

2.12.1 If so, furnish particulars:

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

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

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

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

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 BBBEE, 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

$$P_s \square 80 \square 1 \square P_t \square P_{\min} \square \text{ or } P_s \square 90 \square 1 \square P_t \square P_{\min} \square$$

$$\square \frac{P_{\min} \square}{P_{\min} \square} \square \frac{P_{\min} \square}{P_{\min} \square}$$

Where

Ps = Points scored for price of bid under consideration
 Pt = Price of bid under consideration
 Pmin = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	NO
-----	----

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....% ii)

The name of the sub-contractor..... iii)

The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES NO

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One person business/sole propriety

☐ Close corporation

☐ Company

☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....

.....
.....

8.6 COMPANY CLASSIFICATION

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

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

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

- i) The information furnished is true and correct; ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and (e) forward the matter for criminal prosecution.

WITNESSES

1.

.....

..... 2.

.....

....

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

DATE:

ADDRESS

.....

.....

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 ☐
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 bidrigging.
- 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.

SBD 9

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