



## REQUEST FOR QUOTATION (RFQ)

| RFQ NUMBER: RFQ/ICT/24/25/346 |                  |                     |       |
|-------------------------------|------------------|---------------------|-------|
| <b>CLOSING DATE</b>           | 17 February 2025 | <b>CLOSING TIME</b> | 17:00 |

| SUPPLY CHAIN CONTACTS AND ENQUIRIES |                           |
|-------------------------------------|---------------------------|
| <b>Full Names</b>                   | Karabo Phalo              |
| <b>Contact Number</b>               | 083 680 3593              |
| <b>Email Address</b>                | KPhalo@merseta.org.za     |
| <b>RFQ Email Address</b>            | quotations@merseta.org.za |

|                                                                |                          |                                     |               |
|----------------------------------------------------------------|--------------------------|-------------------------------------|---------------|
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| Document Number                                                | FIN-TP-001(A)            | Revision Date                       | 03 June 2024  |
| Page Number                                                    | Page 1 of 9              | *Next Revision Date                 | 31 March 2030 |
| Revision Number                                                | Rev 04                   | Access                              | Controlled    |
| Reviewed: Senior Manager: Supply Chain and Contract Management |                          | Controlled: Chief Executive Officer |               |

|    |                                                   |   |
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## 1. Introduction to Request for Quotation (RFQ)

- 1.1 The Manufacturing, Engineering and Related Services Sector Education and Training Authority (merSETA) is a Schedule 3A public entity established in terms of the Skills Development Act (Act No. 97 of 1998), Registration Number 17/merSETA/01/04/20, to facilitate skills development for the Metal and Engineering, Motor Retail and Components Manufacturing, Automobile Manufacturing, Plastics Manufacturing and New Tyre Manufacturing Sectors Automotive Components Manufacturing Chamber.
- 1.2 The merSETA is inviting quotations from potential service providers for the services described in the below:

| Description of goods or services                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 40 x Microsoft Teams Premium Licences for a period of 12 Months<br>NB: The Bidder must be Microsoft certified for Microsoft Teams. Letter/Certificate confirmation reseller status to be provided as part of response |

- 1.3 This RFQ is subject to the Preferential Procurement Policy Framework Act (Act No. 5 of 2000) and the Preferential Procurement Regulations (2022 Regulations), the General Conditions of Contract (GCC), and, if applicable, any other special conditions of contract. Where, however, the special conditions of the contract conflict with the general conditions of the contract, the special conditions of the contract prevail.

## 2. RFQ Submission

Bid documents may be emailed to [quotations@merseta.org.za](mailto:quotations@merseta.org.za) on or before the closing date and closing time.

- 2.1 The merSETA will only consider bid documents received on or before the closing date and time, regardless of the method used to provide them.

## 3. Late submissions of the RFQ

Submission of quotation(s) received late (after the closing date and time) will not be considered.

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#### 4. Request for Quotation (RFQ) Rules

4.1 The following rules will apply for this Request for Quotation:

4.1.1 The price(s) quoted shall be valid for a minimum period of 60 days from the closing date and time of this RFQ.

4.1.2 The price(s) quoted must be firm and inclusive of value-added tax (VAT) where applicable.

4.1.3 The price(s) must include all related expenses, i.e., transport, accommodation, etc. (where applicable).

4.1.4 A potential supplier or service provider must be validly registered on the Central Supplier Database (CSD), as hosted by the National Treasury.

4.1.5 Only an official purchase order or appointment letter issued by the merSETA will bind the merSETA.

#### 5. Technical Specification

5.1 It is expected that the service provider, upon submission of the quotation, will fully address the technical requirements of the below specification:

#### 6. Bid Evaluation

6.1 The RFQ will be evaluated in terms of PPPFA 05 of 2000 and Preferential Procurement Regulation 2022 (80/20).

##### 6.1.1 Evaluation Stage 1: Compliance

6.1.1.1 All bidders must comply with the administrative requirements outlined in the Standard Bidding Documents and the mandatory requirements listed below. All bidders failing to provide the required information and documentation in this evaluation stage may face disqualification from further evaluation. Failure to comply with the requirements assessed in Stage 1 (compliance) may lead to the disqualification of bids.

- a) Standard Bidding Document (SBD 4)
- b) Standard Bidding Documents (SBD 6.1)
- c) Valid Microsoft reseller certificate.

##### 6.1.2 Evaluation Stage 2: Technical Evaluation

6.1.2.1 Bidders must meet the minimum technical specification requirements in this evaluation stage to advance to the next evaluation stage. Failure to meet the

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prescribed technical specification will automatically disqualify the bid offer from proceeding to the next evaluation stage.

| Technical Specification                                   |          |                                      |
|-----------------------------------------------------------|----------|--------------------------------------|
| Description                                               | Quantity | Compliance to Specification (Yes/No) |
| Microsoft Teams Premium license for a period of 12 months | 40       |                                      |
| Submission of valid reseller certificate(microsoft)       | -        | -                                    |
| Comments (Spec confirmation)                              |          |                                      |

### 6.1.3 Evaluation Stage 3: Preference Point System

6.1.3.1 The 80/20 preference point system shall be applicable to this phase, where 80 points represent the maximum obtainable points for the lowest acceptable price and 20 points represent the specific goals. The bid documentation's table below will award points to a bidder for achieving the specific goals.

| The specific goals allocated points in terms of this tender | Number of points Allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Tenderer who has 51% to 100% black people ownership         | 6                                                                                 |                                                                           |
| Tenderer who has 30% to 100% black women ownership          | 4                                                                                 |                                                                           |
| Tenderer who has 30% to 100% black youth ownership          | 4                                                                                 |                                                                           |
| Tenderer who has 30% to 100% White women ownership          | 2                                                                                 |                                                                           |
| Tenderer who has 20% or more owners with disability         | 4                                                                                 |                                                                           |
| <b>Total Points allocated to Specific Goals</b>             | <b>20</b>                                                                         |                                                                           |

**Note: Refer to Annexure A for Proof or documentation that may be considered to claim points for specific goal related to persons or categories of persons historically disadvantaged by unfair discrimination.**

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## 7. merSETA's RIGHTS

- 7.1 The merSETA is entitled to amend any bid condition, bid validity period, RFQ specification, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFQ documents have been issued and where the merSETA has records of such bidders, may be advised in writing of such amendments in good time, and any such changes will also be posted on the merSETA's website under the relevant tender information. Therefore, before submitting their bid response, prospective bidders should regularly check the website to stay informed about any amendments related to this matter.
- 7.2 The merSETA reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the merSETA.
- 7.3 The merSETA reserves the right to award this bid as a whole or in part.
- 7.4 The merSETA reserves the right to conduct site visits at bidder's corporate offices and or at client sites if so required.
- 7.5 The merSETA reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in National Treasury Instruction 02 of 2016/2017: Cost Containment Measures, where relevant.
- 7.6 The merSETA reserves the right to request all relevant information, agreements, and other documents to verify the information supplied in the bid response. The bidder hereby gives consent to the merSETA to conduct background checks, including FICA verification, on the bidding entity and any of its directors, trustees, shareholders or members.
- 7.7 The merSETA reserves the right, at its sole discretion, to appoint any number of vendors to be part of this panel of service providers, if applicable (i.e., where a panel is considered).
- 7.8 The merSETA reserves the right to make a final decision on the interpretation of its tender requirements and responses thereto.
- 7.9 The merSETA reserves the right to consider the professional conduct and experiences it had with any bidder that rendered similar services to the merSETA in the past 5 years over and above the references put forward by the bidder in its response.

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## 8. UNDERTAKINGS BY THE BIDDER

- 8.1 By submitting a bid in response to the RFQ, the bidder will be taken to have offered to render all or any of the services described in the bid response submitted by it to the merSETA on the terms and conditions and in accordance with the specifications stipulated in this RFQ document.
- 8.2. The bidder shall prepare for a possible presentation should merSETA require such, and the bidder will be required to make such a presentation within five (5) days from the date the bidder is notified of the presentation. Such a presentation may include a practical demonstration of products or services as called for in this RFP.
- 8.3. The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the merSETA during the bid validity period indicated in this RFQ, and its acceptance shall be subject to the terms and conditions contained in this RFQ document read with the bid.
- 8.4. The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFQ; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- 8.5. The successful bidder accepts full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with merSETA, as the principal(s) liable for the due fulfillment of such a contract.
- 8.6. The bidder accepts that all costs incurred in the preparation, presentation, and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with the bid will become merSETA property unless otherwise stated by the bidder(s) at the time of submission.

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## ANNEXURE A

### Specific Goal Guide – Preferential points (80/20)

This specific goal guide will be used to assist providers in submitting relevant documents to confirm specific goals.

“**Specific goals**” means specific goals as contemplated in section 2 (1) (d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of Reconstruction and Development programme as published in government gazette No. 16085 dated 23 November 1994.

Please note that :

- Financial account, management account or auditors letter should be submitted confirming turnover of the company determining BBBEE status on Affidavit and B-BBEE CIPC certificate in order for the specific goals can be awarded.

### Preferential points for tenders without local content requirements.

| Specific goal                                   | 80/20 Preference Point system | Example of Submission                             | Tick if relevant document submitted | Indicate which document have been submitted |
|-------------------------------------------------|-------------------------------|---------------------------------------------------|-------------------------------------|---------------------------------------------|
| Black People Ownership – 51% or more            | 6                             | Valid B-BBEE certificate/Affidavit or B-BBEE CIPC |                                     |                                             |
| Black Women Ownership – 30% or More             | 4                             | Valid B-BBEE certificate/Affidavit or B-BBEE CIPC |                                     |                                             |
| Black Youth Ownership – 30% or More             | 4                             | Valid BBBEE certificate/Affidavit or B-BBEE CIPC  |                                     |                                             |
| White Women Ownership – 30% or More             | 2                             | Valid B-BBEE certificate/Affidavit or B-BBEE CIPC |                                     |                                             |
| People with Disability (PwD) Ownership          | 4                             | Medical certificate                               |                                     |                                             |
| <b>Total Points allocated to Specific Goals</b> | <b>20</b>                     |                                                   |                                     |                                             |

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| AUTHORISATION SIGNATORIES TO CONFIRM RFQ                                                               |                                                                                                                           |      |                  |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|------|------------------|
| The employee signing below hereby affirms the accuracy of the information requested for the quotation. |                                                                                                                           |      |                  |
| Supply Chain Management Representative                                                                 |                                                                                                                           |      |                  |
| Full Names                                                                                             | Karabo Phalo                                                                                                              | Date | 12 February 2025 |
| Signature                                                                                              |                                                                                                                           |      |                  |
| Technical Representative                                                                               |                                                                                                                           |      |                  |
| Full Names                                                                                             | Surprise Moepja                                                                                                           | Date |                  |
| Signature                                                                                              | <div> <div>Surprise Moepja</div>  </div> |      |                  |

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10 February 2025  
changes

\*The document shall be revised at least 12 months before next revision date or as per merSETA organisational and operational

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of institution | State |
|-----------|-----------------|---------------------|-------|
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |

2.2 Do you, or any person connected with the bidder, have a relationship

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<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
 .....

### **3 DECLARATION**

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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<sup>2</sup> 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.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature Date

.....  
Position Name of bidder

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

|                                                  | POINTS     |
|--------------------------------------------------|------------|
| PRICE                                            | 80         |
| SPECIFIC GOALS                                   | 20         |
| <b>Total points for Price and SPECIFIC GOALS</b> | <b>100</b> |

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

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

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \text{80/20} & \text{or} & \text{90/10} \\ P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \end{array}$$

Where

- $P_s$  = Points scored for price of tender under consideration  
 $P_t$  = Price of tender under consideration  
 $P_{max}$  = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

*(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.*

*Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)*

| The specific goals allocated points in terms of this tender | Number of points allocated<br>(80/20 system)<br>(To be completed by the organ of state) | Number of points claimed<br>(80/20 system)<br>(To be completed by the tenderer) |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Tenderer who has 51% to 100% black people ownership         | 6                                                                                       |                                                                                 |
| Tenderer who has 30% to 100% black women ownership          | 4                                                                                       |                                                                                 |
| Tenderer who has 30% to 100% black youth ownership          | 4                                                                                       |                                                                                 |
| Tenderer who has 30% to 100% White women ownership          | 2                                                                                       |                                                                                 |
| Tenderer who has 20% or more owners with disability         | 4                                                                                       |                                                                                 |
| <b>Total Points allocated to Specific Goals</b>             | <b>20</b>                                                                               |                                                                                 |

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Public Company

Personal Liability Company

(Pty) Limited

Non-Profit Company

State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....



## VENDOR APPLICATION FORM

**[For professional services please completed this document in conjunction with  
merSETA professional services database questionnaire]**

All corporates, trusts; franchises; companies etc must complete PART 1; PART 2 - Section B;  
PART 3 & PART 4

All Individuals and partnership must complete PART 1; PART 2 - Section A; PART 3 & PART 4

### **PART 1:**

Title (Prof. / Dr / Mr / Mrs / Ms/) and Surname : \_\_\_\_\_  
(*If one-man concern*)

'Trading as' name of business: \_\_\_\_\_  
(*Contracts and orders will be made in this name and invoices must reflect it*)

Registered name of business: \_\_\_\_\_

Physical address of business:

Building / complex name: \_\_\_\_\_

Street name and number : \_\_\_\_\_

Suburb : \_\_\_\_\_ City : \_\_\_\_\_

Code: \_\_\_\_\_

Postal address of business:

Postnet address: \_\_\_\_\_

P O Box / Private Bag : \_\_\_\_\_ City/Town: \_\_\_\_\_ Code: \_\_\_\_\_

Telephone numbers of business: Code: \_\_\_\_\_ Number: \_\_\_\_\_

Alternative number of business: Code: \_\_\_\_\_ Number: \_\_\_\_\_

Contact person fax number: Code: \_\_\_\_\_ Number: \_\_\_\_\_  
(*Used by merSETA for electronic faxing of Request for Quotations, Contracts and Purchase orders*)

Business e-mail : \_\_\_\_\_

|                 |                         |                     |                   |
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| Review: CFO     |                         | Approved: CEO       |                   |

## PART 2: TAXATION

Business Registration number (if applicable) \_\_\_\_\_  
(in case of one-man concern, please furnish identity number plus copy of identity documents)

### Section A: Individuals / Partnerships

Please answer the questions by marking the appropriate column with an "X".  
Please do not leave out any question relating to your specific circumstances.

|                                                                                |  |
|--------------------------------------------------------------------------------|--|
| <b>Supplier Name:</b>                                                          |  |
| <b>Natural Persons:</b>                                                        |  |
| <b>Nationality:</b>                                                            |  |
| <b>Income Tax reference number:</b>                                            |  |
| <b>Date of birth:</b>                                                          |  |
| <b>If not a citizen of the RSA, furnish a certified copy of a work permit:</b> |  |
| <b>If in possession of a tax directive, furnish a certified copy thereof:</b>  |  |

| Question                                                                                                                                                                                                                                                 | Yes | No |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 1. Do you supply services on behalf of a Labour Broker?                                                                                                                                                                                                  |     |    |
| 2. Are you subject to the control or supervision of Merseta? Including, but not limited to, the following: <ul style="list-style-type: none"><li>• The manner of duties performed;</li><li>• The hours of work;</li><li>• The quality of work.</li></ul> |     |    |
| 3. Are you paid at regular intervals i.e. daily, weekly, monthly etc? (If the payments are made at regular intervals or by a rate per time period)                                                                                                       |     |    |
| 4. Will payment to you include any benefits? Including, but not limited to, the following: <ul style="list-style-type: none"><li>• Leave pay;</li><li>• Medical aid;</li><li>• Training;</li><li>• Sick Leave.</li></ul>                                 |     |    |
| 5. Will, or have you be/been in the full time employment of Merseta?                                                                                                                                                                                     |     |    |
| 6. Will you require of Merseta to provide any equipment, tools, materials or office space, in order to fulfil the contract?                                                                                                                              |     |    |
| 7. Do you supply these, or similar, services only to Merseta and not to any other client or the general public?                                                                                                                                          |     |    |
| 8. Will you be required to work more than 22 hours per week?                                                                                                                                                                                             |     |    |
| 8.1 If "yes", will payment be made on an hourly, daily or weekly basis?                                                                                                                                                                                  |     |    |
| 8.2.1 Will you work solely for Merseta?                                                                                                                                                                                                                  |     |    |
| 8.2.2 Will you provide a written statement to this effect?                                                                                                                                                                                               |     |    |
| 8.2.3 How much will you be paid per day?                                                                                                                                                                                                                 |     |    |
| <b>Non-Residents of the RSA</b>                                                                                                                                                                                                                          |     |    |
| 9. Will you return to your jurisdiction of residence upon the termination of the contract?                                                                                                                                                               |     |    |
| 10. Is the contract to exceed a period of three years?                                                                                                                                                                                                   |     |    |

|                 |                                |                     |                          |
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| Question |                                                                                                                                                       | Yes | No |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 11.      | Will you be returning to the jurisdiction of residence during the course of the contract? If so, for what periods of time?                            |     |    |
| 12.      | Is your employer resident in the Republic of South Africa or does a permanent establishment or branch represent the employer in the Republic?         |     |    |
| 13.      | If a permanent establishment or branch represents the employer in the Republic, will your salary be paid from such permanent establishment or branch? |     |    |
| 14.      | Will you be required to perform any work outside of the Republic?                                                                                     |     |    |
| 15.      | Do you agree to submit copies of your passport should Merseta, so require?                                                                            |     |    |

## Section B: Companies, CC's; Trusts etc

Please answer the questions by marking the appropriate column with an "X".  
Please do not leave out any question relating to your specific circumstances.

|                                |  |
|--------------------------------|--|
| <b>Supplier Name:</b>          |  |
| <b>Nature of legal entity:</b> |  |
| <b>Date of incorporation:</b>  |  |

| Question |                                                                                                                                                                                                                                                                | Yes | No |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 1.       | Are you a "Labour Broker" i.e. do you provide payment for supplying Merseta with a person/s? If so, furnish a certified copy of an IRP30, which is valid for the period of the contract                                                                        |     |    |
| 2.       | Is the service to be rendered personally by any person, who is a connected person, in relation to the entity? (For example a shareholder, member or their direct family)                                                                                       |     |    |
| 3.       | Do you employ four or more employees on a full time basis throughout the year, excluding connected parties? If so, are these employees engaged in rendering the service to Merseta? (For example secretarial employees would NOT be so engaged)                |     |    |
| 4.       | Would you be regarded as an employee of Merseta if the service was rendered by the person directly to Merseta, other than on behalf of the contractor?                                                                                                         |     |    |
| 5.       | Do you, the Company, Close Corporation or Trust receive any form of training supplied or paid for by Merseta? If "yes", please specify the nature and extent of the training:                                                                                  |     |    |
| 6.       | Are you, the Company Close Corporation or Trust free to choose which tools or equipment, or staff, or raw materials, or routines, patents and technology to use in performing your main duties?                                                                |     |    |
| 7.       | In order to perform your main duties, do you, or does such a person, Company, Close Corporation or Trust, use any tools or equipment supplied or paid for by Merseta? If "yes", please state the nature thereof:                                               |     |    |
| 8.       | Are you subject to the control or supervision of Merseta, as to the manner in which, or hours during which, the duties are performed or are to be performed in rendering the service?                                                                          |     |    |
| 9.       | Will the amounts paid or payable in respect of the service consist of, or include, earnings of any description, which are payable at regular daily, weekly, monthly, or other intervals?                                                                       |     |    |
| 10.      | Will more than 80% of your income, during the year of assessment, from services rendered, consist of or be likely to consist of amounts received directly or indirectly from <b>any one client</b> , or any associated institution, in relation to the client? |     |    |
| 11.      | Does your contract contain any elements of an employment contract? [i.e. Job titles, reporting structure in organisation, fixed working hours, employment benefits, performance bonuses (excluding bonus and penalties for early or late delivery)]            |     |    |
| 12.      | Does your contract contain any clause that will enable you to receive payment, even if no work was done?                                                                                                                                                       |     |    |
| 13.      | Have you ever been classified as a Labour Broker or personal services company                                                                                                                                                                                  |     |    |

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| Question |                                                                                                                                                                 | Yes | No |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
|          | (including Close Corporation and Trust) by SARS or any other client?                                                                                            |     |    |
| 14.      | If the answer to question 13 was "yes", did anything change that no longer classifies you as a labour broker or personal services company? If "yes", elaborate: |     |    |

### PART 3: OWNERSHIP

1. Please tick the appropriate block:

- Turnover

|                             |  |
|-----------------------------|--|
| Less than or equal to R 25m |  |
| Greater than R 25m          |  |

2. Please indicate the existence and extent of any Internal Black Empowerment Programmes.  
*Details of such programmes may be annexed.*

|  |
|--|
|  |
|  |
|  |
|  |
|  |
|  |

3. Please complete each of the following tables by stating the number of people in each category:

- Ownership / Control

|              | African | Asian | Coloured | White |
|--------------|---------|-------|----------|-------|
| Male         |         |       |          |       |
| Female       |         |       |          |       |
| <b>TOTAL</b> |         |       |          |       |
| Disabled     |         |       |          |       |

- Management

|              | African | Asian | Coloured | White |
|--------------|---------|-------|----------|-------|
| Male         |         |       |          |       |
| Female       |         |       |          |       |
| <b>TOTAL</b> |         |       |          |       |
| Disabled     |         |       |          |       |

- Total staff profile

|              | African | Asian | Coloured | White |
|--------------|---------|-------|----------|-------|
| Male         |         |       |          |       |
| Female       |         |       |          |       |
| <b>TOTAL</b> |         |       |          |       |
| Disabled     |         |       |          |       |

- Skilled personnel

|      | African | Asian | Coloured | White |
|------|---------|-------|----------|-------|
| Male |         |       |          |       |

|                 |                         |                     |                   |
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|          |  |  |  |  |
|----------|--|--|--|--|
| Female   |  |  |  |  |
| TOTAL    |  |  |  |  |
| Disabled |  |  |  |  |

Previous name(s) of business (if applicable) \_\_\_\_\_

List of directors / owners / partners: Attach your own list if the space provided is inadequate

1. Name: \_\_\_\_\_

Position: \_\_\_\_\_ % Shareholding : \_\_\_\_\_

Identity Number \_\_\_\_\_ Nationality \_\_\_\_\_

2. Name: \_\_\_\_\_

Position: \_\_\_\_\_ % Shareholding : \_\_\_\_\_

Identity Number \_\_\_\_\_ Nationality \_\_\_\_\_

3. Name: \_\_\_\_\_

Position: \_\_\_\_\_ % Shareholding : \_\_\_\_\_

Identity Number \_\_\_\_\_ Nationality \_\_\_\_\_

4. Name: \_\_\_\_\_

Position: \_\_\_\_\_ % Shareholding : \_\_\_\_\_

Identity Number \_\_\_\_\_ Nationality \_\_\_\_\_

Are any of your directors/owners employed by merSETA? Please mention also whether your directors / owners / partners are ex-merSETA staff. Close relatives of your directors / owners with merSETA staff to be declared as well.

## PART 4: SUPPLIER PROFILE

List all your products / services your business can supply to merSETA.  
*Attach separate list if space provided is not enough*

Name 3 commercial references/referees of previous projects and provide their name(s) and telephone number(s):

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|                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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| Does your business operate a Quality Management System covering the product/service applying for? (y/n) _____ Please elaborate:                                                                                                         |
| <div style="border-bottom: 1px solid black; margin-bottom: 5px; width: 90%;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px; width: 90%;"></div> <div style="border-bottom: 1px solid black; width: 90%;"></div> |

## PART 5:REQUIRED DOCUMENTS

**merSETA reserves the right to verify and /or follow-up on any of the claims made or references in this application form. Based on Treasury regulations merSETA will check any claims made in this submission.**

This original signed vendor form must be accompanied with certified copies of the following documents below and must be included in your application:

- ✓ Copy of Company Registration Documents (Issued by the Registrar of Companies & Close Corporation)
- ✓ Attach an original cancelled cheque alternatively an original bank statement
- ✓ Current valid TAX clearance certificate
- ✓ Any other registration certificate pertaining to your relevant industry, e.g. ECB (Electrical Contractors Board)
- ✓ Company Organogram, showing your Holding and Subsidiary company(s), as well as operating divisions. Indicate ownership / shareholding that this company holds in any other company/ies.
- ✓ SBD 4
- ✓ SBD 6.1
- ✓ SBD 9
- ✓ Company letter confirming bank details (must be signed)

**Incomplete submissions will not be processed. This includes submission without the supporting documentation as stipulated above, in part 5:**

**I certify that I have the appropriate authority to furnish the above-mentioned information on behalf of my employer.**

|              |            |
|--------------|------------|
| Name:        | Signature: |
| Designation: | Date:      |

|                 |                         |                     |                   |
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