



FORT COX AGRICULTURE AND FORESTRY TRAINING INSTITUTE

PROVISION OF INTERNET SERVICES AT FORT COX INSTITUTE

REQUEST FOR QUOTATION – RFQ01/2023-24

Issued by:

Fort Cox Agriculture and Forestry Training Institute
Cwaru Village
MIDDLEDRIFT

Contact Persons:

Ms N. Silo – Administrative
Tel: 040 653 8033/4
Dr. R.P. Tshidzumba - Technical
Tel: 040 653 8033/4

Name of Service Provider:.....

Closing Date : 10 July 2023 @ 15h00pm

Completed documents with quotations shall be emailed to:

nsilo@fortcox.ac.za or fccprocurement20@gmail.com or deposited into the tender box situated at: Reception, Administration Building, Fort Cox Institute, Cwaru Village, Middeldrift

The service provider is responsible to confirm receipt of his/her own submission before closing date and time. No confirmations will be entertained post the closing time.

SUBMISSIONS RECEIVED AFTER THE CLOSING DATE AND TIME WILL NOT BE ACCEPTED

FORT COX AGRICULTURE AND FORESTRY TRAINING INSTITUTE

RFQ NO: 01//2023-24

PROVISION OF INTERNET SERVICES AT FORT COX INSTITUTE FOR A PERIOD OF 12 MONTHS

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RFQ NO : 01/2023-24

PROVISION OF INTERNET SERVICES AT FORT COX INSTITUTE FOR A PERIOD OF 12 MONTHS

SECTION 2

INVITATION

INVITATION

QUOTATIONS ARE INVITED FROM SUITABLE AND EXPERIENCED SERVICE PROVIDERS FOR PROVISION OF INTERNET SERVICES AT FORT COX INSTITUTE FOR A PERIOD OF 12 MONTHS

RFQ NO: 01/2023-24

CLOSING DATE: 10 July 2023

CLOSING TIME: 15:00-PM

Quotations are invited from suitable and experienced service providers for provision of reliable and stable internet connection to support about 300 – 750 staff and students with minimal to zero latency for a period of 12 months.

COMPULSORY DOCUMENTS REQUIRED

Bidders must, with their quotations submit the following compulsory documents, where not submitted, the bidder will be eliminated.

- Valid SARS TCC and verification pin
- Certified copy of BBBEE certificate / sworn affidavit
- Certified copies of Company registration certificate (CIPC) and ID's of all directors
- All SBD documents must be completed in full
- Full company profile
- List of clients where similar services are provided. projects and their values
- 3 contactable references (Name, Institution, contact number, email address)
- Proposal containing method of delivery of the required service
- Proof of registration with ICASA

NOTES TO BIDDERS

- All amounts must be inclusive of VAT in respect of all VAT vendors
- Failure to fully complete and supply all supplementary information will result in the bid being deemed incomplete and may not be considered for award.

EVALUATION CRITERIA

Quotations will be evaluated using two stage method where stage one functionality and stage two price and BBB-EE

Stage 1 – functionality –the bidder should obtain 80% of functionality points to be further considered.

Stage 2 – 80/20 where 80 being points for price and 20 being points for BBB-EE status level contributor

Completed documents with quotations shall be emailed to:

nsilo@fortcox.ac.za or fccprocurement20@gmail.com or be deposited into the tender box situated at: Reception, Administration building, Fort Cox Institute, Cwaru Village, Middledrift.

The service provider is responsible to confirm receipt of his/her own submission before closing date and time. No confirmations will be entertained post the closing time.

SUBMISSIONS RECEIVED AFTER THE CLOSING DATE AND TIME WILL NOT BE ACCEPTED

Enquiries shall be directed as follows:

Administrative: Ms N.Silo @ 040 653 8033/4 email

nsilo@fortcox.ac.za or fccprocurement20@gmail.com

Technical: Dr. R.P. Tshidzumba @ 040 653 8033/4 email

ptshidzumba@fortcox.ac.za or phillipmgf@yahoo.com

**THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF FORT COX AGRICULTURE AND FORESTRY TRAINING INSTITUTE					
BID NUMBER:	RFQ 01 – 2023/24	CLOSING DATE:	10 JULY 2023	CLOSING TIME:	15:00
DESCRIPTION:	PROVISION OF INTERNET SERVICES AT FORT COX INSTITUTE FOR A PERIOD OF 12 MONTHS				
BID RESPONSE DOCUMENTS SHALL BE DEPOSITED IN THE BID BOX SITUATED AT THE					
RECEPTION, ADMINISTRATION BUILDING, FORT COX AGRICULTURE & FORESTRY TRAINING INSTITUTE, CWARU VILLAGE, MIDDLEDRIFT OR EMAILED TO nsilo@fortcox.ac.za or fccprocurement20@gmail.com					
The service provider is responsible to confirm receipt of his/her own submission before closing date and time. No confirmations will be entertained post the closing time.					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms Nosibusiso Silo	CONTACT PERSON	Dr RP Tshidzumba		
TELEPHONE NUMBER	040 653 8033/4	TELEPHONE NUMBER	040 653 8033/4		
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	nsilo@fortcox.ac.za/ fccprocurement20@gmail.com	E-MAIL ADDRESS	ptshidzumba@fortcox.ac.za or phillipmgf@yahoo.com		
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]	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]		
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> 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]

<p>(a) ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>[IF YES ENCLOSE PROOF]</p>	<p>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[IF YES, COMPLETE QUESTIONNAIRE BELOW]</p>
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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 NO

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

PART B TERMS AND CONDITIONS FOR BIDDING

<p>1. BID SUBMISSION:</p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>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.</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2023, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</p>
<p>2. TAX COMPLIANCE REQUIREMENTS</p> <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>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.”</p>

SIGNATURE OF BIDDER:

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

DATE:.....

PROVISION OF INTERNET SERVICES AT FORT COX INSTITUTE FOR A PERIOD OF 12
MONTHS

SECTION 4

SCOPE OF WORKS

FORT COX AGRICULTURE AND FORESTRY TRAINING INSTITUTE

RFQ NO : 01/2023-24

PROVISION OF INTERNET SERVICES AT FORT COX INSTITUTE FOR A PERIOD OF 12 MONTHS

1. SCOPE OF WORKS

1. DURATION OF THE CONTRACT

The duration of the contract shall be discussed with the appointed services provider which may not exceed 12 months:

2. Specification:

Reporting directly to the Principal / his delegate, the appointed service provider will be expected to:

1. Supply and installation of a dedicated internet connection service via Fiber Optic Cable.
2. Fiber Optic connection or stable Wireless Radio link internet connection with capabilities of 100 Mbps.
3. The solution should have primary fibre links and wireless fail over capabilities that will ensure 100 % uptime of connectivity.
4. The solution should make provision of linking the server room and the point of entry providing the internet connection via Fibre Optic connectivity.
5. At least 99.5 % service availability in both uptime and downtime.
6. Provide customer service support (on-call and on-site) 24/7 including holidays.
7. Provide single point of contact for customer support in both areas of network connectivity and Internet access.
8. Four (4)-hour response time for technical problem that requires on-site services for problem reported before 1:00 PM. For problems reported after 1 PM, services shall be rendered 8:00 AM of the following work day. Work during weekends and holiday may be allowed subject to the approval of the principal.
9. The ISP shall confirm in writing any report service interruption due to INTERNET SERVICE PROVIDER's equipment or facilities or causes within its control, and adjust or repay part of the charges in accordance with a rebate structure.
10. The ISP must be aware that in-house technicians will be responsible for maintenance and management of all on-site equipment (network devices).

EVALUATION CRITERIA

Quotations will be evaluated using two stage method where stage one functionality and stage two price and BBB-EE

- Stage 1 – functionality –the bidder should obtain 80% of functionality points to be further considered.
- Stage 2 – 80/20 where 80 being points for price and 20 being points for BBB-EE status level contributor

Allocation of points for functionality

Experience – previous work record	At least three completed projects providing 100 Mbps Dedicated or Committed Internet Relay Attach appointment letter from the client 1 appointment letter – 10 points, 2 – 20 points and 3 – 30 points	30
	Reference letters from clients where similar service has been provided successful rating service (from 1 to 3 – 1 being poor, 2 satisfactory, 3 good) 1 – 0 points, 2 – 20 points, 3 – 40 points	40
Methodology and approach	Proposal with details of each milestone leading to the day of switching to the new services with time lines.	30
Total		100

The company must obtain 80 percent to proceed to the next stage.

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**SECTION 5
PRICING SCHEDULES**

**PRICING SCHEDULE – FIRM PRICES
(PROFFESIONAL SERVICES)**

NOTE: ALL AMOUNTS SHALL BE INCLUSIVE OF VAT, QUOTED RATES SHALL BE FIXED THE DURATION OF THE PROJECT

Name of Service Provider.....	RFQ number: 01/2023-24
Closing Time: 15:00 - PM on , 07 July 2023	

	SERVICE	DESCRIPTION	FREQUENCY	AMOUNT INCL. VAT
A	Setting - up	Materials/ supplies and labour	Once off	
B	Subscription	Subscription fees	Monthly	
C	Annual subscription	Annual subscription	Annual	
	TOTAL (A+C)			

SIGNATURE OF THE BIDDER.....

COMPANY STAMP

SECTION 6

FORMS TO BE COMPLETED

All SBD forms must be completed in full.

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FORMS (ANNEXURES) TO BE COMPLETED BY THE BIDDER - CONTENTS

<u>FORM NO</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
SBD 2	TAX CLEARANCE CERTIFICATE APPLICATION FORM	12-14
SBD 4	DECLARATION OF INTEREST	15-17
SBD 6.1	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2023	18-23
SBD 8	DECLARATION IF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES	24-25
SBD 9	CERTIFICATE OF INDEPENDENT BID DETERMINATION	26-28

THESE FORMS MUST BE COMPLETED USING BLACK INK

Where the space provided in the bound document is insufficient, separate schedules may be drawn up in accordance with the given formats. These schedules shall then be bound together with a suitable contents page and submitted with the bid documents. All such schedules must be signed, and clearly marked as appendices to these relevant forms.

TAX CLEARANCE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Services (SARS) to meet the bidder's tax obligations.

1. In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders/individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia/Joint Ventures/Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
6. Applications for the Tax Clearance Certificate may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za



Application for a Tax Clearance Certificate

Purpose

Select the applicable optionTenders Good standing

If "Good standing", please state the purpose of this application

Particulars of applicant

Name/Legal name (Initials & Surname or registered name)			
Trading name (if applicable)			
ID/Passport no		Company/Close Corp. registered no	
Income Tax ref no		PAYE ref no	7
VAT registration no	4	SDL ref no	L
Customs code		UIF ref no	U
Telephone no		Fax no	
E-mail address			
Physical address			
Postal address			

Particulars of representative (Public Officer/Trustee/Partner)

Surname			
First names			
ID/Passport no		Income Tax ref no	
Telephone no		Fax no	
E-mail address			
Physical address			

Particulars of tender (If applicable)

Tender number

Estimated Tender amount R ,

Expected duration of the tender year(s)

Particulars of the 3 largest contracts previously awarded

Date started	Date finalised	Principal	Contact person	Telephone number	Amount

Audit

Are you currently aware of any Audit investigation against you/the company?..... YES NO

If "YES" provide details

Appointment of representative /agent (Power of Attorney)

I the undersigned confirm that I require a Tax Clearance Certificate in respect of or .

I hereby authorise and instruct to apply to and receive from SARS the applicable Tax Clearance Certificate on my/our behalf.

Signature of representative/agent

Date

Name of representative/agent

Declaration

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

Signature of applicant/Public Officer

Date

Name of applicant/ Public Officer

Notes:

1. It is a serious offence to make a false declaration.
2. Section 75 of the Income Tax Act, 1962, states: Any person who
 - (a) fails or neglects to furnish, file or submit any return or document as and when required by or under this Act; or
 - (b) without just cause shown by him, refuses or neglects to-
 - (i) furnish, produce or make available any information, documents or things;
 - (ii) reply to or answer truly and fully, any questions put to him ...As and when required in terms of this Act ... shall be guilty of an offence ...
3. **SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.**
4. Your Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only) as applicable.

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state, 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 (including 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 and/or take an oath declaring his/her interest, 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, shareholder, etc.):

.....

2.4 Company Registration Number:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

* "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.

2.7 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 / shareholder / member:

Name of state institution to which the person is connected:

Position occupied in the state institution:

Any other particulars:

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish details.

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

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

2.10.1 If so, furnish details.

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

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

2.11.1 If so, furnish details.

.....

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

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

4 DECLARATION

I, THE UNDERSIGNED (NAME)

.....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2.1 TO 2.11.1 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE TREASURY GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVES TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2023

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2023.

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

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 SPECIFIC GOALS	20
Total points for Price and specific goals must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or submit proof or specified documentation together with the bid, will be interpreted to mean that preference points for specific goals are not claimed.

1.5 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

- 2.1 “**all applicable taxes**” includes value-added tax, pay as you earn, income tax, unemployment Insurance fund contributions and skills development levies;
- 2.2 “**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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.3 “**comparative price**” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.4 “**consortium or joint venture**” 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;
- 2.5 “**contract**” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.6 “**EME**” means any enterprise with an annual total revenue of R5 million or less .
- 2.7 “**Firm price**” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.8 “**functionality**” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.9 “**non-firm prices**” means all prices other than “firm” prices;
- 2.10 “**person**” includes a juristic person;
- 2.11 “**rand value**” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.12 “**sub-contract**” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.13 “**total revenue**” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.14 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.15 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

POINTS AWARDED FOR PRICE

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

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

80/20 or **90/10**

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

5. Points awarded for Specific Goals

5.1 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 as stated in table below for purposes of this tender:

Specific goal	Required proof in order to claim points	Number of points allocated	Points claimed by bidder
Black ownership: EME/QSE 51% or more owned by black people	CIPC certificate showing ID number and % shareholding or valid share certificate	8	
Women ownership: EME/QSE 51% or more owned by women	CIPC certificate showing ID number and % shareholding or valid share certificate	4	
Youth ownership: EME/QSE 51% or	CIPC certificate showing ID number and %	4	

more owned by youth	shareholding or valid share certificate		
Disability: EME/QSE 20% or more owned by black people	CIPC certificate showing ID number and % shareholding or valid share certificate Proof of disability	4	
Total		20	

6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1 Name of company/firm

6.2 VAT registration number :.....

6.3 Company registration number

6.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

6.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

6.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

6.7 Total number of years the company/firm has been in business?

6.8 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 contribution indicated in paragraph 7 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 paragraph 5 the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the proof of used to claim points has been 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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.

.....
SIGNATURE(S) OF BIDDER(S)

2.....

DATE:.....

ADDRESS:.....

.....
.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This 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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

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 *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid;or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder