



**higher education
& training**

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA



**WATERBERG
TVET COLLEGE**

Together ensuring success

CENTRAL OFFICE

Postnet Suite #59 • Private Bag x2449 • Mokopane 0600 • C/o Totius & Hooge Streets
Tel: 015 – 492 9000/9007 • Fax: 015 – 492 9042
www.waterbergcollege.co.za • hq@waterbergcollege.co.za

BID DOCUMENT

REPAIR, SERVICE AND MAINTENANCE OF A LIFT AT WATERBERG TVET COLLEGE CENTRAL OFFICE FOR A CONTRACT PERIOD OF 12 MONTHS

**BID NUMBER:
WTC/LIFT/11/20**

**CLOSING DATE AND TIME:
17 MAY 2021 AT 11:00**

ENGINEERING AND SKILLS TRAINING CENTRE

Tel: 015 - 633 6772/0
Fax: 015 - 633 6589
lebowakgomo@waterbergcollege.co.za

HOTEL SCHOOL

Tel: 015 – 491 8139/4216
Fax: 015 – 491 8969
hotelschool@waterbergcollege.co.za

BUSINESS STUDIES CENTRE

Tel: 015 – 483 2441/5
Fax: 015 – 483 1555
mahwelereng@waterbergcollege.co.za

1. BACKGROUND

Waterberg Technical and Vocational Education and Training (TVET) College is looking for a Construction industry development board (CIDB) registered company for the repair, service and maintenance of a lift in the central office building. The lift is used by employees on daily basis from the ground floor to first floor and it needs repair, service and maintenance on regular basis. The college requires a company with the relevant skills, expertise and experience on contractual basis to repair service and maintain the lift as an when a need arises.

Interested bidders are hereby invited to submit their bids for the repair, service and maintenance of the lift in the Central Office building for a period of 12 months.

2. SCOPE OF WORK SUMMARY

The scope of work includes the following:

2.1 Carry out Elevator/lift preventative maintenance and corrective maintenance or repairs.

2.2 The scope also includes a 24hr, Monday to Friday emergency service as and when required by the College.

2.3 The contractor will ensure that all lift/elevators or escalators works effectively and will point out all major faults to the College.

2.4 Attend to call out/emergency electrical repairs

3 SUBMISSION OF BIDS

Bidders are to submit one (1) pack of original proposal, marked "ORIGINAL" in one envelope.

Bid documents can be submitted in the tender box located in Waterberg TVET College central office building. The tender box is marked "Tender Box".

Closing date and time for submission is: **17 May 2021 at 11:00**

Note: E-mail and faxed submissions will not be accepted. Late submissions will be disqualified.

4 GENERAL TERMS

All documents submitted in the response to this bid shall be written in English completed with a pen. Bid documents completed with a pencil will be disqualified. All corrections and scratching must be initialled. The use of correction pen (Tippex) will automatically invalidate your bid. All required documents must be attached behind the specified divider to allow for convenient checking during evaluation. Each tender shall be valid for a period of three months (90 days) calculated from the closing date of the tender.

Any enquiries in connection to this tender shall be submitted in writing this email address: pmi@waterbergcollege.co.za

5 ADMINISTRATIVE CRITERIA

Tenders must include the following documentation (**Failure to submit this required documentation will lead to disqualification**)

a) Invitation to bid: SBD 1

Requires that applicants agree to be bound by bid's terms and conditions

b) Declaration of interest: SBD 4

Requires a declaration of interest from applicant, stating any existing relationship/ acquaintance with DHET or Waterberg TVET College employees. This is to ensure that these persons are not involved in anyway, to avoid corruption.

c) Preference certificate as part of the preferential procurement regulation, 2001: SBD 6.1

Requires Preferential Procurement points claims

d) Declaration of bidders past SCM practices: SBD 8

Requires declaration of bidder's past supply chain management practices

e) Certificate of independent bid determination: SBD 9

Requires declaration from bidder to prevent bid rigging

6 MANDATORY CRITERIA

Tenders must include the following documentation (**Failure to submit this required documentation will lead to disqualification**)

a) A valid Tax Clearance Certificate and Tax Compliance Status Pin

b) VAT registration certificate (for VAT Vendors Only)

c) Proof of Company Registration Certificate (Company/CC/Trust/ Partnership)

d) Certified ID copies of all Members/ Partners/ Directors. If Members/Partners/ Directors are employed by the state, proof that they are allowed to conduct business outside remunerative work should be provided

e) Company profile a professional summary of the business and its activities

f) A copy or printscreen copy of the CIDB grading certificate of 1SI or higher

g) A letter of good standing from the office of the compensation commissioner and a certified copy of compensation for Occupational Injuries and Diseases Act (COIDA) **registration certificate** indicating **building/construction** as core business.

h) Completed Costing model (Attached)

i) Health and safety plan for this project.

j) Proof of Central supplier database (CSD) registration

k) Proof of bank account (Cancelled Cheque or original letter from the bank confirming banking details)

l) Proof of Business address. Statement of water and lights not more than three months or lease agreement for the company or letter from the tribal authority indicating the name of the business.

7 OTHER REQUIRED DOCUMENTS

Each tender document should also include the following documentation, although failure to submit these documents will not result in disqualification. However, the information contained in them is required for evaluation purposes.

- a) **Track record/traceable references for verification purposes:** Provide the names and contact details of current or previous clients you have provided similar repair, service and maintenance projects to, and details of similar projects completed in the past and those still running. Provide testimonial/ reference letters from previous completed projects.
- b) **Method statement**
- c) **CVs and qualifications** of the lift Mechanics.
- d) A current **broad-based black economic empowerment (B-BBEE) status level certificate.**

8 EVALUATION CRITERIA

This bid will be evaluated on functionality. Bidders must score a minimum of 40 points on functionality to qualify for further evaluation. 80/20 preference point system in line with Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) regulation 2017 will be applicable. Sufficient information must be provided to allow the evaluation panel to score bids against all these criteria.

No	EVALUATION CRITERIA	TOTAL POINTS	MINIMUM REQUIRED
1.	Previous Experience: (Relevant repair, service and maintenance experience) (Supply detail info on projects successfully completed and letters of references) <ul style="list-style-type: none"> • >2 completed Projects= 15 points • > 1 completed Projects = 13 points • 0-1 completed project = 6 points 	15	13
2.	Method statement <ul style="list-style-type: none"> • Generic and irrelevant activities = 0 • Less activities with no explanation = 10 • Less activities with explanation = 13 • Major activities explained = 15 All activities explained = 20	20	15
3.	Project Team <ul style="list-style-type: none"> • 2 x Qualified lift mechanic with a trade test certificate = 15 • 1 x Qualified lift mechanic with a trade test certificate = 12 • No trade test certificate = 0 	15	12
	TOTAL	50	40

The next stage will evaluate the price and preference points of those bids that meet the minimum threshold for functionality. In accordance with the preferential procurement regulations, 2011 pertaining to the preferential policy framework Act (No. 5 of 2000), the 80/20 point system will be applied in evaluating proposals that qualify for further consideration, where price constitutes 80 points and a maximum of 20 points will be awarded based on the bidders B-BBEE status level contribution or a sworn affidavit. In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE status level of contributor	80/20
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-complaint contributor	0

SPECIFICATION: Maintenance, service and repairs of all goods, stack and passenger Lift for a period of 12 months on As and When required basis

Contents

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-

1. Scope Of Work

1.1. The scope of the work / services to be provided by the contractor is as follows:

- Carry out Elevator/lift preventative maintenance and corrective maintenance or repairs.
- The scope also includes a 24hr, Monday to Friday emergency service as and when required by WATERBERG TVET COLLEGE
- The contractor will ensure that all lift/elevators or escalators works effectively and will point out all major faults to WATERBERG TVET COLLEGE
- Attend to call out/ emergency electrical repairs

2. Definitions

2.1 *Project Manager Infrastructure*: A manager of WATERBERG TVET COLLEGE responsible of building and infrastructure portfolio or any person lawfully acting in that capacity.

2.2 *Maintenance Unit*: Electrical unit .

2.3 *Normal Working Hours*: Hours of work as determined by a wage regulating measure or statutory enactment for any trade or activity, during which the basic minimum rate of pay is applicable and excludes all time for which a higher rate of pay is obligatory. Where no wage regulating measure is in force, the hours will be 07h00 to 17h00 Mondays to Fridays excluding a daily meal break.

2.4 *Contractor*: Successful tender who is appointed by WATERBERG TVET COLLEGE and will be responsible to carry out the works as per this specification.

3. Maintenance References and Compliance

3.1. The repair, service and maintenance will be in accordance with the following publications

- SABS 0142, SABS 1152 and SABS 0147 Code of Practices
- E7/1 or E7/2, E4E specifications
- OHS Act 85 of 1993 as amended and
- Other applicable Municipal By-Laws and Regulations
- **Contractor must submit at least three CV's for qualified (Trade Tested) technicians and attached all certificates for trade test**

4. **Maintenance Units Identity**

The contractor must familiarize himself with units installed. This can be arranged with Project Manager Infrastructure.

5. **Preventative Maintenance**

5.1. All planned work will be carried out during normal working hours at the cost tendered for in the Bill Of Quantities. Visits to the premises will be as scheduled for the contractor to carry work on the maintenance units as per this specification. The Air-handling units room will have a site log book which is to be properly completed by the Contractor on every visit and the reason for the visit recorded.

5.2. Planned work referred to herein will include

- Monthly maintenance/service as and when requested by Project Manager Infrastructure;

5.3. The Contractor shall produce and issue to WATERBERG TVET COLLEGE a written report of any testing, inspection, examination, investigation and/or assessment undertaken and execution of any repairs by the Contractor. Reports will highlight the following:

- the type of work or service done
- problems experienced
- results of inspection
- faults found and their priority thereof
- Quotations for any corrective work required shall be submitted to WATERBERG TVET COLLEGE and on the approval of such quotations the Contractor will correct or repair accordingly.

5.4. WATERBERG TVET COLLEGE reserves the right to conduct an independent safety and quality audit to be carried out on the lift maintenance performance

6. **Contract Performance**

6.1. The contractor will sign a service level agreement with the WATERBERG TVET COLLEGE.

- the number of breakdowns for specific period
- the turn around time to attend to emergency callouts
- planned vs. actual progress
- submission of reports, invoices and other administration duties
- payment of invoices

6.2 Repair, service and maintenance will be as follows:

Maintenance Unit	Maintenance Schedule	Tasks Description
1. Lift/ Elevator/escalators	As per manufacture specification or regulation	<ul style="list-style-type: none"> ▪ Repair, maintain and service lifts (passengers, goods or stair lifts) and escalators using hand and power tools, testing devices such as test lamps, ammeters and voltmeters ▪ Identify faults or hazards ▪ Trouble shooting system failures ▪ Connect electrical wiring to control panels and electric motors ▪ Maintain or adjust safety controls, counterweights, door mechanism and components such as valves, ratchets, seals and brake linings. ▪ Responding to fault requests ▪ Locate malfunctioning in brakes ▪ Locate malfunctioning in motors ▪ Locate malfunctioning in switches ▪ Locate malfunctioning in signal and control system using testing equipment ▪ Check that safety regulations and building codes are met ▪ Complete service report ▪ Verifying condition of lift and conformance to standards

7. Terms Of Payment

7.1. The terms of payment will be monthly and upon receiving the invoice, WATERBERG TVET COLLEGE shall pay the Contractor within 30 days. This is subject to the invoicing being both correct and free from anomalies.

7.2. All pricing information shall be exclusive of VAT.

7.3. Invoices shall show the period, the lump sum for the maintenance work and the breakdown of all work for which the payment is being claimed for. All non-maintenance invoices shall be presented on a per maintenance unit basis and a fully itemized list of the work being charged for will be incorporated into the invoice. A photocopy of the worksheet which shall indicate entry and exit times from site which shall be signed by the WATERBERG TVET COLLEGE representative shall be attached to the invoice and any invoices submitted without this attachment and fully completed to the satisfaction of the WATERBERG TVET COLLEGE will be rejected.

7.4. Additional works shall be separately invoiced and these shall be submitted monthly. Where such works are covered by the Schedules of Rates the schedules shall be strictly adhered to in preparing the invoice. Works authorized by WATERBERG TVET COLLEGE representative which falls outside the scope of the contract and the Bill of Quantities shall be invoiced separately and fully detailed with the works involved and cross referenced to the

issued order number. WATERBERG TVET COLLEGE reserves the right to request the invoice for the material or spare parts purchased by the Contractor on the works done.

7.5. If invoices are presented which do not fully comply with the format as detailed, they will be rejected. All invoices shall portray the identity number of the maintenance unit involved and site location and VAT as a sum of money shall be included within the total monies being claimed. A schedule of accumulative costs shall be submitted each month showing the expenditure to date of non-contract repair works and misuse / vandalism as two separate totals. WATERBERG TVET COLLEGE will accept no liability and/or responsibility for the late payment of the invoices which have been incorrectly addressed by the Contractor.

7.6. No payment shall be made by WATERBERG TVET COLLEGE for any unauthorized call out/service or maintenance performed by the Contractor.

8. **Pricing**

8.1. The Contractor shall familiarize himself with the present conditions of the lift installed and submit prices accordingly; additional changes to the maintenance contract will not be accepted.

8.2. The Contractor shall include for all costs associated with the works for his use to include plant, tools, test equipment, chemicals, sundry materials; temporary lighting, small plant and tools; temporary plant and equipment to maintain operations in breakdowns; off-loading, hoisting and handling of all materials and plant; access to the works, administration and security; transport for staff; protecting the Works; safety, health and welfare of people; removing rubbish, protective casings and coverings away from the site and cleaning the works on completion; temporary screens, hoardings, guard rails, landing barriers, scaffolding and similar items; control of noise, pollution and all other statutory obligations; all necessary attendances in connection with examination and/or tests in compliance with OHS Act Regulations and all necessary management and supervision of the Works.

8.3. There will be and agreed annual percentage escalation on this maintenance contract on items listed on the Schedule of Prices.

9. **Call outs/ emergencies**

The contractor will from time to time be expected to attend to any emergencies or call outs as and When required by college.

10. **Costing Model**

Item	Description	Unit	Rate(Year 1) Excluding Vat	Rate(Year 2) Excluding Vat (Subject to renewal)
1.	Normal working Hours (Monday to Friday from 7am to 4:00pm)			
	1.1. Labour rate (Lift Mechanic)	hr		
	1.2 Labour rate (assistant artisan)	hr		
2.	After hours			
	2.1.Labour Rate (Air-con Technician)	hr		
	2.2 Labour rate (assistant artisan)	hr		
3.	Sunday Hours			
	3.1.Labour Rate (Lift Mechanic)	hr		
	3.3 Labour rate (assistant artisan)	hr		
4.	Public Holidays			
	4.1.Labour Rate (Lift Mechanic)	hr		
	4.2 Labour rate (assistant artisan)	hr		
5.	Travel Rate to be calculated from central office, Mokopane	km		
	0-50	km	No Charge	No Charge
	>50 up to 500 maximum	km		
6.	Material Mark-up	%		

	Sub - total			
	VAT			
	Grand total			

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE WATERBERG TVET COLLEGE					
BID NUMBER:	WTC/LIFT/11/20	CLOSING DATE:	17 MAY 2021	CLOSING TIME:	11:00
DESCRIPTION	REPAIR, SERVICE AND MAINTENANCE OF A LIFT AT WATERBERG TVET COLLEGE CENTRAL OFFICE FOR A CONTRACT PERIOD OF 12 MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
WATERBERG TVET COLLEGE CENTRAL OFFICE					
C/O TOTIUS & HOGES STREET					
MOKOPANE					
0600					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms HMG MAKHURUPETJI		CONTACT PERSON	Mr Mlondolozzi Jwara	
TELEPHONE NUMBER	015 492 9042		TELEPHONE NUMBER	015 492 9042	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	scm@waterbergcollege.co.za		E-MAIL ADDRESS	pmi@waterbergcollege.co.za	
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] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <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]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> 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**

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

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

DATE:

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

Any other particulars:
.....
.....
.....

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

4 DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
------------------------------------	---------------------------------	---------------------------------

1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?
 (*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

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

(*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

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

Any QSE		
---------	--	--

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

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

DATE:

ADDRESS

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>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).</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	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:		

SBD 8

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
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

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