

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER: LA 001 – 2020/21		CLOSING DATE: 25 August 2020		CLOSING TIME: 11:00 AM	
DESCRIPTION: PROVISION OF CLEANING SERVICES FOR THE PERIOD ENDING 31 AUGUST 2023					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
WESTERN CAPE LIQUOR AUTHORITY					
3 rd Floor, Sunbel Building					
No. 03 Old Paarl Road					
Bellville, 7530					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON		Mr Karushan Govender		CONTACT PERSON	
TELEPHONE NUMBER		021 204 9724		Ms Stacey Langeveldt	
FACSIMILE NUMBER		N/A		TELEPHONE NUMBER	
E-MAIL ADDRESS		Karushan.Govender@wcla.gov.za		021 204 9730	
				FACSIMILE NUMBER	
				N/A	
				E-MAIL ADDRESS	
				Stacey.Langeveldt@wcla.gov.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:

.....

TAX CLEARANCE CERTIFICATE 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 Service (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 Certificates 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 applicantName/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

Tender number

Estimated Tender amount **R**

Expected duration of the tender	year(s)
------------------------------------	---------

Date started

Date finalised

Principal

Contact person**Telephone number**

Amount

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

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

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

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

1. It is a serious offence to make a false declaration.

2. Section 75 of the Income Tax Act, 1952, 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.



WESTERN CAPE
LIQUOR AUTHORITY

Physical: 3rd Floor | Sunbel Building | 3 Old Paarl Road | Bellville | 7530
Postal: Private Bag X6 | Sanlamhof | Bellville | 7532
Email: Liquor.Enquiries@westerncape.gov.za
Tel: +27 (0) 21 204 9700 | www.wcla.gov.za

SPECIAL CONDITIONS OF CONTRACT

REFERENCE NUMBER: LA 001 – 2020/21

DESCRIPTION: PROVISION OF CLEANING SERVICES FOR THE PERIOD ENDING 31 AUGUST 2023

WESTERN CAPE LIQUOR AUTHORITY

CONTRACT MANAGEMENT



Special Conditions of Contract: **Reference number – LA 001 – 2020/21**

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Special Conditions of Contract: **Reference number – LA 001 – 2020/21**

ABBREVIATIONS

BAC	:	Bid Adjudication Committee
B-BBEE	:	Broad-Based Black Economic Empowerment
CPA	:	Contract Price Adjustment
CPI	:	Consumer Price Index
SABS	:	South African Bureau of Standards
SANAS	:	South African National Accreditation System
SBD	:	Standard Bidding Document
VAT	:	Value- Added Tax
WCLA	:	Western Cape Liquor Authority
CSD	:	Central Supplier Database
WCSD	:	Western Cape Supplier Database
SARS	:	South African Revenue Services



Special Conditions of Contract: **Reference number – LA 001 – 2020/21**

SECTION A

1. PURPOSE

- 1.1 The Western Cape Liquor Authority seeks to appoint a suitably qualified service provider to provide cleaning services at its offices situated on the 3rd and 5th floor in the Sunbel Building, Bellville. The appointment will be for the period ending 31 August 2023.

2. LEGISLATIVE AND REGULATORY FRAMEWORK

- 2.1.1 This bid and all contracts emanating there from will be subject to the General Conditions of Contract issued in accordance with Treasury Regulation 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999). The Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract prevail.

3. SPECIFICATIONS

- 3.1 Bidders must comply with the Authority's **STANDARD SPECIFICATION FOR CLEANING**.

- 3.2 Rendering of a comprehensive cleaning service for various areas of Sunbel Building, Bellville including consumables, equipment and labour as indicated.

- 3.3 The following documentation will form part of the specification and successful Bidder/s must guarantee that it will comply with the standards as set in the present and future relevant legislation including but not limited to the following:

- General Conditions of Contract (GCC)
- Special Conditions of Contract (SCC)
- The Constitution of the Republic of South Africa, Act 108 of 1996
- Employment Equity Act, Act 55 of 1998
- Labour Relations Act, Act 66 of 1995
- Basic Conditions of Employment Act, Act 75 of 1997
- Promotion of Equality and Prevention of Unfair Discrimination Act, Act 4 of 2000
- Occupational Health and Safety Act, Act 85 of 1993
- Occupational Injuries and Diseases Act, Act 130 of 1993

3.4 GENERAL CONDITIONS OF CLEANING SERVICES

- 3.4.1 The contractor shall provide the services as detailed above in accordance with the standard set and the requirements of the client.
- 3.4.2 The contractor will supply all cleaning materials necessary (store room will be provided for stock) for carrying out of the contract. (On own expenses).



- 3.4.3 A representative of the contractor (supervisor) shall visit the site every two weeks to accompany a designated staff member on inspections.
- 3.4.4 The appointed contractor shall have substantial experience in the cleaning of office accommodation and should allow its staff to be accessible to in service training from Western Cape Liquor Authority on the separation of waste.
- 3.4.5 Control measures to be utilised by the contractor to monitor the timekeeping of the workforce.
- 3.4.6 Identification / Logos /Name Badges to be worn by contractors and employees at all times, in addition to the employee' uniform. The supplier/s must provide protective clothing to staff as and when required.
- 3.4.7 A contractor's staff shall be trained by the client to perform Special Task e.g. the separation of waste before disposing to waste area.
- 3.4.8 The contractor's staff will be required to respond to emergency cleaning needs even outside designated areas but within the building.
- 3.4.9 The contractor shall investigate any staff transgression as reported to them re: disappearing from point duty, absenteeism (replacements), alcohol abuse, extended lunch or tea breaks and replace staff when necessary.
- 3.4.10 The contractor's cleaning staff must present an acceptable image/appearance which implies, inter alia, that they may not sit, lounge about, smoke or drink whilst engaged in their duties.
- 3.4.11 The contractor's cleaning staff must be vetted (Police clearance required).
- 3.4.12 The contractor's cleaning staff on the reliever list must also be vetted (Police clearance required).
- 3.4.13 The contractor shall repair or pay damages caused by staff employed at the WCLA offices. All consumables used by the contractor must comply with the Standards set /laid down by the South African Bureau of Standards or equivalent.
- 3.4.14 Supply and use detergents that are environmentally friendly and HACCP compliant.
- 3.4.15 Successful suppliers is subject six (6) months' probation period.

3.5 GENERAL REQUIREMENTS

- 3.5.1 A Standard Service Level Agreement shall be entered into with the successful bidder.
- 3.5.2 Briefing Session will be arranged through Zoom. All interested bidders must contact SCM at scm@wcla.gov.za to indicate their intension to attend the briefing session. A link will be forwarded to them with the briefing session details.
- 3.5.3 Adequate cleaning materials stock level must be maintained at all times.
- 3.5.4 The contractor shall supply an adequate labour force in order to render a service of standard acceptable to the client.
- 3.5.5 Cleaners identified for the Western Cape Liquor Authority must be the same unless in case of them being on leave.
- 3.5.6 Substitute staff must be provided within two (2) hours for persons not on site.
- 3.5.7 A supervisor with the necessary skills must all times plan and monitor the work.



- 3.5.8 A cleaner must always be available when needed.
- 3.5.9 The supervisor will accompany Head of Corporate Services or delegated official on a monthly inspection of the area.
- 3.5.10 National Contract Cleaners Association (NCCA) memberships.
- 3.5.11 Should the cleaners that are allocated to the WCLA not perform to the expectations of the WCLA, the bidder will be required to replace these cleaners.

3.6 CONTROL MEASURES

- 3.6.1 At all times cleaners must present an acceptable image/appearance which implies inter alia that they may not sit, lounge about, smoke or drink while attending to duties.
- 3.6.2 Protective clothing to be change on site. Service provider must provide PPE.
- 3.6.3 Cleaners reporting and leaving site must clock/sign attendance register at all times
- 3.6.4 Relievers for off duty and absenteeism must be provided.
- 3.6.5 Should a cleaner not perform or if reports of misconduct are received, he/she must be removed from site and be replaced immediately.
- 3.6.6 Cleaners to be screened before commencement of duties on a daily basis as and when required.

3.7 SERVICES

The services will be rendered according to the following frequencies:

Minimum of twice a day/as an when necessary/as an when requested	<ul style="list-style-type: none"> ▪ Empty and clean all waste bins ▪ Wash dishes (Cutlery and crockery) left in the kitchens and boardrooms ▪ Cleaning of boardrooms prior and after meeting ▪ Vacuum low traffic areas (offices and meeting rooms)
Daily	<ul style="list-style-type: none"> ▪ Sweep and damp mop tiled floors with appropriate tools and detergents. ▪ Damp wipe kitchen appliances (e.g. kettles, microwaves, fridges, water boilers, water cooler, urns, etc.) ▪ Damp wipe glass doors, door handles ▪ Damp wipe mirrors, door handles, hand basins, metal fittings and cisterns ▪ Damp wipe wall tiles in the kitchen area ▪ Damp wipe and disinfect telephone instruments, desktops, desks and light switches ▪ Damp wipe bins ▪ Dust all surfaces, low level ledges and furniture (e.g. desks, chairs, cupboards, counter tops) ▪ Vacuum all heavy traffic areas



Weekly	<ul style="list-style-type: none"> ▪ Replace bin liners bi-weekly ▪ Vacuum low traffic areas (offices and meeting rooms) ▪ Dust and wipe skirting boards, picture frames, windows, décor and partitions below 2 metres ▪ Clean glass doors and glass partitions ▪ Cleaning and polish chrome surfaces ▪ Clean and dust window blinds ▪ Remove spots on carpets ▪ Polish desk and office furniture
Monthly	<ul style="list-style-type: none"> ▪ Vacuum clean upholstered offices and visitors chairs ▪ Spring clean kitchen cupboards, microwaves and fridges (inside and outside). ▪ Clean and wipe all doors ▪ Clean windows in all public areas, foyers, passages, etc.
Quarterly	<ul style="list-style-type: none"> ▪ IT cleaning (notebooks, computer workstations, desktops and telephones) ▪ Clean all windows on the inside ▪ Carpet wash (steam clean)

3.8 TECHNICAL SPECIFICATION:

GENERAL INFORMATION ON BUILDING

Building:	Western Cape Liquor Authority (WCLA)
Address:	Western Cape Liquor Authority, 3 rd Floor, Sunbel Building, 3 Old Paarl Road, Bellville, 7530.
Type:	Big Office Building
No. of floors:	3 rd and 5 th Floors, Sunbel Building. The entire rental area that the WCLA has access to must be cleaned by the service provider.

CLEANERS (MINIMUM) AT SUNBEL BUILDING, BELLVILLE, CAPE TOWN

To have a minimum of two (2) cleaners present at all times. The cleaners must be able rotate between the two floors and flexible to office requirements.

WARNING SIGNS

The contractor shall provide warning signs in all areas of operation where people could be injured as a result of the cleaning activities, (e.g. wet floors).

The warning signs shall be in English, Afrikaans and Xhosa and shall be neat and easy to read, from a short distance, and are to be approved by the representative of the Authority prior to use.

WINDOW CLEANING

The contractor must be fully equipped to clean the windows on the inside of the building once a month.



TIMEFRAMES AND REPORTING

The Contractor will provide the Authority with its service for five (5) working days each week, such days to be Monday through to Friday. Official Authority's working hours are from 7:30 to 16:30.

Work hours for cleaning contract under normal operating hours: 7h30 to 16h30.

Vacuuming of all areas to take place between 7h30 to 9h30 on both floors or 15h00 to 16h30 or when the need arises.

3.9 Conformity with the Labour Act (of 1997 in terms of section 30) and subsequent Gazetted Amendments

- 3.9.1 The contractor will be required to provide on a six month basis a certified and audited statement proving that the statutory minimum wage rates for employees in the contract cleaning sector have been paid over the preceding period.
- 3.9.2 Failure to comply with the above will be treated as a default by the contractor, and in addition, this information will be furnished to the Department of Labour and the Supply Chain Management Component for further action as they may see fit.
- 3.9.3 Contractor to supply the WCLA with the staff contracts and conditions of employment for the cleaners allocated to the WCLA once appointed.
- 3.9.4 Contravention of the minimum requirements under the Act will be in direct contravention of the Service level agreement held between the supplier and the WCLA and would lead to termination of the contract and the WCLA will be obligated to report these transgressions to the Department of Labour.

3.10 Default by Contractor

- 3.10.1 The stipulations of the Accounting Authority's Supply Chain Management System paragraph 17.1 apply in particular to cases of any failure to comply with any of the Conditions of Contract, or where an unsatisfactory service is rendered.
- 3.10.2 Where an unsatisfactory service has been rendered, if after receiving written notice in writing from the Authority to remedy same, and such default continues for 7 (seven) days the Authority may, without cancelling the contract, be entitled to arrange for the execution of any service not rendered in conforming with this specification. Any adverse differences in the price plus costs to the Authority will be for the Contractors account.
- 3.10.3 Should such default continue for 14 days after a registered letter to the Contractor from the Authority, the Authority may, without prejudice to any other rights it has in terms of the contract or in Law, by registered post, terminate the contract with the service provider.

3.11 Monitoring of Services

- 3.11.1 The Head of Corporate Services or delegated official who will monitor the contract on its behalf. The contractor's representative is to accompany the appointed staff member on bi-monthly inspections as regards quality of service rendered, and will also attend to any complaints as and when they arise. All such complaints will be delivered to the contractor's representative by the appointed staff member, and are to be attended to within 24 hours.



- 3.11.2 Prior to submission of the monthly application for payment in clause 26 above, the contractor must submit it to this appointed staff member for signature that the service has been delivered to his satisfaction.

3.12 General

- 3.12.1 No departure or breach of or failure to comply with any of the conditions shall be deemed to be a condonation, waiving or ratification of such departure, breach or failure to comply unless such condonation, waiving or non-fulfilment has been agreed to in writing through the agency of the Authority's Tender Committee.
- 3.12.2 Any amendment or waiving of the stipulations of the contract must occur in writing by mutual consent through the agency of the Authority's Tender Committee.
- 3.12.3 Should the contractor alienate his rights and liabilities in terms of this contract, he must notify the Accounting Authority immediately so that the necessary steps for the cession of the contract can be taken.

4. EVALUATION CRITERIA

4.1 Evaluation

- 4.1.1 Bids will first be evaluated in terms of compliance to specifications, SCM regulations and special conditions of contract.
- 4.1.2 Bids that comply with the specifications, SCM regulations and functionality criteria of contract will then be evaluated on the 80/20 preference points system.

4.2 Preference Point System

- 4.2.1 In terms of regulation 3 of the Preferential Procurement Regulations 2017 pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the 80/20-preference point system in terms of which points are awarded to bidders on the basis of:

- The bid price (maximum 80 points)
- B-BBEE status level of contributor (maximum 20 points)

- 4.2.2 The following formula will be used to calculate the points for price:

$$\text{Where } PS = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

- Ps = Points scored for comparative price of bid under consideration
- Pt = Comparative price of bid under consideration
- Pmin = Comparative price of lowest acceptable bid



- 4.2.3 A maximum of 20 points may be allocated to a bidder for attaining their B-BBEE status level of contributor in accordance with the table below

BBBEE Status Level Contributor	Number of Points for 80/20 system
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant Contributor	0

- 4.2.4 Bidders who are claiming points are required to complete the preference claim form (SBD 6.1), and submit their original and valid B-BBEE status level verification certificate or a certified copy thereof at the closing date and time of the bid in order to claim the B-BBEE status level point.
- 4.2.5 The points scored by a bidder in respect of the level of B-BBEE contribution will be added to the points scored for price.
- 4.2.6 Only bidders who have completed and signed the declaration part of the preference claim form and who have submitted a B-BBEE status level certificate issued by a registered auditor, accounting officer (as contemplated in section 60(4) of the Close Corporation Act, 1984 (Act no. 69 of 1984)) or an accredited verification agency will be considered for preference points.
- 4.2.7 Failure on the part of the bidder to comply with paragraphs 4.2.4 and 4.2.6 above will be deemed that preference points for B-BBEE status level of contribution are not claimed and will therefore be allocated a zero (0).
- 4.2.8 The Authority may, before a bid is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to preference.
- 4.2.9 The points scored will be rounded off to the nearest 2 decimals.
- 4.2.10 In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of preference points for B-BBEE.
- 4.2.11 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
- 4.2.12 A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.



4.2.13 The Authority reserves the right to award the contracts to more than one contractor for the same item.

4.2.14 A briefing session will be held via the Zoom platform on the 30 July 2020 at 10:00am in order to ensure that all potential bidders are aware of the requirements of the bid and that proposals are submitted in a standard format. Potential bidder are to email scm@wcla.gov.za to request an invite to the meeting.

4.2.15 An evaluation process will be conducted with all applicants that are compliant with the minimum requirements. The total score that suppliers can obtain for functionality will be 100 points. The minimum threshold for **functionality will be 70 points**. All suppliers that meet the minimum threshold for functionality will be evaluated on price and preference points which also total 100 points.

4.2.16 **Phase 1:** Evaluation of the tender will be determined according to the following schedule:

Criteria: Functionality	Points
1.1 Years of relevant experience of the service provider in rendering cleaning services (the bidder must have been in the industry for a minimum of three (3) years. Each year will scored a maximum of 10 points.	30
1.2 References letters from previous clients on their letterheads and signed off by the referee. (Letters from clients where the service has taken place not older than 2 years must be submitted. Each valid letter will score 10 points to a maximum of 30 points in total.)	30
1.3 Relevant experience of key personnel (Supervisor) (submission of the CV of the supervisor who will be in charge of staff at the WCLA) (only one supervisor cv to be submitted. 5 points for each year completed in the cleaning industry as a supervisor.	30
1.4 National Contract Cleaners Association (NCCA) memberships (valid certified copy of membership certificate to be supplied) Copy of a certified copy will not be accepted.	10
Total	100

In order to be evaluated on functionality bidders' bidder must submit a detailed proposal, failing which his/her bid may result in no points being allocated:

A detailed Business Proposal consisting of:

- Company registration documents clearly indicating your core business and how long your business has been registered in the core business
- Written references from 3 traceable clients with their contact details, not older than 2 years, to whom cleaning services were rendered in an office environment similar to WCLA. References letters from previous clients on their letterheads and signed off by the referee.
- A comprehensive CV of the manager/supervisor to be dedicated to the WCLA contract.



- NCCA Certificate.
- Detailed cost breakdown.

2.2.17 **Phase 2:** Adjudication of the tender will be based on the 80/20 principle where 80 refer to price and 20 to BEE status.

2.1.18 Bids that meet the minimum score for functionality AND that also comply with the bid conditions under paragraph 2 as well as other SCM regulations will be evaluated on the 80/20 preference points system.

2.1.19 In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated on the 80/20-preference point system in terms of which points are awarded to bidders on the basis of:

- The bid price (maximum 80 points).
- B-BBEE status level of contributor (maximum 20 points)

2.1.20 If suppliers would want to claim BBBEE preference points then a valid BEE certificate should be available at Ariba. Only a valid BEE certificate from a South African National Accreditation System (SANAS) Company will be acceptable. Please note that expired certificates will not be accepted. There are 13 SANAS accredited companies in the Western Cape. Details of these companies are available on <http://www.sanas.co.za/>.

2.1.21 It must be noted that all parties participating in a Joint Venture should provide a copy of their consolidated BEE Scorecard.

2.1.22 Points for price and BEE will be added together and the bid will be awarded to the highest scored bidder.

2.1.23 In order to evaluate bids on a comparative basis, bidders have to base their total bidding price on the processes as indicated.

2.1.24 In order to evaluate bids on a comparative basis, bidders have to base their total bidding price on the processes as indicated below. The template below should only be used as a guideline when determining the pricing structure.

2.1.25 The cumulative price for all three years will be used to evaluate bids.

2.1.26 That all pricing should be inclusive of all consumables.

2.1.27 Refer to costing tables below:

BILL OF QUANTITIES / RATES

DETAILED PRICING OF CLEANING SERVICES

NB!! FAILURE TO COMPLETE THIS SECTION IN FULL WILL RESULT IN THE TENDER BEING DISQUALIFIED.

PLEASE NOTE: 40 WORKING HOURS PER WEEK PER CLEANER. Service must be conducted from Monday to Friday at the premises of the WCLA.



PLEASE NOTE: working hours must be from 7:30am to 4:30 pm with an hour of lunch broken into two (2) 15 minute sessions of tea and a 30 minute lunch break.

SALARIES AND ALLOWANCES: BIDDER'S OWN PERSONNEL (Excluding of VAT) / MONTH

POSITION	LEGISLATIVE RATES	QTY	RATE	AMOUNT PER MONTH
A. RATES				
Cleaner	@ R22.84 per hour (applicable 01/03/2020 and revised annually) Bidders to factor in escalation of this rate over the contract period.	2		
U.I.F	1% of monthly salary	2		
C.O.I.D	0.42% of monthly salary	2		
Annual Leave	3 weeks of monthly salary+12 months	2		
Sick Leave	12 days per annum+12 months	2		
Family Responsibility	3 days per annum+12 months	2		
S.D.L	1% of monthly salary	2		
TOTAL COST OF TWO CLEANERS PER MONTH				R
Total rates and allowances for 2 Cleaners – one cleaner will be allocated per floor of the WCLA (3rd and 5th floor) unless the need arises where both cleaners may be required to assist on the same floor.				
Should a cleaner allocated to the WCLA not be available on duty a replacement cleaner must be made available by the successful bidder.				
Wages are subject to the rates as prescribed by the Bargaining Council				



FINAL SUMMARY PAGE			
B. CLEANING MATERIALS:	SIZE	QTY	PRICE (incl. VAT)
All Purpose Cleaner	5L	1	
Clear Refuse Bags	(Pkt of 100)	1	
Dishwashing liquid	5L	1	
Bleach	5L	1	
Disinfectant/Pine Gel	5L	1	
Window Cleaner	5L	1	
Furniture polish	300 ml	1	
Methylated Spirits	300 ml	1	
Hand Sanitizer >70% alcohol	5L	1	
Hand Wash	5L	1	
Dust mite spray	250 ml	1	
Drain Cleaner	500 g	1	
Air Freshener aerosol	180 ml	1	
C. CONSUMABLES:			
Paper Hand Towel	(rolls: 360m x 240mm)	1	
Cloth Dish Towel (Small)	174mm X 277mm	1	
Cloth Tea Towel (Large)	450mm x 650mm	1	
Sponge Scourers	(pack of 4)	1	
Cleaning gloves	(pair)	1	
Microfibre Dusting Cloths	450mm x 650mm	1	
D. OTHER COSTS:			
Admin Fee			
TOTAL (B+C+D) CLEANING MATERIALS, CONSUMABLES AND OTHER COSTS			R

The price quoted should be based on the total hours for year one, year two and year three. The cumulative price for all three years will be used to evaluate bids. Bidders will find that the costing table above relates to the cost for one month. Bidders must add all costs for one month and multiply by 12 to get the annual cost. Thereafter escalation can be applied for the outer two years.

NB: That all pricing should be inclusive of all consumables i.e. travelling costs of staff, accommodation etc.

(A) TOTAL PRICE FOR FIRST YEAR:

R _____



(B) TOTAL PRICE FOR SECOND YEAR:

R _____

(C) TOTAL PRICE FOR THIRD YEAR:

R _____

TOTAL BID PRICE

(A+B+C)

R _____

5. RESPONSE FIELDS

- 5.1 Bidders are required to submit responsive bids by completing all the prices, mandatory response fields and item questionnaires on the provided pricing schedule for the individual items.
- 5.2 Non-compliance with this condition may invalidate the bid for the item(s) concerned.

SECTION B

6. AUTHORISATION DECLARATION

- 6.1 Any bidder who is sourcing goods or services from a third party must complete the "Authorisation Declaration" (TCBD 1) in full for all relevant goods or services, sign it and submit it together with the bid documents at the closing date and time of the bid.
- 6.2 The Authority reserves the right to verify any information supplied by the bidder in the Authorisation Declaration and should the information be found to be false or incorrect, the Authority will exercise any of the remedies available to it in the bid documents.
- 6.3 The bidder must ensure that all financial and supply arrangements for goods or services have been mutually agreed upon between the bidder and the third party. No agreement between the bidder and the third party will be binding on the Authority.
- 6.4 Failure to submit a duly completed and signed Authorisation Declaration, with the required annexure(s), in accordance with the above provisions may invalidate the bid for such goods or services offered.

7. TAX CLEARANCE CERTIFICATE

- 7.1 An original and valid Tax Clearance Certificate issued by the South African Revenue Services certifying that the taxes of the bidder are in order must be submitted at the closing date and time of bid. Please refer to SBD2 – Tax Clearance Certificate Requirements.
- 7.2 Copies and/or certified copies of the Tax Clearance Certificate will not be acceptable.
- 7.3 Failure to submit the original and valid Tax Clearance Certificate may result in the invalidation of the bid.



- 7.4 Bidders that are registered on the Western Cape Supplier Database (WCSD) and the Central Supplier database (CSD) are encourage to verify that their tax clearance certificate on their Supplier Database file are still valid.

8. VALUE ADDED TAX

- 8.1 All bid prices must be inclusive of 15% Value-Added Tax.
- 8.2 Failure to comply with this condition may invalidate the bid.

9. SUBMISSION OF BIDS

- 9.1 Bidders must submit the bid in hard copy format (paper document) to Western Cape Liquor Authority: Tender box before the closing date and time. The hard copy of the bid response will serve as the legal bid document. The bid must be addressed to the Western Cape Liquor Authority.
- 9.2 Each bid should be submitted in a separate, sealed envelope or suitable cover on which the name and address of the bidder, the bid number and the closing date must be clearly endorsed.
- 9.3 The business proposal, together with the tender document must be sealed and deposited in the tender box which is situated on **3rd Floor, Sunbel Building, No. 3 Old Paarl Road, Bellville**. The closing date for submissions is **25 August 2020** at 11:00 am.

10. LATE BIDS

- 10.1 Bids received after the closing date and time, at the address indicated in the bid documents, will not be accepted for consideration and where practicable, be returned unopened to the bidder.

11. COUNTER CONDITIONS

- 11.1 Bidders' attention is drawn to the fact that amendments to any of the Bid Conditions or setting of counter conditions by bidders may result in the invalidation of such bids.

12. FRONTING

- 12.1 The Western Cape Liquor Authority supports the spirit of broad based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the National Treasury condemn any form of fronting.
- 12.2 The Western Cape Liquor Authority, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry / investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period



of 14 days from date of notification may invalidate the bid / contract and may also result in the restriction of the bidder /contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the National Treasury may have against the bidder / contractor concerned.

13. QUANTITIES, ORDERS AND DELIVERY

13.1 DELIVERY ADHERENCE

- 13.1.1 Delivery of consumables must take place on the 4th week of the month to the offices of the WCLA.
- 13.1.2 The successful bidder must supply cleaning signs for when floors are being cleaned in the kitchens.
- 13.1.3 Cleaning Equipment such as mops, brooms, vacuum cleaners, step ladders, uniforms, buckets, PPE and any other related equipment as required to conduct cleaning services of the WCLA offices.
- 13.1.4 The cleaners will be required to use the bio-metric and access control systems when circumstances allow of the WCLA to monitor attendance.
- 13.1.5 Daily duties of the cleaners will include, but will not be limited to the following:
- Empty and clean waste bins of all staff twice a day (morning and afternoon)
 - Wash the dish of all staff and the WCLA cutlery
 - Sweep and damp mop the kitchen floors
 - Damp wipe kitchen appliances
 - Damp wipe glass doors and door handles
 - Damp wipe wall tiles in kitchen areas
 - Damp wipe and disinfect telephone instruments and light switches
 - Dust all surfaces, furniture and low level ledges
 - Vacuum all heavy traffic areas
 - Replace bin liners
 - Clean inside and outside of microwaves
 - Daily checklist signed by each cleaner must be submitted to the WCLA for work completed.
- 13.1.6 Monthly duties of the cleaners will include, but not limited to the following:
- Cleaning kitchen cupboards and fridges
 - Clean and wipe all doors
 - Clean windows in public areas and passages
 - Monthly and quarterly checklist signed by each cleaner must be submitted to the WCLA for work completed.
- 13.1.7 The following services must be completed bi-annually:
- Washing and removing of stains on all carpets and chairs of the WCLA
- 13.1.8 As when required duties shall include but not limited to:
- Cleaning of boardrooms
 - Place water and glasses in boardrooms for meetings
 - Place drinks and food at boardrooms for meetings
 - Vacuum all low traffic areas, offices, upholstery, chairs and meeting rooms
 - Dust and wipe skirting boards, picture frames, windows, décor and partitions



- Clean glass doors and glass partitions
- Clean and polish metal surfaces Clean and dust window blinds
- Clean desk and office furniture (this includes computers and other office equipment)

14. TIMEFRAMES AND REPORTING

- 14.1 The service provider must monitor and review the quality of work being performed by staff working on the WCLA premises
- 14.2 The service provider must insure that staff have the require tools to perform their duties.
- 14.3 The service provider must liaise with the Deputy Director: Corporate Services or his/her delegate on a monthly basis.

15. PROPOSAL SUBMISSION REQUIREMENTS

- 15.1 In order to be evaluated on functionality bidders' bidder must submit a detailed proposal, failing which his/her bid may result in no points being allocated:

15.1.1 A detailed Business Proposal consisting of:

- Company registration documents clearly indicating your core business and how long your business has been registered in the core business
- Written references from 3 traceable clients with their contact details, not older than 2 years, to whom cleaning services were rendered in an office environment similar to WCLA. References letters from previous clients on their letterheads and signed off by the referee.
- A comprehensive CV of the manager/supervisor to be dedicated to the WCLA contract.
- NCCA Certificate.
- Detailed cost breakdown.

NB. Copies of a certified copy will not be accepted

16. SUPPLIER DUE DILIGENCE

- 16.1 The Authority reserves the right to conduct supplier due diligence prior to final award.

17. COMMUNICATION

- 17.1 Supply Chain Management may communicate with suppliers/service providers where clarity is sought after the closing date of the quotation/business proposal and prior to award, or to extend the validity period of the quotation/business proposal, if necessary.
- 17.2 Any communication to any official or a person acting in an advisory capacity for the Authority in respect of this competitive bid between the closing date and the award of the competitive bid by the supplier/service provider is discouraged.
- 17.3 All communication between the supplier/service provider and the Supply Chain Management must be done in writing.



18. CENTRAL SUPPLIER DATABASE & WESTERN CAPE SUPPLIER EVIDENCE BANK REGISTRATION

- 18.1 WCLA may only consider bids from suppliers that are actively registered on the Central Supplier Database (CSD). Suppliers should confirm that their tax status is compliant on the database.
- 18.2 In addition to the Central Supplier Database (CSD), the WCLA would also require the successful bidder to register with the Western Cape Supplier Evidence Bank (WCSEB).
- 18.3 If you are not registered on the CSD by the closing date and time for this bid then your proposal might not be considered.

19. JOINT VENTURES

- 19.1 It must be noted that all parties participating in a Joint Venture should provide an Original Tax Clearance Certificate, a copy of their consolidated BEE Scorecard and each participating party needs to complete the WCBD 4 document.

20. AWARD CONDITIONS

- 18.1 The WCLA reserves the right to award the contract to one or more bidders/suppliers.
- 18.2 The WCLA reserves the right not to award the contract to any bidder/suppliers would do not meet the requirements set out in the bid document

21. DISCLAIMER

- 21.1 Authority reserves the right not to appoint any particular service provider who does not comply with the conditions of this bid or if information is obtained by the department about a bidder that could put the department at risk.
- 21.2 The Authority reserves the right to cancel this bid should the budget not be available at the time of award to cover the full quote of this quotation or if the need does not exist anymore or the specification has changed.
- 21.3 Bids which do not comply with the conditions of this Invitation will be disqualified, unless the CEO of the WCLA, in exceptional cases and within his/her sole discretion, condones such non-compliance, having regard to the following factors:

- (i) The nature and extent of the non-compliance
- (ii) The values contained in S217(1) of the Constitution

22. ADMINISTRATION



- 22.1 Successful bidders must advise the SCM Specialist immediately when unforeseeable circumstances will adversely affect the execution of the contract. Full particulars of such circumstances as well as the period of delay must be furnished.
- 22.2 The administration and facilitation of the contract will be the responsibility of the Authority's Supply Chain Management Unit and all correspondence in this regard must be directed to the address indicated under 21.3.
- 22.3 Orders will be placed by the WCLA who will also be responsible for the payment to contractors for goods delivered and/or services rendered.

23. CONTACT DETAILS

23.1 Bid Enquiries

SCM Official	:	Karushan Govender
Tel	:	(021) 204-9724
E-mail	:	karushan.govender@wcla.gov.za

23.2 Specification / Technical Enquiries

Assistant Director: Corporate Services	:	Stacey Langeveldt
Tel	:	(021) 204-9730
E-mail	:	Stacey.Langeveldt@wcla.go.za

23.3 Address for correspondence

23.3.1 Email address	:	scm@wcla.gov.za
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PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

OFFER TO BE VALID FOR.....DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
-	Required by:	.....
-	At:	.....
-	Brand and model	.....
-	Country of origin	.....
-	Does the offer comply with the specification(s)?	*YES/NO	
-	If not to specification, indicate deviation(s)	.....
-	Period required for delivery	.....
		*Delivery: Firm/not firm	
-	Delivery basis	.....

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

***Delete if not applicable**

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	BID NO.:
CLOSING TIME 11:00	CLOSING DATE.....

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)	
1.	The accompanying information must be used for the formulation of proposals.		
2.	Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.	R.....	
3.	PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)		
4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	_____	R_____	_____
	_____	R_____	_____
	_____	R_____	_____
	_____	R_____	_____
	_____	R_____	_____
5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT		
	_____	R_____	_____ days
	_____	R_____	_____ days
	_____	R_____	_____ days
	_____	R_____	_____ days
5.1	Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.		
	DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY AMOUNT
	_____	.....	..... R.....
	_____	.....	..... R.....
	_____	.....	..... R.....
	_____	.....	..... R.....
	TOTAL: R.....		

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

Bid No.:

Name of Bidder:

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

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

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

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

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

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹"State" means –

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

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

2.7

Are you or any person connected with the bidder 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

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 104

YES/NO

[illegible]

YES/NO

.....

.....

.....

[illegible]

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

May 2011

This document must be signed and submitted together with your bid

THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

INTRODUCTION

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

1 PILLARS OF THE PROGRAMME

1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:

- (a) Any single contract with imported content exceeding US\$10 million. or
- (b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2 year period which in total exceeds US\$10 million. or
- (c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million. or
- (d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.

1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a *pro-rata* basis.

1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export

promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.

- 1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.

2 REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY

- 2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of **R10 million** (ten million Rands), submit details of such a contract to the DTI for reporting purposes.

- 2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.

3 BID SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF BIDDERS AND SUCCESSFUL BIDDERS (CONTRACTORS)

- 3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD 5) together with the bid on the closing date and time.

- 3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1 (d) above and to enable the DTI in determining the NIP obligation, successful bidders (contractors) are required, immediately after being officially notified about any successful bid with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:

- Bid / contract number.
- Description of the goods, works or services.
- Date on which the contract was accepted.
- Name, address and contact details of the government institution.
- Value of the contract.
- Imported content of the contract, if possible.

- 3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr Elias Malapane within five (5) working days after award of the contract. Mr Malapane may be contacted on telephone (012) 394 1401, facsimile (012) 394 2401 or e-mail at Elias@thedti.gov.za for further details about the programme.

4 PROCESS TO SATISFY THE NIP OBLIGATION

4.1 Once the successful bidder (contractor) has made contact with and furnished the DTI with the information required, the following steps will be followed:

- a. the contractor and the DTI will determine the NIP obligation;
- b. the contractor and the DTI will sign the NIP obligation agreement;
- c. the contractor will submit a performance guarantee to the DTI;
- d. the contractor will submit a business concept for consideration and approval by the DTI;
- e. upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;
- f. the contractor will implement the business plans; and
- g. the contractor will submit bi-annual progress reports on approved plans to the DTI.

4.2 The NIP obligation agreement is between the DTI and the successful bidder (contractor) and, therefore, does not involve the purchasing institution.

Bid number Closing date:.....

Name of bidder.....

Postal address

.....

Signature..... Name (in print).....

Date.....

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

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

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

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

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 least 51% owned by:	EME √	QSE √
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>

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 CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

- x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.resbank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017

promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2

DATE:

CONTRACT FORM - RENDERING OF SERVICES**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:

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?</p> <p>(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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <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)?</p> <p>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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <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>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <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.

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Signature

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Date

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Position

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Name of Bidder

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