

INVITATION TO SUBMIT BID PROPOSALS

Date issued: 14 September 2021



1. Background

The Municipal Demarcation Board invites suitably qualified and experienced services providers to submit bid proposals to render Security Services for the Municipal Demarcation Board (MDB) for a period of thirty two (32) months bearing Bid Number **MDB004 – 2021/2022**.

2. Terms of Reference

The scope (TOR) and approach and deliverables are contained in the Terms of Reference document. Bidders are requested to study and understand the TOR in order to submit responsive bids.

3. Briefing Session

Non-compulsory briefing session will be held.

4. Bid submission

Original bids and proposals must be submitted at the offices of MDB and deposited in the tender box. Door to door deliveries by courier services are accepted, provided the bidder instructs the courier firm to deposit the bids in the tender box. The closing date is **06 October 2021 at 11h00**. Incomplete (non-responsive), late, faxed or emailed bids will **NOT** be accepted.

5. Reservation

The MDB reserves the right to withdraw this bid at any time before the award. The MDB also reserves the right not to award the contract with the highest points in terms of price and BBBEE. Bidders must be registered on the National Treasury Central Supplier Database at the time of award.

Issued by

MR ALUWANI RAMAGADZA
ACTING CHIEF EXECUTIVE OFFICER
MUNICIPAL DEMARCATION BOARD

REQUEST FOR PROPOSALS

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE TWENTY FOURS (24) HOURS PHYSICAL SECURITY SERVICES AT THE MUNICIPAL DEMARCATION BOARD FROM 01 NOVEMBER 2021 TO 30 JUNE 2024, PERIOD OF THIRTY-TWO (32) MONTHS

CLOSING DATE: 06 OCTOBER 2021

CLOSING TIME: 11H00

BID REFERENCE NUMBER: MDB004-2021/2022

All submission of proposals must be delivered at the MDB Offices on or before the closings date and time.

Office Details: Municipal Demarcation Board: Eco Origins Office Park, Block C1, 349 Witch-Hazel Street, Highveld Centurion.

Service Providers can send bid documents using door to door courier services but **NO** bid documents to be sent to the MDB postal address.

Bid submissions must be **placed inside** the tender box which is situated at the Reception Area on the Ground Floor of the Municipal Demarcation Board. The tender box will only be accessible during official working hours (from 08:00 to 16:30, Monday to Friday) (**NO EXCEPTIONS**).

A TWO-ENVELOPE SYSTEM will be used for the submission of proposals/quotations, therefore submissions made by Service Providers **MUST** clearly state the description as well as the Bid Reference Number: **MDB004-2021/2022** on the envelope/s submitted. (Refer below to Bid Information)

Envelope 1: This envelope must contain **ALL** information about the provision of security services on offer as indicated in the Request for Proposals Document.

Envelope 2: This envelope must contain the Pricing Schedule/Quotations as indicated in the Request for Proposals Document.

BIDDERS CHECKLIST**A. MANDATORY REQUIREMENTS**

(Mark with an X where applicable)

NO	SIGNED MANDATORY REQUIREMENTS TO BE SUBMITTED BY BIDDER/S	YES	NO	Envelope
1.	Company Registration Certificate			Envelope 1
2.	Tax Status and validity will be verified through CSD			Envelope 1
3.	Valid Private Security Industry Regulatory Authority (PSIRA) Certificate of Good Standing			
4.	Completed and Signed Bidders Documents and Checklist			Envelope 1
5.	SBD 1 and 2 Bidders Particulars Form			Envelope 1
6.	SBD 3.1, 3.2, 3.3 Pricing Schedules			Envelope 2
7.	SBD 4, 6.1, 8 and 9 Declaration Forms			Envelope 1
FAILURE TO SUBMIT THE ABOVE MANDATORY REQUIREMENTS WILL LEAD TO THE DISQUALIFICATION OF THE BIDDER				

B. NON-MANDATORY REQUIREMENTS: ADDED ADVANTAGE

(Mark with an X where applicable)

NO	ADDED ADVANTAGE OF NON-MANDATORY REQUIREMENTS TO BE SUBMITTED BY BIDDER/S	YES	NO
1.	Non-compulsory virtual briefing session		
2.	Valid B-BBEE Verification Certificate		
3.	Preference Point Claim Form		
4.	Valid Fire Arm Competency Certificate		
5.	The Bidder must have regional offices around Gauteng		
6.	Police Clearance not less than six (6) months before deployment		
7.	Declaration of Bidders Past Supply Chain Management Practices		
8.	Compensation for Occupational Injuries and Diseases Act (COIDA). The successful bidder will be required to comply with the requirements of Occupational Health and Safety (OHS) Act, 1993 (Act 85 of 1993)		

NO	ADDED ADVANTAGE OF NON-MANDATORY REQUIREMENTS TO BE SUBMITTED BY BIDDER/S	YES	NO
9.	Proof of Unemployment Insurance Fund (UIF) Certificate not older than three (3) months		
10.	Proof of Provident Fund Contribution		
11.	Proof of Payslip for Guards not older than three (3) months		

.....
NAME OF BIDDER / REPRESENTATIVE

.....
SIGNATURE OF BIDDER / REPRESENTATIVE

DATE:

1. PURPOSE OF THE PROPOSAL

1.1 Requirements for Physical Security Services

The MDB requires a suitably compliant service provider to submit proposals to provide security staff to render physical security services for twenty-four (24) hours, seven (7) days a week, including public holidays at the offices of the MDB from 01 November 2021 to 30 June 2024, period of thirty-two (32) months. The security services will only be restricted to the rented premises, as the building is situated in a guarded office park and is managed by the landlord.

2. BACKGROUND

- 2.1 It is crucial for the MDB to ensure that the premises are secured in accordance with the Access Control to Premises and Vehicle Act, 1985 (Act 53 of 1985); and the Minimum Physical Security Standards (MPSS), which are applicable to the MDB.

3. SCOPE OF WORK/DELIVERABLES

3.1 Service Providers are invited to provide the following security services:

- 3.1.1 Provide twenty-four (24) hours, seven (7) days a week physical security at the MDB, including public holidays.

- 3.1.2 Provide five (5) security guards as follows:

- 3.1.2.1 Provide three (3) security guards during day shift; and

- 3.1.2.2 Provide two (2) security guards during night shift.

- 3.1.3 Security Officers will be posted as follows:

- 3.1.3.1 **Grade C Officer** Day/Night to man the main entrance door;

- 3.1.3.2 **Grade C Officer** Day/Night to man the security control room; and

- 3.1.3.3 To provide **Roaming Supervisor/s** to monitor both shifts.

4. PROJECT OUTPUT

- 4.1 Provide a safe and secure environment for both MDB staff members and visitors.
- 4.2 Provide an environment for the safe guarding of MDB assets both movable and immovable.
- 4.3 Security Officers posted at main entrance/exit including basement parking area will be responsible for maintenance of access control operations in accordance with the relevant security prescripts.
- 4.4 Security Officers will be responsible for accompanying visitors and service providers to reception, as well as monitor their movement while on premises.
- 4.5 Provide alerts and advise the MDB on any potential security threats that may be on the horizon.
- 4.6 Continuous monitoring of the MDB premises.
- 4.7 Monthly reports on weekly activities to be submitted by the Service Provider.
- 4.8 Quarterly meetings between MDB and Service Provider.
- 4.9 A site dedicated supervisor will be responsible for overall supervision of security services to be rendered; and report to the HR and Administration Unit.
- 4.10 Provide office consumables to ensure the proper recording of operational matters.

5. MAINTENANCE OF THE SERVICE LEVEL AGREEMENT (SLA)

- 5.1 The SLA will be signed between the Municipal Demarcation Board and the successful bidder for the duration of the Agreement, subject to a probation period six (6) months, to monitor the performance of the service provider.
- 5.2 The service provider will sign a confidentiality agreement regarding the protection of MDB information.
- 5.3 Quarterly performance review on the provisions in the SLA will be conducted by the MDB.

6. EVALUATION METHODOLOGY/CRITERIA

6.1 Project Cost

- a) Provide fixed price quotation for the duration of the contract, including any/or all annual escalations.
- b) Annual percentage escalation of price should be based on the current Sectoral Determination 6: Private Security Sector.
- c) Cost must be VAT inclusive and quoted in South African Rand.
- d) All payments to the service provider will be made within thirty (30) days from receipt of a valid invoice **ONLY** when services have been fully rendered; and all queries raised have been resolved for that month.

6.2 Price and B-BBEE Status Level of Contributor

80/20 PREFERENCE POINTS SYSTEM: TENDERS FROM R1 MILLION TO A MAXIMUM OF R50 MILLION

- The rand value, including all applicable taxes for the application of the 80/20 preference point system will be applied.
- In applying the preference point system, 80 points are allocated to a tenderer who submits the lowest acceptable tender price and a maximum of 20 points may be awarded to a tenderer for B-BBEE status level of contributor.
- Both the points allocated for price (80) and the B-BBEE points (20) are combined or calculated to a total out of 100, and the tender must be awarded to the tenderer who scores the highest number of total points.
- In the case of a joint venture partnership, treasury regulations will be applied.
- Provision of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations of 2017 will be applied.

6.3 A. Company Experience

- At least a minimum of five (5) years' experience in providing physical security services in South Africa.
- Proposals must be accompanied by three (3) contactable signed references not older than three (3) years for similar projects executed.
- Provide a valid PSIRA Certificate of Good Standing.

B. Responsibilities

- Minimum Wages: It is expected that the bidder shall pay his/her employees at least the minimum monthly basic wage in terms of Section 56 of the Basic Conditions of the Employment Act, 75 of 1997, as amended.
- HR Matters: The service provider will be responsible of all HR related matters pertaining to their security personnel.

6.4 Infrastructure

A dedicated office space with the following operational systems in place:

- a) Official place of work; official business line; fax and/or e-mail facility; and postal service (if available).
- b) The service provider should have a 24-hour dedicated control tower that is fully functional with telecommunication connectivity in an official place of work.
- c) The control room must have an electronic two-way radio base set and an emergency back-up service.
- d) The control room must have strict access control and it must be according to PSIRA standards. The PSIRA certificate with regard to the control room standard must be submitted.
- e) Proof of hourly patrolling device to be installed for reporting.
- f) The service provider must have at least two (2) vehicles in road worthy condition; and must submit a certified copy of the registration certificate and road worthy certificate of the vehicles.

6.5 Functionality, Experience and Qualification

- a) Provide twenty-four (24) hours, seven (7) days a week physical security at the MDB, including public holidays;
- b) Provide a safe and secure environment for both MDB staff members and visitors;
- c) Provide an environment for the safe guarding of MDB assets both movable and immovable;

The Security Guards MUST:

- a) Have a minimum of five (5) years to a maximum of fifteen (15) years' experience;
- b) Have the relevant security qualification, PSIRA certificates and CVs of Guards must be submitted;
- c) Must be capable of monitoring and managing the security service as stipulated in the proposal;
- d) Must be dressed in full company security uniform and be presentable when on duty; and
- e) Must wear an ID card whilst on duty in such a manner that it can be clearly seen. The ID must contain the members' name, surname, PSIRA number, employee number and a photo of the employee.

The Security Guards must be equipped with the following and monitored by the Supervisor, but not limited to the following:

- a) A visitor's register;
- b) Incident log-in register;
- c) Occurrence register;
- d) Declaration register;
- e) Two-way radio with their charging units per guard;
- f) Light torch per guard; and
- g) Baton stick and handcuffs per guard, etc.

6.6 Project Execution Plan

The service provider must provide a Project Execution Plan as follows:

- a) Detailed Project Plan with intermediate and final outputs and identified timeframes/milestones;
- b) Management of the Project; and
- c) Contingency plan.

Delivery Period of the Required Security System

- a) The successful bidder must be able to supply and install the required security systems within three (3) days from the date of awarding the contract; and to remove all movable and immovable assets (patrolling devices, security systems, etc.) within twenty-four (24) hours on termination of the contract.

6.7 Reporting

- a) All incidents must be recorded and reported immediately to the HR and Administration Unit;
- b) Monthly service reports must be submitted to the HR and Administration Unit;
- c) Conduct quarterly meetings with all relevant MDB personnel in line with the provisions of the SLA; and
- d) Monthly invoices must be submitted to the Finance Unit, as indicated under 6.1 Project Cost.

7. EVALUATION CRITERIA LINKED TO NUMERIC VALUES

- a. The below table will be applied in order to evaluate each bid.*
- b. Criteria to be considered in evaluating the bid – **80/20** principle in terms of the Preferential Procurement Policy Framework Act is applicable.*

Phase 1: Technical Evaluation

CRITERIA	WEIGHT	VALUE RATING 0-5
<p>Experience and Contactable References: Point 6.3 A</p> <ul style="list-style-type: none"> ▪ At least a minimum of five (5) years' experience in providing physical security services in South Africa. ▪ Proposals must be accompanied by three (3) contactable signed references not older than three (3) years for similar projects executed. ▪ Provide a valid PSIRA Certificate of Good Standing. 	<p>30</p>	<p>5= Minimum of 5 years' experience, 3 contactable signed references not older than three (3) years and a valid PSIRA Certificate of Good Standing.</p> <p>4= Minimum of 4 years' experience, 3 contactable signed references not older than three (3) years and a valid PSIRA Certificate of Good Standing.</p> <p>3= Minimum of 3 years' experience, 2 contactable signed references not older than three (3) years and a valid PSIRA Certificate of Good Standing.</p> <p>2= Minimum of 2 years' experience, 1 contactable signed references not older than three (3) years and a valid PSIRA Certificate of Good Standing.</p> <p>1= Minimum of 1 years' experience, 1 contactable</p>

		<p>signed references not older than three (3) years and a valid PSIRA Certificate of Good Standing.</p> <p>0= Non-compliant of criterion.</p>
<p>Infrastructure: Point 6.4</p> <p>A dedicated office space with the following operational systems in place:</p> <ul style="list-style-type: none"> ▪ Official place of work; official business line; fax and/or e-mail facility; and postal service (if available). ▪ The service provider should have a 24-hour dedicated control tower that is fully functional with telecommunication connectivity in an official place of work. ▪ The control room must have an electronic two-way radio base set and an emergency back-up service. ▪ The control room must have strict access control and it must be according to PSIRA standards. The PSIRA certificate with regard to the control room standard must be submitted. ▪ Proof of hourly patrolling device to be installed for reporting. ▪ The service provider must have at least two (2) vehicles in road 	<p>30</p>	<p>5= Fully compliant with criterion as indicated in 6.4.</p> <p>4= 95% compliant with criterion as indicated in 6.4.</p> <p>3= 90% compliant with criterion as indicated in 6.4.</p> <p>2= Below 90% compliant with criterion as indicated in 6.4.</p> <p>1= Below 60% compliant with criterion as indicated in 6.4.</p> <p>0= Non-compliant of criterion.</p>

<p>worthy condition; and must submit a certified copy of the registration certificate and road worthy certificate of the vehicles.</p>		
<p>Experience and Qualification Point 6.5 - The Security Guards MUST:</p> <ul style="list-style-type: none"> ▪ Have a minimum of five (5) years to a maximum of fifteen (15) years' experience; ▪ Have the relevant security qualification, PSIRA certificates and CVs of Guards must be submitted. 	<p style="text-align: center;">30</p>	<p>5= Minimum of 5 years' experience and relevant security qualification, PSIRA certificates and CVs of Guards submitted.</p> <p>4= Minimum of 4 years' experience and relevant security qualification, PSIRA certificates and CVs of Guards submitted.</p> <p>3= Minimum of 3 years' experience and relevant security qualification, PSIRA certificates and CVs of Guards submitted.</p> <p>2= Minimum of 2 years' experience and relevant security qualification, PSIRA certificates and CVs of Guards submitted.</p> <p>1= Minimum of 1 years' experience and relevant security qualification, PSIRA certificates and CVs of Guards submitted.</p>

		0= Non-compliant of criterion.
Project Execution Plan Point 6.6 <ul style="list-style-type: none"> Detailed Project Plan with intermediate and final outputs and identified timeframes/milestones; Management of the Project; and Contingency plan. 	10	5= Fully compliant with criterion as indicated in 6.6. 4= 95% compliant with criterion as indicated in 6.6. 3= 90% compliant with criterion as indicated in 6.6. 2= Below 90% compliant with criterion as indicated in 6.6. 1= Below 60% compliant with criterion as indicated in 6.6. 0= Non-compliant of criterion.
TOTAL		100

For purpose of evaluating functionality, the following values will be applicable:

Value Rating	Value	Description
0=	Non-Satisfactory	Non-compliance with criterion.
1=	Satisfactory	Below inadequate criterion.
2=	Average	Below minimum criterion.
3=	Good	Minimum criterion.
4=	Very Good	Partial criterion.
5=	Excellent	Maximum criterion.

NB: Bidders who obtain at least 70% for functionality will proceed to Phase 2 Price and B-BBEE Status Level of Contributor.

PHASE 2: PRICE AND B-BBEE STATUS LEVEL OF CONTRIBUTOR

80/20 PREFERENCE POINTS SYSTEM: TENDERS FROM R1 MILLION TO A MAXIMUM OF R50 MILLION

- In terms of regulations 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)**
- The rand value, including all applicable taxes, for the application of the 80/20 preference point system will be applied.
- In applying the preference point system, 80 points are allocated to a tenderer who submits the lowest acceptable tender price and a maximum of 20 points may be awarded to a tenderer for B-BBEE status level of contributor.
- Both the points allocated for price (80) and the B-BBEE points (20) are combined or calculated to a total out of 100, and the tender must be awarded to the tenderer who scores the highest number of total points.
- The formula on the 80/20 Preference Point System on Price and B-BBEE will be used for calculation purposes.
- In the case of a joint venture partnership, treasury regulations will be applied.

8. MANDATORY REQUIREMENTS

The following shall apply:

- 8.1 A compulsory site inspection will be conducted to confirm the infrastructure capabilities as listed in 6.4 above for the top two (2) short-listed bidders.

8.2 The MDB reserves the right to conduct security background checks in respect of the selected bidders, their Directors and staffing personnel.

8.3 Appointment of the successful bidder will be subjected to positive background checks.

9. FORMAT AND SUBMISSION OF THE PROPOSAL

9.1 All the official forms (SBD) must be completed and signed in all respects by the bidder. Failure to comply may invalidate a bid.

9.2 To ensure that bid proposals are **NOT** tampered with during the Bid Evaluation Process, bidders are kindly requested to submit **Five (5)** copies of the technical proposal.

9.3 Bidders are further requested to separate financial proposal from technical proposal. Failure to comply **shall** invalidate the bid

9.4 All the official forms (SBD) must be completed and signed in all respects by the bidder. Failure to comply may invalidate a bid.

10. NON-COMPULSORY VIRTUAL BRIEFING SESSION

A non-compulsory virtual briefing session will be scheduled and details thereof shall be published with the tender documents on the MDB's website.

11. BID INFORMATION

TWO (2) ENVELOPE SYSTEM: The complete submission must be returned to:

Municipal Demarcation Board
Eco Origins Office Park, Block C1, 349 Witch-Hazel Street, Highveld, Centurion
Attention: Supply Chain Management Unit

12. DISCLAIMER

12.1 Whilst the MDB is issuing this Request for Proposals (RFP) in good faith, it reserves the right to cancel the selection process and reserves the right not to

select or appoint any of the bidders to the RFP and is also not obliged to provide reasons for the rejection of any proposals.

The MDB also reserves the right:

- a) To reduce / increase the required service during the contract period, thirty (30) days written notice to be given.
- b) To negotiate cost of the physical security services to be rendered and negotiate an acceptable solution with one or more potential bidders.
- c) To appoint a B-BBEE Level 1 contributor in the following category: Women owned, Youth and Persons with Disabilities.
- d) Not to consider any proposals that do not conform to any aspect of the bidding requirements, as well as request further information from any bidders after the closing date.
- e) To cancel this tender and or any part thereof at any time.

13. TERMINATION OF THE CONTRACT

13.1 The contract will be terminated immediately should the successful bidder no longer qualify as service provider in terms of the Private Security Industry Regulations Act, 2001 (Act 56 of 2001) or CIPRO.

13.2 Any amendment or waiving of the stipulations of the SLA must occur in writing by mutual consent between the MDB and the successful bidder.

14. BIDDERS NOTIFICATION

14.1 The MDB will notify bidders of the outcome of the bid through its website and e-Tender portal.

15. CONTACT DETAILS

15.1 For all related queries, please contact the Supply Chain Management Unit, Mr Abel Maluleka via e-mail Abel@demarcation.org.za or alternatively on 012-342 2481 between 08:00 to 16:30, Mondays to Fridays, telephonic enquiries should be reduced to writing; and send to the above e-mail address.

15.2 For additional information visit the MDB website www.demarcation.org.za.

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE MUNICIPAL DEMARCATION BOARD					
BID NUMBER:	MDB004-2021-2022	CLOSING DATE: 06-10-2021		CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO RENDER SECURITY SERVICES AT THE MUNICIPAL DEMARCATION BOARD (MDB) FOR A PERIOD THIRTY-TWO (32) MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Block C1 Eco Origin					
349 Witch-Hazel Avenue					
Highveld					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr Abel Maluleka		CONTACT PERSON	Ms Vanie Naidoo	
TELEPHONE NUMBER	012 342 2481		TELEPHONE NUMBER	012 342 2481	
FACSIMILE NUMBER	012 342 2480		FACSIMILE NUMBER	012 342 2480	
E-MAIL ADDRESS	Abel@demarcation.org.za		E-MAIL ADDRESS	Vanie@demarcation.org.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.

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 – NON-FIRM PRICES (PURCHASES)

NOTE: PRICE ADJUSTMENTS WILL BE ALLOWED AT THE PERIODS AND TIMES SPECIFIED IN THE BIDDING DOCUMENTS.

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

** "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

A NON-FIRM PRICES SUBJECT TO ESCALATION

- $$Pa = (1 - V)Pt \left(D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + D4 \frac{R4t}{R4o} \right) + VPt$$

Pa	=	The new escalated price to be calculated.
(1-V)Pt	=	85% of the original bid price. Note that Pt must always be the original bid price and not an escalated price.
D1, D2..	=	Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors D1, D2...etc. must add up to 100%.
R1t, R2t.....	=	Index figure obtained from new index (depends on the number of factors used).
R1o, R2o	=	Index figure at time of bidding.
VPt	=	15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

- Index..... Dated..... Index..... Dated..... Index..... Dated.....
Index..... Dated..... Index..... Dated..... Index..... Dated.....

- [illegible]

B PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS

1. Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE	PORTION OF PRICE SUBJECT TO ROE	AMOUNT IN FOREIGN CURRENCY REMITTED ABROAD
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

2. Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)

AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD:	DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE	DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE	DATE UNTIL WHICH NEW CALCULATED PRICE WILL BE EFFECTIVE

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	BID NO.: MDB004– 2021/2022
CLOSING TIME 11:00	CLOSING DATE: 06 October 2021

OFFER TO BE VALID FOR **120** DAYS 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.

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 –

Department: MUNICIPAL DEMARCATION BOARD**Contact Person: Mr Abel Maluleka**Tel: 087 150 4418 (direct)
012 342 2481 (switchboard)

Fax: 012 342 2480

E-mail address: Abel@demarcation.org.za

Or for technical information –

Contact Person: Ms Vanie NaidooTel: 087 150 4441 (direct)
012 342 2481 (switchboard)

Fax: 012 342 2480

E-mail address: Vanie@demarcation.org.za

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**

.....

.....

.....

YES/NO

.....

.....

.....

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

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

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

Where

Ps = Points scored for price of bid under consideration

Pt = 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:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- 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	<input type="checkbox"/>	<input type="checkbox"/>
Black people living in rural or underdeveloped areas or townships	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative owned by black people	<input type="checkbox"/>	<input type="checkbox"/>

Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

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

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a

fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

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

WITNESSES

1.

2.

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

DATE:

ADDRESS

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

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

Js914w 2