



FREE STATE DEVELOPMENT CORPORATION

**APPOINTMENT OF SUITABLE FIRM OR JOINT VENTURE OF PROFESSIONAL
FACILITIES MANAGEMENT/ PROPERTY MANAGEMENT TO PROVIDE
ADVISORY/PROPERTY CONSULTING SERVICES TO THE FREE STATE
DEVELOPMENT CORPORATION.**

BID NUMBER: FDC BID NO. 006/2018

NON -COMPULSORY BRIEFING SESSION:

FRIDAY, 29 JUNE 2018 AT 11:00

CLOSING DATE: FRIDAY, 20 JULY 2018 AT 12:00

PREPARED BY:

FREE STATE DEVELOPMENT CORPORATION

33 KELLNER STREET

WESTDENE BLOEMFONTEIN

9301

TECHNICAL CONTACT PERSON: SHEPHERD MOYO

**SUPPLY CHAIN MANAGEMENT CONTACT PERSON: NTOMBI
MTIMKULU**

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FREE STATE DEVELOPMENT CORPORATION

BID NUMBER:	FDC BID NO. 006/2018	CLOSING DATE:	20 JULY 2018	CLOSING TIME:	12:00
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DESCRIPTION	APPOINTMENT OF SUITABLE FIRM OR JOINT VENTURE OF PROFESSIONAL FACILITIES MANAGEMENT/ PROPERTY MANAGEMENT TO PROVIDE ADVISORY/PROPERTY CONSULTING SERVICES TO THE FREE STATE DEVELOPMENT CORPORATION.
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THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX
SITUATED AT (STREET ADDRESS)

33 KELLNER STREET, CNR MARKGRAAF, WESTDENE, BLOEMFONTEIN, 9301

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					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			

[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? [IF YES ENCLOSE PROOF]	<input type="checkbox"/> Yes <input type="checkbox"/> No	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
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SIGNATURE OF BIDDER	DATE	
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CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
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TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
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BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:

DEPARTMENT/ PUBLIC ENTITY	FDC	TECHNICAL INFORMATION MAY BE DIRECTED TO:	
CONTACT PERSON	NTOMBI MTIMKULU	CONTACT PERSON	SHEPHERD MOYO
TELEPHONE NUMBER	051 4000 800	TELEPHONE NUMBER	051 4000 800
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	scmqueries@fdc.co.za	E-MAIL ADDRESS	shepherdm@fdc.co.za

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
<p>3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

APPOINTMENT OF SUITABLE FIRM OR JOINT VENTURE OF PROFESSIONAL FACILITIES MANAGEMENT/ PROPERTY MANAGEMENT TO PROVIDE ADVISORY/PROPERTY CONSULTING SERVICES TO THE FREE STATE DEVELOPMENT CORPORATION.

1. Purpose

1.1 Summary

This Request for Proposals is issued by the Free State Development Corporation for the purpose of soliciting proposals from qualified entities to provide advisory/property consulting services to the corporation.

1.2 Definitions

The following terms are used throughout this Request for Proposal (RFP):

Agency - The collection service selected and contracted or pursuant to the RFP

FDC - Free State Development Corporation

Proposer (Applicant)- the entity in pursuit of the FDC contract

1.3 Background

The Free State Development Corporation is the official economic development agency for the Free State. The agency focuses on various key activities all of which are aimed at culminating in the attainment of economic growth and development, extension of services to SMME's, provision of export-related assistance and effective property management services to Provincial government.

2. Contract

2.1 Term of Contract

The period of any contract resulting from this will be five (5) years. The FDC may award contracts to either single and/or multiple external property consultants. Furthermore, the resultant contract will be reviewed on an annual basis based on performance.

2.2 Code of Ethics

(Applicants) will be responsible for determining that there will be no conflict or violation of the Ethics Code if their entity is awarded the contract. The Free State Development Corporation is the only entity which can officially rule on ethic issues.

3. Scope of Services Required

The Free State Development Corporation is issuing this Request for Proposals (RFP) to establish a contract with a service provider/property consulting agency with experience in the following areas:

- 1- Management of Property Development.
 - a. Assessment of properties, and;
 - b. Feasibility studies.
- 2- Project Management.
 - a. Redevelopment and rehabilitation of properties in the city centre, and;
 - b. Social and gap housing development.
 - c. Commercial and industrial `property development and maintainance
- 3- Research in purchasing and selling of properties (Consider- Property Market Research- Subset of this will be as follows: feasibility and viability appraisals for planned acqizitions, advisory services on return on investments and real estate investment portfolio sustainability, and; Market Trend Analysis.
- 4- Professional Valuation Services
- 5- Tender Advisory and Support Services
- 6- Professional Liasion Services with:
 - a. Municipalities
 - b. Government departments
 - c. Consulting Engineers
 - d. Retail Property Management

4. Desirable Proposer

4.1 Qualifications of Proposer (Applicant)

- Understanding of property market in the Free State province
- Should show evidence of having the following expertise domiciled within their entity:
 - Architect
 - Quantity Surveyor
 - Project Manager
 - Civil and Structural Engineer
 - Electrical and Mechanical Engineer
 - Property Valuer
 - Property Manager
 - Town and Regional Planner
 - Construction Mngner/ Construction Project Manager
- Key personnel of each professional discipline must be registered with relevant council. Certified copies of valid professional registration certificates with the following or applicable bodies for all proposed key personnel for this project;
 - Project Manager: South African Council for Project and Construction Management Profession.
 - Architect: South African Council for the Architectural Profession.
 - Quantity Surveyor: South African Council for the Quantity Surveying Profession.
 - Construction Manager/ Construction Project Manager: South African Council for the Project and Construction Management Professions
 - Civil and Structural Engineer: Engineering Council of South Africa
 - Property Valuator: South African Institute of Valuers
 - Property Manager: Estate Agency Affairs Board
 - Town and Regional Planner: South African Council for Planners
 - Electrical and Mechanical Engineer: The South African Institute of Electrical Engineer/ South African Institute for Mechanical Engineers.
- Should provide certified copies of valid qualification certificates for each key personnel.

4.2 Company Background and Experience

The Proposer (Applicant) should submit a portfolio of evidence detailing relevant experience in the aspects mentioned in Section 3.1-6.

Management of Property Development, which includes

- Assessment of properties and
- Feasibility studies
- Project Management
 - Redevelopment and rehabilitation of properties in the city centre
 - Social and gap housing development
- Research in purchasing and selling of properties
- Valuations
- Closed tender procedures
- Professional services
- Should have a comprehensive understanding of the Free State economic forces at work in the real estate market in order to evaluate the property in terms of operating income, forecast its potential for the future, and construct a management plan that reflects the owner's objectives.
- The portfolio of evidence should indicate the entity's ability to meet or exceed the mandatory requirements and desirable qualifications provided for in this request for proposals.
- Also, the proposer (applicant) must include references from previous and existing clients in the submittal.

5. Fees

Submittals must include a cumulative contract sum consisting of a schedule of fees based on services required and charged over a five-year period.

6. Proposals

6.1 Submitting Proposals

All proposals must be sent to:

CONTACT PERSON	CLOSING DATE
For SCM enquiries please contact Ms. Ntombi Mtimkulu Phone: 051 400 0800 Email: ntombi@fdc.co.za Technical enquiries please contact Mr. Shepherd Moyo Phone: 051 4000 800 Email: shepherdm@fdc.co.za	Proposals must be delivered in a sealed clearly marked envelope addressed as follows: FDC House, 33 Kellner c/o Markgraaf Street, Westdene, Bloemfontein not later than 20 July 2018 at 12:00.

6.2 Required Format of the Proposal

Failure by any Agency to include the following information or statements in its proposal will result in the proposal being declared unacceptable or non-responsive, and it will receive no further consideration for award of the contract. Proposals must include the information prescribed herein and be organized in the following manner:

- 1 Letter of Transmittal
- 2 Addenda Acknowledgment
- 3 Title Page
 - Title of Proposal
 - Agency's Name
 - Name, Title, Phone Number, E-mail and Mailing Address of the persons who can respond to inquiries regarding the proposal
- 4 Technical Capabilities and Requirements
- 5 Referral and Updating Methods
- 6 Management of Property Development
- 7 Project Management
- 8 Research in purchasing and selling of properties
- 9 Valuations
- 10 Closed tender procedures
- 11 Professional services
- 12 Project Manager
- 13 Experience and References
- 14 Financial Statements
- 15 Fee Schedule

6.3 Transmittal Letter

A transmittal letter must accompany the proposal. The letter should be in the form of a standard business letter and must be signed, by an individual legally authorized to enter into a contract on behalf of the entity. The letter must include the following information in corresponding order and be clearly identified by number of the requirement to which it is responsive:

1. A statement that the proposal is for appointment of suitable firm or joint venture of professional facilities management/ property management to provide advisory/property consulting services to the free state development corporation.
2. A statement of the entity's business history and a statement that this contract is Authorized by the entity's corporate bylaws or other authorizing documents, if applicable.
3. A statement indicating that the entity is registered as a corporation or other legal entity in good standing.
4. A statement that no attempt has been made or will be made by the entity to induce any other person or firm to submit or not to submit a proposal
5. A statement certifying that no personnel currently employed by or under personal contract to the FDC, participated, either directly or indirectly, in any activities related to the preparation of the Agency's proposal:
 - The entity has not offered, promised or given a rebate, gift, money, or anything of value, or offered any promise, obligation or contract for future reward to an FDC official or employee in connection with this contract or in connection with any other FDC action affecting this contract.
 - To the best of its knowledge, no FDC official or employee who participates in or supervises the negotiation of this contract will have a personal financial interest in this contract or in connection with any other FDC action affecting this contract or will personally benefit.
 - The entity will not seek, receive, or use confidential information from the FDC or the FDC's officials or employees for reasons outside of this contract.
6. A statement identifying those individuals who were involved in the preparation of the proposal.
7. A statement that the entity is in compliance with the Free State Development Corporation bylaws and Act.

6.4 Proposal Evaluation

Responses will be evaluated by FDC bid evaluation committee. The FDC will select the firm(s) submitting the most responsive proposals that demonstrate clear capability to best fulfil the purposes of the RFP in a cost-effective manner.

Evaluation of proposals will be divided into two Phases: (1) Evaluation of Mandatory Requirements, and (2) Evaluation of Experience, Qualifications, and Costs for those meeting the mandatory requirements in Phase (1).

Evaluation and Review

Proposals that pass the preliminary screening and mandatory requirements review will be evaluated by a selection committee based on information provided in the proposal.

The Evaluation Team will evaluate and score the proposals using the criteria and scoring as follows:

CRITERIA	MAXIMUM POINTS												
<p>Company Background and relevant Experience in the property industry. (Attach reference letters)</p> <table data-bbox="766 817 1353 1176"> <tr> <td>10 years or more</td> <td>20 points</td> </tr> <tr> <td>08 years</td> <td>16 points</td> </tr> <tr> <td>06 years</td> <td>12 points</td> </tr> <tr> <td>04 years</td> <td>08 points</td> </tr> <tr> <td>02 years</td> <td>04 points</td> </tr> <tr> <td>00 years</td> <td>00 points</td> </tr> </table>	10 years or more	20 points	08 years	16 points	06 years	12 points	04 years	08 points	02 years	04 points	00 years	00 points	20
10 years or more	20 points												
08 years	16 points												
06 years	12 points												
04 years	08 points												
02 years	04 points												
00 years	00 points												
<p>Submit proof detailing understanding of property market in the Free State.</p> <table data-bbox="193 1355 1353 1668"> <tr> <td>Excellent</td> <td>25 points</td> </tr> <tr> <td>Very Good</td> <td>20 points</td> </tr> <tr> <td>Good</td> <td>15 points</td> </tr> <tr> <td>Average</td> <td>10 points</td> </tr> <tr> <td>Poor</td> <td>05 points</td> </tr> </table>	Excellent	25 points	Very Good	20 points	Good	15 points	Average	10 points	Poor	05 points	25		
Excellent	25 points												
Very Good	20 points												
Good	15 points												
Average	10 points												
Poor	05 points												
<p>Years of Experience and professional registration with councils listed below or other relevant councils of the key personnel to be directly responsible for implementation of this project for each discipline (please provide CV's with originally certified professional registration certificates)</p>	27												

1. Project Manager : SACPCMP Registered Professional

10 or more years experience = 3 points

5-9 years experience = 2 points

2-4 years experience = 1 points

2. Quantity Surveyor : SACQSP Registered Professional

10 or more years experience = 3 points

5-9 years experience = 2 points

2-4 years experience = 1 points

3. Architect: SACAP Registered Professional Architect

10 or more years experience = 3 points

5-9 years experience = 2 points

2-4 years experience = 1 points

4. Civil and Structural Engineer : ECSA Registered Professional Engineer/Technologist

10 or more years experience = 3 points

5-9 years experience = 2 points

2-4 years experience = 1 points

5. Property Valuer: South African Institute of Valuers

10 or more years experience = 3 points

5-9 years experience = 2 points

2-4 years experience = 1 points

6. Construction manager/ Construction Project Manager: SACPCMP

10 or more years experience = 3 points

5-9 years experience = 2 points

2-4 years experience = 1 points

7. Property Manager: Estate Agency Affairs Board

10 or more years experience = 3 points

5-9 years experience = 2 points

2-4 years experience = 1 points

8. Town and Regional Planner: SACPLAN

10 or more years experience = 3 points

5-9 years experience = 2 points

<p>2-4 years experience = 1 points</p> <p>9.Electrical and Mechanical Engineer: SAIEE and SAIMEchE</p> <p>10 or more years experience = 3 points</p> <p>5-9 years experience = 2 points</p> <p>2-4 years experience = 1 points</p>	
Following the Required Format of Proposal	08
Locality – Free State based (attach proof)	20
TOTAL SCORE	100

Note: The Minimum qualifying score for functionality is 80%. All Proposals that fail to achieve the minimum qualifying score on functionality shall not be considered for further evaluation.

6.6 Preference Point System

All proposals that will achieve the minimum qualifying score will be evaluated further in terms of the preference point system as follows:

PRICE 80

BEE 20

7. Requirements for the proposal

- i. Clear demonstration of experience (list of references with valid contacts, attach testimonials from references)
- ii. Project leader and CV of proposed team to be assigned for this project including registration with the relevant council..
- iii. Proof of Company address.
- iv. Company profile, Company registration documents and BBBEE Certificate.
- v. Valid Tax Clearance Certificate.
- vi. Proof of registration with CSD

SBD 2

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 is 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.

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

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

YES/NO

2.10.1 If so, furnish particulars.

.....
.....

.....

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

2.11.1 If so, furnish particulars:

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

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

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

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 20

SBD 6.1

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

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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

7. SUB-CONTRACTING

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

YES		NO	
-----	--	----	--

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		NO	
-----	--	----	--

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</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> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>

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

SBD 9

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