



SUPPLY CHAIN MANAGEMENT

Ref: CS&TM 04/20/21A

Date: 12/02/2021

INVITATION TO BID

RE ADVERT: PROVISION OF PHYSICAL SECURITY SERVICES FOR THE DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT AT FOUR DISTRICT MUNICIPALITIES IN THE NORTH WEST PROVINCE FOR PERIOD OF THREE (3) YEARS.

A. NGAKA MODIRI MOLEMA DISTRICT

DATE ISSUED: 12/02/2021

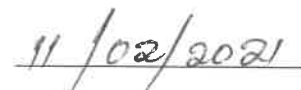
CLOSING DATE: 05/03/2021

TENDER BOX

**THE NORTH WEST PROVINCIAL DEPARTMENT OF COMMUNITY SAFETY –
SAFETY HOUSE, 31-34 MOLOPO ROAD, (MAIN ENTRANCE)
SECURITY CHECK POINT
MAHIKENG**

Name of bidder		Bidder VAT registered?
Total bid price including VAT: (brought forward from SBD 1)		Yes: <input type="checkbox"/> No: <input type="checkbox"/>


Mr. S Maduma


Date



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PROVISION OF PHYSICAL SECURITY SERVICES FOR THE DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT AT FOUR DISTRICT MUNICIPALITIES IN THE NORTH WEST PROVINCE FOR PERIOD OF THREE (3) YEARS (a)NGAKA MODIRI MOLEMA DISTRICT (b)BOJANALA DISTRICT (c)DR RUTH SEGOMOTSI MOMPATI DISTRICT (d)DR KENNETH KAUNDA DISTRICT

1. INTRODUCTION

This is a request for provisioning of the physical security services to the Department of Community Safety and Transport Management in the North West Province's four districts municipalities for a period of three (3) years.

2. BRIEFING SESSION

There shall be no briefing session due to State of Disaster (Covid 19) pronounced by the President of South Africa on the 15th March 2020 and subsequent instruction note by the National Treasury (Note no. 5 of 2020/2021) for PFMA, to address emergency procurement strategy as contained in Section 6.1.3 and 6.1.4. The notes clearly states that the Departments shall not hold briefing session. For more queries refer to contact details on paragraph 5 and 7 (the purpose will be to explain the requirements of the bid and completion of bid forms).

3. DURATION OF THE CONTRACT

The successful bidder will be appointed for a period of three (3) years

4. TIMELINE OF THE BID PROCESS

The validity period is 120 days after closing of the bid. The project timeframes of this bid are set out below:

Activity	Date due
Advertisement of the bid in the: - Government Tender Bulletin; and - National Treasury Tender Portal	12 FEBRUARY 2021 12 FEBRUARY 2021
Distribution of bid documents on the departmental website	12 FEBRUARY 2021
Compulsory briefing session	Not applicable
Bid closing date	05 MARCH 2021
Notice to bidder(s)	

PROVISION OF PHYSICAL SECURITY SERVICES FOR THE DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT AT FOUR DISTRICT MUNICIPALITIES IN THE NORTH WEST PROVINCE FOR PERIOD OF THREE (3) YEARS (a)NGAKA MODIRI MOLEMA DISTRICT (b)BOJANALA DISTRICT (c)DR RUTH SEGOMOTSI MOMPATI DISTRICT (d)DR KENNETH KAUNDA DISTRICT



***Dates subject to change.**

All times in this bid are South African Standard Time. Any time or date in this bid is subject to change at the Department's sole discretion. The establishment of a time or date in this bid does not create an obligation on the part of the department to take any action, or create any right in any way for any bidder to demand that any action be taken on the date established.

The bidders accepts that, if the Department extends the deadline (the closing date) for bid submissions for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

5. CENTRAL SUPPLIER DATABASE [CSD]

- 5.1 Bidders must be registered as a service provider on the Central Supplier Database [CSD]. If you are not registered proceed to complete the registration of your company prior to submitting your bid. Refer to <https://secure.csd.gov.za/> to register your company. Ensure that all documentation on the database are updated and valid.
- 5.2 Bidders are also required to submit their CSD Registration "Summary Report".
- 5.3 Bidders must ensure that their tax information on Central Supplier Database [CSD] is in good standing and submit a Valid Tax Clearance Certificate or valid tax compliance status pin.
- 5.4 Bidders should further note that the Central Supplier Database (CSD) will be utilized to confirm compliance to tax and other related matters. It is therefore the bidder's responsibility to ensure compliance in all respects.



6. INSTRUCTION TO BIDDERS

- 6.1 Bids must be properly packaged, clearly marked as CS&TM 04/20/21 and deposited in the tender box on or before the closing date and time at the Department of Community Safety and Transport Management, situated at: -
**The North West Provincial Department of Community Safety House,
31-34 Molopo Road, Mahikeng (Main Entrance) Security Check
Point.**
- 6.2 Bid documents will only be considered if received by the Department before the closing date 05 MARCH 2021 AT 11H00
- 6.3 Late bids will not be accepted.
- 6.4 The Department of Community Safety and Transport Management, reserves the right to award the bid in whole or in part and does not bind itself to accept the lowest or any bid.

7. CONTACT DETAILS

For more detailed information regarding the bid procedure and specifications please contact the following:

Contact Persons:

SCM Official: Mr. M. Mojaki / Ms L. Motlhamme – 018 200 8085/ 8416

Imojaki@nwpg.gov.za and LLMotlhamme@nwpg.gov.za

Specification: Mr O. Neito - 018 200 8171 or oneito@nwpg.gov.za

Potential bidder(s) must reduce all telephonic enquiries to writing and send them to the above email addresses.



8. DOCUMENTS IN THE BID DOCUMENT PACK.

Bidders are to ensure that they have received all pages of this document, which consist of the following documents:

- Bid Submission Checklist

SECTION 1

Special Conditions of Contract (SCC)

- Bidder must ensure employment of local people.
- Bidder must have office with control room within the district bidding for.
- All security officers must be registered with PSIRA.
- Monthly compliance inspections will be conducted in line with SLA by the Department.
- Bidder must ensure security officers are issued with payslips on monthly basis and will be verified randomly by Department.
- The bidder must bid for only one (1) district. Bidder bidding for more than one (1) district will be immediately disqualified.
- The recommended bidders will be subjected to periodical security screening before and after the award.
- Contracted service providers are obliged to pay security officers as per PSIRA pricing structure including annual increment for the duration of the contract.
- Adherence to the Service Level Agreement (SLA).
- The Government is obliged to pay the contracted service provider PSIRA annual increment.
- The contracted service providers are obliged to submit all payments documents within first seven (7) days of the beginning of the month.
- The Department is obliged to pay the service provider within thirty days of receiving all correct required documentation.
- Default by either party (i.e. the contracted supplier or any government department) in terms of delivery, quality of products and payments must be reported within Fourteen (14) working days to the Provincial Supply Chain Management Office.

- All parties are obliged to adhere to these Special Conditions of bids as stipulated in the attached bid forms and General Conditions of Contract.
- Recommended bidders will be subjected to screening (Originally certified copies of required documents will be requested).
- Confirmation of public liability insurance to the minimum of Two million Rand (R2 000 000) must be submitted within 30 days after the awarding of the bid.

SECTION 2

- Invitation to Bid (SBD 1)
- Price Schedule (SBD 3.2)
- Declaration of Interest (SBD 4)
- Preference Points Claim Form in Terms of the Preferential Procurement Regulations 2017 (SBD 6.1)
- Declaration of Bidder's past SCM Practices (SBD 8)
- Certificate of Independent Bid Determination (SBD 9)

SECTION 3

- General Conditions of Contract (GCC)

9. BID SUBMISSION CHECKLIST

[CHECK WHETHER ALL RETURNABLES ARE INCLUDED ON THIS CHECKLIST]

- All the relevant forms attached to this bid documents must be completed and signed in ink where applicable by a duly authorised official.
- Use of tippex and pencil in the bid document are not allowed.
- Where cancellation has been made, bidders should endorse with a signatures.

Bidders are required to complete the following checklist and to submit it with their bids:
Please note that all the information listed below should be included in the bid.

NO	REQUIREMENT	COMPLIANT? (TICK ✓ IN APPROPRIATE BOX)	
		YES	NO
1	SECTION 1		
1.1	Standard Bidding Documents:		
SBD 1	Invitation		
SBD 3.2	Pricing Schedule – Non-Firm Prices		
SBD 4	Declaration of Interest		
SBD 6.1	Preference Points Claim Form in Terms of The Preferential Procurement Regulations 2017		
SBD 8	Bidders Past Supply Chain Practices		
SBD 9	Certificate of Independent Bid Determination		
2	SECTION 2		
2.1	Special Conditions of Contract (SCC)		
3.	SECTION 3		
3.1	General Conditions of Contract (GCC)		
4.	ATTACHMENTS		
4.1	Proof of residential address-(municipality account required, Municipal Clearance certificate or rental agreement)		
4.2	Identification copies (3) months		
4.3	Company's registration, CK document		
4.4	Valid and original Tax Clearance Certificate/ Tax Compliance Status Pin		
4.5	CSD Registration number (Summary Report)		
4.6	Valid Original certified copy of PSIRA company registration certificate		
4.7	Original certified copy of CIPRO company registration certificate		
4.8	Compensation for Occupational injuries and Diseases (COIDA) letter of Good Standing		
4.9	UIF Certificate of Compliance		
4.10	Provident Fund Letter		

PROVISION OF PHYSICAL SECURITY SERVICES FOR THE DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT AT FOUR DISTRICT MUNICIPALITIES IN THE NORTH WEST PROVINCE FOR PERIOD OF THREE (3) YEARS (a)NGAKA MODIRI MOLEMA DISTRICT (b)BOJANALA DISTRICT (c)DR RUTH SEGOMOTSI MOMPATI DISTRICT (d)DR KENNETH KAUNDA DISTRICT

10. SCOPE OF WORK

10.1 Problem Statement

The **National Key Points Act, 1980 (Act No. 102 of 1980)** of the Parliament of South Africa provides for the declaration and protection of sites of **national strategic importance** against sabotage.

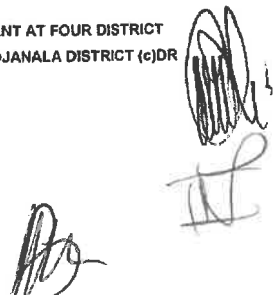
Physical Security Industry Regulation Act, 2001 (Act No. 56 of 2001) preamble the adequate protection of fundamental rights to life and security of the person as well as the right not to be deprived of property, is fundamental to the well-being and to the social and economic development of every person.

Security and Facilities Management is mandated to ensure protection of state assets that includes physical assets, information, property, funds etc which in order to curb loss, theft or damage of the above electronic security systems and physical services of security officers must be procured.

It is on the basis of the above background that the Department re-advertise the bid physical security services within the North West Province.

10.2 Statement of Work

To acquire provision of Physical Security Services for the Department of Community Safety and Transport Management at thirty-six (36) facilities for period of three (3) years.



10.3 Main deliverable

10.3.1. SITE SPECIFICATIONS

A. NGAKA MODIRI MOLEMA DISTRICT					
No.	FACILITY	DAY SHIF	NIGHT SHIFT	QUANTITY	PRICE
1	Ngaka Modiri Molema District	01 Grade B Supervisor	0	1	
2	Tirelo building	12 Grade D & 2 Grade C armed	6 Grade D & 2 Grade C armed	22	
3	Safety House	3 Grade D & 1 Grade C armed	2 Grade D & 1 Grade C armed	7	
4	Mahikeng Operator Licensing	3 Grade D & 1 Grade C armed	2 Grade D & 1 Grade C armed	7	
5	Molopo Licensing and RA	1 Grade D & 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
6	Montshioa traffic	1 Grade D & 1 Grade C armed	2 Grade D & 2 Grade C armed	6	
7	Ngaka Modiri Molema Government Garage	1 Grade D & 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
8	Itsoseng Registering Authority	1 Grade D & 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
9	Lehurutshe Traffic	2 Grade D & 1 Grade C armed	2 Grade D & 1 Grade C armed	6	
10	Zeerust Weighbridge	1 Grade D & 1 Grade C Armed	2 Grade D & 1 Grade C Armed	5	
11	Lichtenburg Weighbridge	1 Grade D & 1 Grade C armed	2 Grade D & 1 Grade C armed	5	
12	Lichtenburg Traffic	2 Grade D & 1 Grade C armed	2 Grade D & 2 Grade C armed	7	
MONTHLY TOTAL PRICE					

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B. BOJANALA DISTRICT

NO	FACILITY	DAY SHIF	NIGHT SHIFT	QUANTITY	PRICE
1	Bojanala District	1 Grade B Supervisor	N/A	1	
2	Moretele Traffic	2 Grade D & 1 Grade C Armed	2 Grade D & 1 Grade C Armed	6	
3	Brits Traffic	5 Grade D 2 & Grade C armed	2 Grade D & 2 Grade C armed	11	
4	Mogwase Licensing	2 Grade D & 2 Grade C armed	2 Grade D & 2 Grade C armed	8	
5	Madikwe Traffic	2 Grade D 2 & Grade C armed	2 Grade D & 2 Grade C armed	8	
6	Koster Traffic	1 Grade D & 1 Grade C Armed	2 Grade D & 1 Grade C Armed	5	
7	Koster Weighbridge	1 Grade D & 1 Grade C Armed	1 Grade D & 1 Grade C Armed	4	
8	Phokeng Registering Authority	1 Grade D & 1 Grade C armed	0	2	
9	Rustenburg Traffic	4 Grade & 2 Grade C armed	3 Grade D & 2 Grade C armed	11	
10	Rustenburg Government Garage	1 Grade D 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
11	Tlhabane Operator Licensing	1 Grade D 1 Grade C armed	1 Grade D 1 Grade C armed	4	
MONTHLY TOTAL PRICE					

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C. DR RUTH SEGOMOTSI MOMPATI DISTRICT

NO	FACILITY	DAY SHIF	NIGHT SHIFT	QUANTITY	PRICE
1	Dr. Ruth Mompoti District	01 Grade B Supervisor	N/A	1	
2	Vryburg Traffic	4 Grade D & 1 Grade C Armed	3 Grade D & 1 Grade C Armed	9	
3	Vryburg Operator Licensing	2 Grade D & 1 Grade C armed	2 Grade D & 1 Grade C armed	6	
4	Vryburg Government Garage	1 Grade D & 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
5	Ganyesa Traffic	2 Grade D & 1 Grade C armed	2 Grade D & 1 Grade C armed	6	
6	Taung Registering Authority	2 Grade D & 1 Grade C armed	1 Grade D 1 Grade C armed	5	
7	Taung Traffic	1 Grade D & 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
8	Christiana Traffic	1 Grade D & 1 Grade C Armed	1 Grade D & 1 Grade C Armed	4	
9	Kgomotso Registering Authority	1 Grade D & 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
MONTHLY TOTAL PRICE					

D. DR KENNETH KAUNDA DISTRICT					
NO	FACILITY	DAY SHIF	NIGHT SHIFT	QUANTITY	PRICE
1	Dr Kenneth Kaunda District	1 Grade B Supervisor	N/A	01	
2	Wolmaranstad Traffic	2 Grade D & 2 Grade C armed	2 Grade D & 2 Grade C armed	8	
3	Potchefstroom Traffic	1 Grade D & 1 Grade C armed	2 Grade D & 1 Grade C armed	5	
4	Potchefstroom Government Garage	1 Grade D & 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
5	Potchefstroom Weighbridge	2 Grade D & 2 Grade C Armed	2 Grade D & 2 Grade C Armed	8	
6	Ventersdorp Traffic	1 Grade D & 1 Grade C armed	1 Grade D & 1 Grade C armed	4	
7	Ventersdorp Weighbridge	1 Grade D & 1 Grade C Armed	2 Grade D & 1 Grade C Armed	5	
8	Klerksdorp Traffic Office	1 Grade D & 1 Grade C Armed	1 Grade D & 1 Grade C Armed	4	
MONTHLY TOTAL PRICE					

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10.4 KEY RESPONSIBILITIES

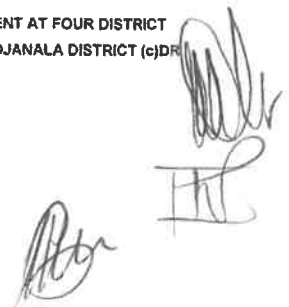
In addition to the above the appointed service provider shall ensure that:

- Protection of all state assets (property, vehicles, personnel, physical assets, revenue).
- Inspections of vehicles and verification of trip authorization for state owned vehicles.
- Conduct random searches of vehicles, visitors and employees entering or exiting the premises.
- Hourly patrol – inspection in and around the facility and parameters.
- Record of occurrences/ incidents and report to the Head of the unit immediately and to control room.
- Recording of all incoming and outgoing visitors and employees.
- Supervision of all the above activities.
- Submit monthly report to Security management outlining all the deficiencies and the mitigating factors thereof.
- An effective communication network must be established between security officers on site and their control room (24/7).
- Security Officers are to be visited at least twice per shift by the contractor's supervisory personnel to ensure that proper security is maintained. Such visits and appropriate remarks must be noted in the occurrence book.
- The contractor must provide a 24 hours' service including weekend and public holidays. Tendered rates per month per security officer shall make allowance for overtime and other allowance as per sector determination.
- Each Security Officer must be issued with a detailed site specification/ standard operation procedure, in accordance with the site instruction manual, indicating his exact duties which must include the following:
 - To secure the entire site against theft and vandalism. This includes vehicles and equipment within the site perimeter.
 - To implement an effective access control system for both the client and visitors entering and leaving the premises
 - To do routine patrols

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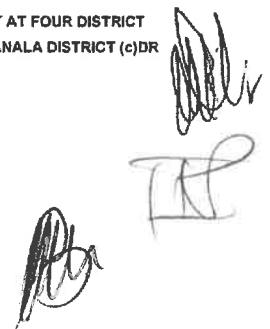


- To establish good conduct and cordial relationship with visitors and member of the SAPS.
- To conduct random searches to incoming and outgoing vehicles, officials and visitors entering and leaving the premises.
- Security officer must wear same and standard uniform.
- Security officers must carry their security equipment (Baton/ firearm, hand cuffs, pepper spray and whistle) at all times.
- The department will hold the security company responsible (within reason) for any loss or damage to property on the site due to theft or vandalism. Such loss or damage shall be recovered by the Department from the security company.

The image shows two handwritten signatures in black ink. The signature on the left is a cursive, stylized name, possibly 'A. M. M.'. The signature on the right is also cursive and appears to be 'H. H.'. Both signatures are positioned in the bottom right corner of the page.

11. SECTION A

PROVISION OF PHYSICAL SECURITY SERVICES FOR THE DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT AT FOUR DISTRICT MUNICIPALITIES IN THE NORTH WEST PROVINCE FOR PERIOD OF THREE (3) YEARS (a)NGAKA MODIRI MOLEMA DISTRICT (b)BOJANALA DISTRICT (c)DR RUTH SEGOMOTSI MOMPATI DISTRICT (d)DR KENNETH KAUNDA DISTRICT

Handwritten signatures in black ink, including a large signature at the top right and two smaller ones below it.

11. SPECIAL REQUIREMENTS AND CONDITIONS OF BID

11.1 PRE-QUALIFICATION CRITERIA

N/A

11.2 CONTRACT PERIOD

11.2.1. The offer shall be for a period of three (03) years.

11.3 SERVICE PROVIDER

11.4.1. The supply and delivery of Physical security should be in line with Service Level Agreement.

11.4 DELIVERY

11.4.1. Services should be provided twenty-four (24) hours and seven (7) days a week including Public holidays and Sundays.

11.5 RISK

11.5.1 State assets may be stolen or damaged.

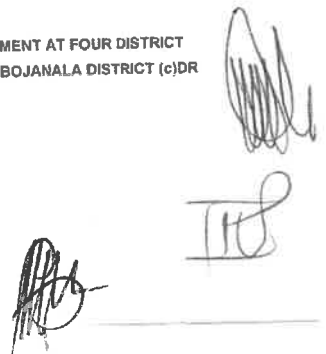
11.5.2 Buildings may be vandalised or burglaried.

11.5.3 Personnel may be robbed and/or injured.

11.6 PAYMENTS

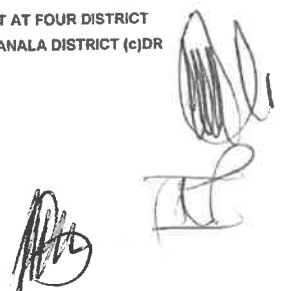
11.6.1. Contracted service providers will submit monthly invoice for the month which services have been provided for, time sheets of all security officers who were on duty for that month as per Service Level Agreement (SLA).

11.6.2 Payments will be effected within a maximum of 30 days upon receipt of the verification and monitoring report.



11.7 BREACH OF CONTRACT

- 11.7.1 The Department, without prejudice to any other remedy for breach of contract, by written notice of default sent to the Service provider, may terminate this contract if the Service Provider fails to comply with contract agreement;
- 11.7.2 If the Service provider fails to perform within the period(s) specified in the contract, or within any extension thereof granted by the Department pursuant to GCC Clause 21.2;
- 11.7.3 If the Service provider fails to perform any other obligation(s) under the contract; or
- 11.7.4 If the Service provider, in the judgment of the Department, has engaged in corrupt or fraudulent practices and mal-administration in competing for or in executing the contract.
- 11.7.5 In the event the Department terminates the contract in whole or in part, the department may procure, upon such terms and in such manner as it deems appropriate, services similar to those undelivered, and the Service provider shall be liable to the Department for any excess costs for such similar services. However, the Service provider shall continue performance of the contract to the extent not terminated;
- 11.7.6 Where the Department terminates the contract in whole or in part, the Department may decide to impose a restriction penalty on the Service provider by prohibiting such supplier from doing business with the public sector for a period not exceeding 10 years;
- 11.7.7 If a Department intends imposing a restriction on a Service provider or any person associated with the Service provider, the Service provider will be allowed a time period of not more than fourteen (14) days to provide reasons why the envisaged restriction should not be imposed. Should the Service provider fail to respond within the stipulated fourteen (14) days the Department may regard the intended penalty as not objected against and may impose it on the Service Provider;



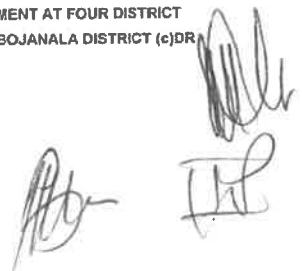
11.7.8 Any restriction imposed on any person by the Accounting Officer / Authority will, at the discretion of the Accounting Officer / Authority, also be applicable to any other enterprise or any partner, manager, director or other person who wholly or partly exercises or exercised or may exercise control over the enterprise of the first-mentioned person, and with which enterprise or person the first-mentioned person, is or was in the opinion of the Accounting Officer / Authority actively associated;

11.7.9 If a restriction is imposed, the Department must, within five (5) working days of such imposition, furnish the National Treasury, with the following information:

- (i) The name and address of the supplier and / or person restricted by the purchaser;
- (ii) The date of commencement of the restriction
- (iii) The period of restriction; and
- (iv) The reasons for the restriction.

These details will be loaded in the National Treasury's central database of suppliers or persons prohibited from doing business with the public sector.

11.7.9.10. If a court of law convicts a person of an offence as contemplated in sections 12 or 13 of the Prevention and Combating of Corrupt Activities Act, No. 12 of 2004, the court may also rule that such person's name be endorsed on the Register for Tender Defaulters. When a person's name has been endorsed on the Register, the person will be prohibited from doing business with the public sector for a period not less than five years and not more than 10 years. The National Treasury is empowered to determine the period of restriction and each case will be dealt with on its own merits. According to section 32 of the Act the Register must be open to the public. The Register can be perused on the National Treasury website.



11.7.9.11. Breaching the contract in terms of the specification, purchase order, the delivery period shall result in the cancellation of the contract. The designated service provider shall bear any difference in price of the said supplies and these amounts plus any other damages which may be suffered by the State shall be paid by the designated service provider to the State immediately on demand.

11.8 INSPECTIONS

- 11.8.1. Designated government officials and the end-user will conduct physical inspection before the award of contract at the service provider's main site as per attached proof of office.
- 11.8.2. End-user together with Supply Chain Management (SCM) Official will conduct random monthly unannounced or announced inspections in line with the Service Level Agreement (SLA).

11.9. REPORTING

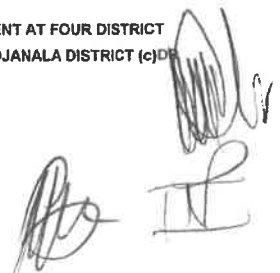
- The contracted service provider will submit monthly report to the Department stating all the progress and deficiencies per site.
- The service provider shall do the overall reporting to the project manager of the Department for the services rendered.
- The service provider shall provide services strictly in accordance with the specification as well as other relevant legislative provisions.

11.10. OBLIGATIONS

- 11.10.1. The government is obliged to ensure that the contracted service providers price the department in terms of PSIRA pricing structure.
- 11.10.2. Contracted service providers are obliged to pay security officers as per PSIRA pricing structure including annual increment for the duration of the contract.
- 11.10.3. The contracted service providers are obliged to provide services as per the Service Level Agreement (SLA).
- 11.10.4. The Government is obliged to pay the contracted service provider PSIRA annual increment.
- 11.10.5. The contracted service providers are obliged to submit all payments documents within first seven (7) days of the beginning of the month.
- 11.10.6. Default by either party (i.e. the contracted supplier or any - government department) in terms of delivery, quality of products and payments must be reported within Fourteen (14) working days to the Provincial Supply Chain Management Office.
- 11.10.7. All parties are obliged to adhere to these Special Conditions of bids as stipulated in the attached bid forms and General Conditions of Contract.

12. SERVICE LEVEL AGREEMENT

- 12.1. The Government will enter into a Service Level Agreement with contracted service providers. SLA will be signed by the Accounting Officer and the successful bidder.



13. EVALUATION CRITERIA

13.1. Stage 1: Documents packaging and separation

13.1.1.1. The bidder must bid for only one (1) district. Bidder bidding for more than one (1) district will be immediately qualified.

13.1.2. Bid documents (District Name and company name)

- Documents A = Ngaka Modiri Molema
- Documents B = Bojanala
- Documents C = Dr Ruth Segomotsi Mompati
- Documents D = Dr Kenneth Kaunda

13.2. Stage 2: Legal, mandatory administrative and technical requirements

- Original certified Identification copy of company directors/ Shareholders
- Company director (s) / shareholder's valid original certified minimum Grade B or A PSIRA certificate.
- Company's valid original certified PSIRA certificate.
- Originally certified copy of company's PSIRA letter of good standing.
- Original certified copy of Company's registration, CK document
- Valid and Original Tax Clearance Certificate / Tax Compliance Status Pin (If tax clearance has expired is automatic disqualification.
- Company's CSD report.
- Original/ original certified BBBEE Certificate.
- Original certified copy of Compensation for Occupational Injuries and Diseases (COIDA) letter of Good Standing
- Original certified copy of UIF certificate of compliance.

PROVISION OF PHYSICAL SECURITY SERVICES FOR THE DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT AT FOUR DISTRICT MUNICIPALITIES IN THE NORTH WEST PROVINCE FOR PERIOD OF THREE (3) YEARS (a)NGAKA MODIRI MOLEMA DISTRICT (b)BOJANALA DISTRICT (c)DR RUTH SEGOMOTSI MOMPATI DISTRICT (d)DR KENNETH KAUNDA DISTRICT



- Original certified copy Private Security Sector Provident Fund Certificate or Letter of compliance.
- The bidder must provide proof of office with control room's physical address not older than three (3) months or lease agreement of the company offices which clearly states lease duration.

NB: FAILURE TO COMPLY WITH THE ABOVE WILL LEAD TO IMMEDIATE DISQUALIFICATION OF THE BID.

13.3. Stage 3: Functionality

Assessment of functionality with a minimum overall threshold of 70% that must be attained by the bidder before the bid can be taken to the next stage of the evaluation.

NO	ELEMENT	WEIGHT	SCORE
1.	a. Previous experience on provision of physical security (Attach reference letters with valid contact details)	50	
	a. Five (5) years and above = 50 b. Between 3 – 4 years = 40 c. Between 1 – 2 years = 30		
2.	Office location and site inspection as below template	30	
	a. Main office in the North West Province and within the District bidding for = 30 b. Main office in the North West Province and outside the district bidding for = 20 c. Main office outside North West Province and satellite office within North West Province and District bidding for = 10 d. Main office outside North West Province and with satellite office anywhere within North West Province and outside the District bidding for = 05 e. Main office outside North West Province and no satellite office within North West Province =0		
3.	Financial Strength	20	

PROVISION OF PHYSICAL SECURITY SERVICES FOR THE DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT AT FOUR DISTRICT MUNICIPALITIES IN THE NORTH WEST PROVINCE FOR PERIOD OF THREE (3) YEARS (a)NGAKA MODIRI MOLEMA DISTRICT (b)BOJANALA DISTRICT (c)DR RUTH SEGOMOTSI MOMPATI DISTRICT (d)DR KENNETH KAUNDA DISTRICT

	Bank Rating – Bidders must provide bank rating certificate from their banks (As per Bank samples)		
	Rating A	= 20	
	Rating B	= 10	
	Rating C	= 05	
	TOTAL		100

13.4. Stage 4: SITE INSPECTION

Assessment of site inspection with a minimum overall threshold of 70% that must be attained by the bidder before the bid can be taken to the next stage of the evaluation.

NO	ITEM	WEIGHT	SCORE	COMMENT
OFFICE LOCATION				
1	Location of main office or satellite office (Verification)	5		
2	Office signage from the street and outside	5		
3	Office layout (Arrangement of the office, office floor plan, Environment of the office, safety of the office location and control room, Stand alone office and control room)	5		
4	Control room (Lockable, Equipped, functional Safe and access controlled)	5		
SCORE A		20		
OPERATION/ FUNCTIONALITY AND SECURITY AIDS				
S/NO	ITEM	WEIGHT	COMMENT	SCORE
1	Controlled access into the office	8		
2	Controlled access into the control room	8		

PROVISION OF PHYSICAL SECURITY SERVICES FOR THE DEPARTMENT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT AT FOUR DISTRICT MUNICIPALITIES IN THE NORTH WEST PROVINCE FOR PERIOD OF THREE (3) YEARS (a)NGAKA MODIRI MOLEMA DISTRICT (b)BOJANALA DISTRICT (c)DR RUTH SEGOMOTSI MOMPATI DISTRICT (d)DR KENNETH KAUNDA DISTRICT

3	Firearm safe (Mounted and in safe environment where access is controlled)	8		
4	Eight (8) firearms and Licenses with firearm registers or permits	8		
5	Company corporate security uniform (Trousers, shirts, blazers/ pull over, shoes, belt, rain coat, winter jacket)	8		
6	Company registers (OB, Visitor, Vehicles, Laptops, Access permits, After hours, personnel, State vehicles)	8		
7	Security aids (Batons, hand cuffs, pepper sprays, metal detectors)	8		
8	At least two (2) branded company vehicles	8		
9	Base radio and two-way radios/ any form of control to sites communication	8		
10	Radio radius and frequency	8		
SCORE B		80		
TOTAL SCORE		100		

13.5. Stage 5

- 13.5.1. The bid price per security officer must be in line with Private Security Industry Regulatory Authority (PSIRA) Illustrative Contract Pricing Guideline of 02 March 2020, taking into consideration the PSIRA's direct cost amount, Share of overhead according to Departmental operations and Provincial sites demarcation, VAT and profit margin.

Preference Point System		
Description		Points Allocated
1.	Price	80
2.	Broad-Base Black Economic Empowerment (B-BBEE)	20
TOTAL POINTS		100

In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the **80/20** preference point system and the lowest acceptable TCO tender will be used to determine the applicable preference point system.

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

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

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

A maximum of 10 points may be allocated to a bidder for attaining their B-BBEE status level of contributor 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

13.6. Bidders are required to complete the preference claim form (SBD 6.1) in order to claim the B-BBEE status level points.

13.7. Evaluation of trust, consortium, joint venture or partnership

13.7.1. A trust / consortium / joint venture / partnership must submit a signed agreement that clearly stipulates the % of ownership and address/place of business.

13.7.2. The agreement must clearly state participation of the several constituent person and/or companies and/or firms and the period of duration of the agreement.

13.7.3. A trust / consortium / joint venture / partnership must submit a certificate signed by or on behalf of each participating person and/or companies and/or firms authorizing the person who signed the bid to do so.

- 13.7.4. A trust / consortium / joint venture / partnership must submit a consolidated B-BBEE Status Level Verification Certificate for every separate bid. Zero (0) points will be awarded if separate B-BBEE certificates are submitted.
- 13.7.5. In bids where Consortia/Joint Ventures/Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate'.
- 13.7.6. Where a trust / consortium / joint venture / partnership are involved, each party must be registered on the CSD and their tax compliance status will be verified through the CSD or through SARS.

14. PRICING

- 14.1. Bidders must complete pricing schedule form SBD 1 (Pricing schedule firm prices).
- 14.2. Bidders must complete pricing schedule form SBD 3.1 (Pricing schedule firm prices).
- 14.3. Bidders must complete price column of site specification categories as per clause 10.3 above.
- 14.4. Bid prices should be as per the latest PSIRA pricing structure.

Handwritten signatures in blue ink, including a large signature and a smaller one above it.

SECTION B



**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPT OF COMMUNITY SAFETY AND TRANSPORT MANAGEMENT			
BID NUMBER:		CLOSING DATE:	CLOSING TIME:
DESCRIPTION			
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)

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			
TAX COMPLIANCE STATUS	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

[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 PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:	TECHNICAL INFORMATION MAY BE DIRECTED TO:
DEPARTMENT	CONTACT PERSON
CONTACT PERSON	TELEPHONE NUMBER
TELEPHONE NUMBER	FACSIMILE NUMBER
FACSIMILE NUMBER	E-MAIL ADDRESS
E-MAIL ADDRESS	

**PART B
TERMS AND CONDITIONS FOR BIDDING**

<p>1. BID SUBMISSION:</p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p>
--

<p>2. TAX COMPLIANCE REQUIREMENTS</p> <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE 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 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
--

<p>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</p> <p>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <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 REGISTER FOR A TAX COMPLIANCE STATUS 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.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

**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	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

SBD 4

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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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, member):
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
.....

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 **YES / NO**

presently employed by the state?

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:
.....
.....
.....

2.8 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**

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?

If so, furnish particulars:
.....
.....
.....



DECLARATION

I, THE UNDERSIGNED (NAME)

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder



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

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

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2
- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the..... preference point system shall be applicable; or
- b) Either the **80/20** or **90/10** preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).
- 1.3 Points for this bid shall be awarded for:
- (a) Price; and
- (b) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this bid are allocated as follows:

	POINTS	
PRICE	80	90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20	10
Total points for Price and B-BBEE must not exceed	100	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.

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

5. BID DECLARATION

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

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

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

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

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

7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

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



8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 **TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

8.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

8.6 **COMPANY CLASSIFICATION**

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

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

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

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

period not exceeding 10 years, after the *audialterampartem* (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:		

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



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

