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# **ORBIT TVET COLLEGE**

**Request for Quotations: 15937**

**INSTALLATION OF FLUSHMASTER SYSTEMS AT  
ORBIT TVET COLLEGE - RUSTENBURG CAMPUS**



## 1. INVITATION

<b>RFQ Number:</b>	15937
<b>Description of Service:</b>	Installation of Flushmaster Systems at ORBIT TVET College – Rustenburg Campus.
<b>RFQ Documents Issue Date:</b>	From 07 February 2024
<b>Date and Time for Non-Compulsory briefing session:</b>	15 February 2024 at 12H00am at ORBIT TVET College – Rustenburg Campus, Cnr Bosch and Fatima Bhayat Street, 0299
<b>Closing date and Time for Questions and Answers:</b>	19 February 2024 at 16H00pm.
<b>Closing Date and Time for Submission of Quotations/Proposals - RFQ 15937:</b>	22 February 2024 at 11H00am.
<b>Administration enquiries directed to:</b>	Mr T Motlhaga <a href="mailto:tmotlhaga@orbitcollege.co.za">tmotlhaga@orbitcollege.co.za</a> 014 597 5515
<b>Technical enquiries directed to:</b>	Mr Albert Merementsi <a href="mailto:amerementsi@orbitcollege.co.za">amerementsi@orbitcollege.co.za</a> 014 597 5500

**A quotation(s) must only be emailed to [tmotlhaga@orbitcollege.co.za](mailto:tmotlhaga@orbitcollege.co.za) by 11:00am on or before the 22<sup>nd</sup> of February 2024. Late submissions/applications will automatically be disqualified.**

## 2. STATUTORY NON -TECHNICAL MANDATORY REQUIREMENT

- 2.1 Valid Tax Compliance status certificate - Pin Issued
- 2.2 BBBEE Certificate- This is a sworn Affidavit of the BBBEE Status Level or the Original Certified Copy of the BBBEE certificate issued.
- 2.3 CIDB grading of 2GB or higher.
- 2.4 Proof of business address or the Utility Bill Director's name.
- 2.5 Valid Certified copy/copies of ID of director/s.
- 2.6 Provide a trade test certificate for Plumber in your organization or subcontractor.

**NB. IF ANY OF THE ABOVE-MENTIONED DOCUMENTS IS NOT SUBMITTED AS PRESCRIBED, YOUR BID WILL AUTOMATICALLY BE DISQUALIFIED.**



### **3. TERMS AND CONDITIONS**

1. Bidders must submit all necessary documents and complete all forms and questionnaires contained in the RFQ 15937-1. Each bidder's proposal shall be evaluated against timelines and price.
2. Bidders responding to this quotation are deemed to do so, on the basis that they acknowledge and accept all Terms and Conditions of this quotation.
3. RFQ 15937-1 validity period (90 days).
4. Validity period may not be extended unless otherwise stated by the College.
5. Incomplete or late submissions will not be evaluated.

#### **Note:**

The Service Provider should note that should they be recommended to render College with the services needed, they will be required to complete the College database form obtainable from the College website ([www.orbitcollege.co.za/tenders](http://www.orbitcollege.co.za/tenders)) in order for the College to issue official Purchase Order from the College System.

#### **APPLICABLE CONTRACT CONDITIONS**

1. **NO PRODUCTS ALTERNATIVES WILL BE ALLOWED UNLESS APPROVED BY THE ARCHITECT AND PRINCIPAL AGENT.**
2. **ALL WORKS TO BE DONE BY A QUALIFIED AND REGISTERED PLUMBER.**



**SBD 3.1: PRICING SCHEDULE – FIRM PRICES**

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

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY OFFER TO BE VALID FOR ..... DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	DESCRIPTION	TOTAL BID PRICE IN RSA CURRENCY INCLUSIVE OF VALUE ADDED TAX
1	INSTALLATION OF FLUSHMASTER SYSTEMS AT RUSTENBURG CAMPUS (REFER TO PART 5: TECHNICAL SPECIFICATIONS)	
1.1	<b>SUB – TOTAL C (A + B)</b> - excluding VAT	R
1.2	<b>VAT (@ 15%)</b>	R
1.3	<b>GRAND TOTAL Including VAT *</b> (TRANSFER GRAND TOTAL TO BID PRICE ON COVER PAGE)	R

NB \* Price quoted must include delivery costs and etc.

Bidder's Name: .....

Position: ..... Date: .....

Bidder's Signature: .....

#### 4. SPECIFICATIONS

See detailed in the attached tabled pricing schedule. Please note the following below:

<p><b>ITEM 01:</b> COBRA TOILET FLUSH VALVE TOP ENTRY FJ2-210 CP 20mm</p>	<p><b>ITEM 02:</b> URINAL SOLO CAYMAN TOP ENTRY WHITE. WHITE ONLY.</p>
	
<p><b>ITEM 03:</b> PLUMLINE AMARO BTW TOP INLET PAN ONLY WHITE. WHITE ONLY</p>	<p><b>ITEM 04:</b> PLUMLINE AMARO PP TOILET SEAT MEDIUM DUTY WHITE. WHITE ONLY.</p>
	

**ITEM 05: WALCRO 330UR URINAL FLUSH VALVE ONLY CP 15mm.**



**ITEM 06: WALCRO 420 METERING PILLAR TAP ANGLED CP 15mm**



**ITEM 07: CLASSICO VICTORIAN STYLE BIB TAP SHORT BODY**



**ITEM 08: VAAL SANITARYWARE VITREOUS CHINA 510 x 440mm rounded "Amber" basin with three semi-punched tapholes, (i.e., available in zero, one, two or three taphole configurations), integrated overflow and chain stay hole through the centre semi-punched taphole. WHITE ONLY.**



## 5. TECHNICAL SPECIFICATIONS/BILL OF QUANTITIES

(IT IS COMPULSORY TO INDICATE AMOUNTS IN THE COLUMN BELOW):

NO.	ITEM	UNITS	QUANTITY	RATE	AMOUNT
	<b>SCHEDULE A</b>				
	<b>REMOVAL OF EXISTING WORK</b>				
	<i>Taking out existing toilet pans and cisterns, pipes, taps, plumbing accessories, floor and wall tiles, screed, basins, etc.</i>				
1	<i>Taking out existing toilet pans and cisterns.</i>	<i>No.</i>	32		<i>R</i>
2	<i>Taking out existing pipes, plumbing accessories on and around 53 toilets.</i>	<i>No.</i>	32		<i>R</i>
3	<i>Taking out existing taps.</i>	<i>No.</i>	5		<i>R</i>
4	<i>Taking out existing basins.</i>	<i>No.</i>	5		<i>R</i>
5	<i>Taking out existing floor and wall tiles.</i>	<i>m<sup>2</sup></i>	5		<i>R</i>
6	<i>Taking out existing concrete screed.</i>	<i>m<sup>3</sup></i>	5		<i>R</i>
7	<i>Taking out existing masonry walls (110mm).</i>	<i>m</i>	10		<i>R</i>
8	<i>Taking out existing masonry walls (220mm).</i>	<i>m</i>	5		<i>R</i>
9	<i>Taking out construction works rubble.</i>	<i>m<sup>3</sup></i>	20		<i>R</i>
	<b>NEW WORKS</b>				
1	<i>COBRA TOILET FLUSH VALVE TOP ENTRY FJ2-210 CP 20mm</i>	<i>No.</i>	36		<i>R</i>
2	<i>URINAL SOLO CAYMAN TOP ENTRY WHITE. WHITE ONLY.</i>	<i>No.</i>	4		<i>R</i>
3	<i>PLUMLINE AMARO BTW TOP INLET PAN ONLY WHITE. WHITE ONLY.</i>	<i>No.</i>	36		<i>R</i>
4	<i>PLUMLINE AMARO PP TOILET SEAT MEDIUM DUTY WHITE. WHITE ONLY.</i>	<i>No.</i>	36		<i>R</i>
5	<i>WALCRO 330UR URINAL FLUSH VALVE ONLY CP 15mm.</i>	<i>No.</i>	4		<i>R</i>
6	<i>WALCRO 420 METERING PILLAR TAP ANGLED CP 15mm.</i>	<i>No.</i>	4		<i>R</i>
7	<i>CLASSICO VICTORIAN STYLE BIB TAP SHORT BODY.</i>	<i>No.</i>	4		<i>R</i>

8	VAAL SANITARYWARE VITREOUS CHINA 510 x 440mm rounded "Amber" basin with three semi-punched tapholes, (i.e., available in zero, one, two or three taphole configurations), integrated overflow and chain stay hole through the centre semi-punched taphole. WHITE ONLY.	No.	4		R
9	Interior cement plaster	m <sup>2</sup>	5		R
10	350mm x 350mm CERAMIC TILES to Architect's specifications.	m <sup>2</sup>	20		R
11	Robmeg Left / Right Hand Steel Door Frame (0.8 x 813 x 2032 x 115mm).	No.	5		R
12	Hollow Core Single Timber Door (813 x 2032mm).	No.	5		R
13	Dorma W.C. DW006 Indicator Set - SS	No.	5		R
14	Aluminium Door Handles on Plate - 150 X 150mm - Pull Handle.	No.	5		R
15	2100mm high Brickwork of NFP bricks in class II mortar (110mm).	m <sup>2</sup>	30		R
16	PAINT TO EXISTING DOOR STEEL FRAMES: Dulux Acrylic PVA modified acrylic paint (colour to be selected) to previously decorated water based exterior shop primed mild steel. Surface to be clean, dry, and rust free. Prime surface with one coat Dulux Primer for Steel (Code: D1) with an overcoating time of 18 hours, undercoat with one coat Dulux Universal Undercoat (Code: D34) with an overcoating time of 18 hours and finish with two coats Dulux Acrylic PVA (Code: D21) with an overcoating time of 4 hours.	No.	5		R
17	PAINT TO INTERIOR EXISTING / NEW TIMBER DOORS: Surface to be assessed and the appropriate surface preparation clauses selected for remedial procedure. Prime with one coat Bonding Liquid (CVI14) with an overcoating time of 4 hours and finish with two coats Super Acrylic Polvin (EPL 30) with 1 hour drying time between coats, for a maintenance cycle of 7 years in a C1 - inland environment.	No.	5		R
18	Franke Cubicle Solutions Stainless Steel 3-roll toilet roll holder, overall size 130 x 130 x 360mm plugged and screw to wall with stainless steel screws.	No.	5		R
19	30mm thick concrete screed on floors.	m <sup>2</sup>	5		R
	<b>SUMMARY OF BUILDING WORKS</b>				<b>R</b>
	<b>PRELIMINARY AND GENERALS</b>	NO.	15%		R
	<b>SUB-TOTAL A (excluding VAT)</b>				<b>R</b>



	<b>SCHEDULE B</b>				
	<b>PROVISIONAL SUMS</b>				
	<b>PLUMBING PROVISIONAL SUM</b> (excluding VAT)	-			
1	Allow the sum of R50 000.00 (Fifty Thousand) for Plumbing Installations (piping, pressure valves, etc.).		1	R 50 000,00	R
	<b>CONTINGENCES 1</b>				
1	Allow contingency amount R50 000.00 (Fifty Thousand) to be used as directed by the employer / principal agent.	-	1	R 50 000,00	R
	<b>Community liaison officer</b>				
1	Allow the Provisional Amount of R40 000.00 (Forty Thousand) NETT for the Community Liaison Officer to be paid by the client via the contractor PER MONTH x 2.	No.	2	R 20 000,00	R
	<b>SUMMARY OF PROVISIONAL SUMS</b> (excluding VAT)				R
	<b>ADD PROFIT: %</b>	%		.....	R
	<b>ADD ATTENDANCE: %</b>	%		.....	R
	<b>SUB-TOTAL B</b> (excluding VAT)				R
	<b>SCHEDULE C</b>				
	<b>SUB-TOTAL C</b> (SUM OF SUB-TOTALS A + B) (excluding VAT)				R
	VAT		15%		R
	<b>GRAND TOTAL</b> (Incl. VAT @ 15%)				R

**EVALUATION CRITERIA**

1. Functionality
2. Price and Preferential Procurement Point System

**6. FUNCTIONALITY**

<b>Table 2. Functionality Criteria</b> <b>Note: No bid will be considered unless 70 points has been achieved for functionality</b>			
Item	Functionality		Points
1	<p><b>Company Experience and Track Record:</b> Provide project experience demonstrating capability and technical know- how in carrying out works of similar nature and size.</p> <p>Bidders must provide at least 2 reference Letters or 2 completion certificate for a similar project (project value <b>should be at least R400 000.00 or above) not older than 6 years. Bidder must provide proof:</b></p> <p>a). 2 copies of completion certificate <b>OR</b> 2 reference letters for a similar project (in details of the company letterhead, physical address, contactable person name, company contact number and email address).</p> <p>1 x reference letter or completion certificate</p> <p>2 x reference letters or 2 x completion certificate</p>	20  40	40
2	<p><b>Key staff experience and capabilities in the Construction Industry (not less than 5 years' experience):</b></p> <p><b><u>Projects Manager</u></b> Qualifications and relevant experience (Not less than 5 years)</p> <p><b><u>Plumber</u></b> Qualifications and relevant experience (Not less than 5 year)</p>	20  20	40
3	<b>Locality</b>		20

	Bojanala District	20 points	
	Within Northwest	10 points	
	Other provinces	5 points	
Total Points			<b>100</b>

## 7. PRICE AND PREFERENTIAL PROCUREMENT

- The Quote will be evaluated on an 80/20 basis, where 80 points will be assigned for the lowest price and the 20 points based on the Preferential Procurement Status Level Certificates.
- the preference point system applicable; and
- any specific goal as of the Preferential Procurement Policy Framework Act.

EVALUATION CRITERIA		POINTS
1.	Price	80
2.	Specific goal	10
3.	BBBEE	10
4.	Total	100

7.1. The following formula must be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or below R50 million, inclusive of all applicable taxes: Where  $P_s$  = Points scored for price of tender under consideration;  $P_t$  = Price of tender under consideration; and  $P_{min}$  = Price of lowest acceptable tender.

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

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

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

7.2. A maximum of 20 points may be awarded to a tenderer for the specified goals for the tender.

7.3. The points scored for the specific goal must be added to the points scored for the price and the total must be rounded off to the nearest two decimal places.

7.4. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tendering scoring the highest points.

7.5. 50% of the 20/10 points will be allocated to promote this goal and points will be allocated in terms of the B-BBEE scorecard as follows:

<b>B-BBEE Status Level of Contributor</b>	<b>Number of Points for Preference (80/20)</b>	<b>Number of Points for Preference (90/10)</b>
1	10	5
2	9	4.5
3	7	3
4	6	2.5
5	4	2
6	3	1.5
7	2	1
8	1	0.5
Non-compliant contributor	0	0

- a. A tenderer must submit proof of its B-BBEE status level contributor [scorecard].
  - b. A tenderer failing to submit proof of B-BBEE status level of contributor –
  - c. May only score in terms of the 80/90-point formula for price; and
  - d. Scores 0 points for B-BBEE status level of contributor, which is in line with section 2(1)(d)(i) of the Act, where the supplier or service provider did not provide proof thereof.
8. 50% of the 20/10 points will be allocated to promote this goal. Points will be allocated as follows or provides a guideline for ORBIT TVET College specific goals:

<b>Specific Goal</b>	<b>Number of Points for Preference (80/20)</b>	<b>Number of Points for Preference (90/10)</b>

100% Women Group owned	3	1
100% Black Designated Group owned	2	1
Within the boundaries of the North West	2	1
100% Youth Group Owned	2	1
Disability	1	1

8.1 Any specific goal for which a point may be awarded, must be clearly specified in the invitation to submit a tender.

8.2 A tenderer failing to submit proof of required evidence to claim preferences for other specified goals, which is in line with section 2 (1) (d) (ii) of the Act.

8.2.1.1 May only score in terms of the 80/90-point formula for price; and

8.2.1.2 Scores 0 points for the relevant specific goals where the supplier or service provider did not stipulate locality.

8.3 The preference points scored by a tenderer must be added to the points scored for price.

8.4 The points scored must be rounded off to the nearest two decimal places.

8.5 The contract must be awarded to the tenderer scoring the highest preference points.

## 9. Criteria for Breaking Deadlock in Scoring

8.1 If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points in total for specific goals.

8.2 If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots. The names of the two or more tenderers will put into a container and the chairperson of the delegated committee will draw the lot which supplier will be appointed.



## **SBD 4: DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state<sup>1</sup>, 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: .....

.....



Identity Number: .....

2.2 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....

.....

2.3 Company /Registration Number: .....

2.4 Tax Reference Number: .....

2.5 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.

<sup>1</sup>“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.

<sup>2</sup> 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	
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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:

.....

.....

**PLEASE NOTE: TICK THE APPLICABLE BOX**

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	
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2.7.2.1 If yes, did you attach proof of such authority to the bid document?

YES		NO	
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**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

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





state and who may be involved with the evaluation and or adjudication of this bid?

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2.9.1. If so, furnish particulars:

Name of person/ director/ shareholder/ member	Name of state institution to which the person is connected	Position occupied in the state institution	Nature of relationship

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?

<b>YES</b>		<b>NO</b>	
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2.10.1 If so, furnish particulars:

.....

.....

.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

<b>YES</b>		<b>NO</b>	
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2.11.1 If so, furnish particulars:

.....

.....

.....



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

\* BIDDERS MAY ADD ADDITIONAL PAGES TO THIS SECTION:

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

**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.

Bidder's Name: .....

Position: ..... Date: .....

Bidder's Signature: .....



## SBD 6.1: PREFERENCE POINTS CLAIM FORM

### 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
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

## 2. DEFINITIONS

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

## 3. POINTS AWARDED FOR PRICE

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



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

**80/20 or 90/10**

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

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

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

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

**5. BID DECLARATION**

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

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

6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)



(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

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

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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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 √
<b>Black people</b>		
<b>Black people who are youth</b>		
<b>Black people who are women</b>		
<b>Black people with disabilities</b>		
<b>Black people living in rural or underdeveloped areas or townships</b>		
<b>Cooperative owned by black people</b>		
<b>Black people who are military veterans</b>		
<b>OR</b>		
<b>Any EME</b>		
<b>Any QSE</b>		

**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 (Full Name / Signature)	WITNESSES 2 (Full Name / Signature)
..... SIGNATURE(S) OF BIDDERS(S)	..... SIGNATURE(S) OF BIDDERS(S)
.....	.....
.....	.....
Date: .....	
ADDRESS: .....	
.....	

**SBD 8: DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1 This Standard Bidding Document must form part of all bids invited.
- 2
- 3 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.
- 4
- 5 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
  
- 6 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
6.1	Is the bidder or any of its directors listed on the National Treasury’s database 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 National Treasury after the <i>Audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6.1.1	If so, furnish particulars:		
6.2	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)?  <b>To access this Register enter the National Treasury’s website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>



6.2.1	If so, furnish particulars:		
6.3	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"/>
6.3.1	If so, furnish particulars:		
6.4	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"/>
6.4.1	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.**

Bidder's Name: .....

Position: ..... Date: .....

Bidder's Signature: .....



## SBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> 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). <sup>2</sup> 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. disregards 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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 consortium<sup>3</sup> 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.

<sup>3</sup> 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.



Bidder's Name: .....

Position: ..... Date: .....

Bidder's Signature: .....