



BID NUMBER: LTA004-22/23
PROVISION OF SECURITY SERVICES FOR THE HEAD OFFICE IN POLOKWANE FOR A
PERIOD OF THIRTY-SIX (36) MONTHS

The following conditions will apply:

- 1) Price offer to be valid for 120 days from the closing date of the bid.
- 2) Price(s) quoted must be firm and inclusive of VAT.
- 3) The bid will be evaluated in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Regulations (2017) and for this purpose the enclosed forms SBD 1, SBD 3.1, SBD 4, & SBD 6.1, must be scrutinized, completed and submitted together with your bid.
- 4) The successful bidder will be the one scoring the highest points in terms of the Preferential Procurement Regulations (2017)

ISSUED BY: THE CHIEF EXECUTIVE OFFICER LIMPOPO TOURISM AGENCY P.O. BOX 2814 POLOKWANE 0700 Tel: (015) 293 3600 Fax: (015) 293 3651	CONTACT PERSON (SPECIFICATION) MR CHRIS RAMOSHABA TEL: 082 566 4102 E-mail: chris@golimpopo.com	CONTACT PERSON (BIDDING PROCESS) MS. SEWELA NYAKA Tel: 076 505 9286 / 072 906 4921 E-mail: sewelan@golimpopo.com
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Name of Bidder: _____

BID AMOUNT: R _____

BID AMOUNT IN WORDS: _____

NO BRIEFING SESSION	CLOSING DATE: 21 OCTOBER 2022 TIME: 11H00
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INVITATION TO BID

SDB 1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE LIMPOPO TOURISM AGENCY					
BID NUMBER:	LTA004-22/23	CLOSING DATE:	21 OCTOBER 2022	CLOSING TIME:	11H00
DESCRIPTION	PROVISION OF SECURITY SERVICES FOR THE HEAD OFFICE IN POLOKWANE FOR A PERIOD OF THIRTY-SIX (36) MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
ERF 92/688 PORTION 2					
SOUTHERN GATEWAY EXT 4					
N1 MAIN ROAD					
POLOKWANE					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	MS. SEWELA NYAKA		CONTACT PERSON	MR. CHRIS RAMOSHABA	
TELEPHONE NUMBER	076 505 9286		TELEPHONE NUMBER	082 566 4102	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	sewelan@golimpopo.com		E-MAIL ADDRESS	chrisr@golimpopo.com	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
1. 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]		2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	

DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:
<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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."</p>

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:
.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:
.....
(Proof of authority must be submitted e.g. company resolution)

DATE:
.....

TERMS OF REFERENCE/SPECIFICATION

PROVISION OF SECURITY SERVICES FOR THE HEAD OFFICE IN POLOKWANE FOR A PERIOD OF THIRTY-SIX (36) MONTHS

SCOPE OF SERVICES

Hours of service

The Security hours of services to be provided in the LTA Head Office facilities referred to as Limpopo Tourism Agency shall be:

Monday to Sunday - 24 hours daily - (including weekends and public holidays)

The required number of security guards and grades per site and grades where services will be rendered can be found below on Table 1: Numerical Scope of Requirements. The appointed services providers must arrange relievers separately for lunch and tea breaks at their own cost.

TABLE 1: SUMMARY OF THE REQUIRED QUANTITY

FACILITIES	DESCRIPTION		QUANTITY		
		GRADE	ARMED	UNARMED	TOTAL
Head Office	Day Shift	C	2	1	3
	Night Shift	C	3	0	3
Grand Total			5	1	6

TABLE 2: REQUIRED EQUIPMENT QUANTITY

NO	EQUIPMENT	HEAD OFFICE
1	Portable two-way radios	2
2	Rechargeable Torches	2
3	Handcuffs and Pouch	2
4	Pepper Spray and Pouch	2

5	Base Radios	1
6	Handheld Metal Detector	2
7	Baton Sticks	3
8	Clocking Points	8
9	Licensed firearms	3
10	Occurrence Register	Yes
11	Security Register	Yes

Duration of the Services

The duration of the contract with the service provider will be for a period of thirty-six (36) months.

Insurance and Indemnity / Liability Insurance.

The service provider will be expected to make the necessary arrangements for all personnel (security officers and guards) and assets (vehicle and equipment it deploys to the LTA's premises. The service provider(s) must take out sufficient public liability insurance against any claims, costs, loss and/damage ensuing from his/her/obligations and shall ensure that such insurance remains operative for the entire duration of the contract. A copy of such Insurance Policy and proof of the premiums payments shall be made available (within 48 hours) to the LTA upon request.

Recruitment Policy

The service provider must conduct security background checks in respect to their staff prior to deploying them to the LTA. The service provider must have a policy for business continuity for staff. The service provider must submit a copy of the personal file of all security officers employed to the LTA. All documentation must be certified by a commissioner of Oath.

Access Control

The service provider control entry of visitors, contractors and pedestrians to the LTA premises. No firearms and dangerous weapons shall be allowed in the LTA premises. Were required hand luggage of personnel, and visitors must be inspected from time to time when entering and leaving the LTA premises by means of Passport machine.

Visitors are obliged to disclose their personal particulars when entering LTA premises.

Access to parking areas (where applicable) must be restricted to those officials of the LTAs who are allocated the various parking spaces. Access to parking must be strictly controlled by the service provider.

Searching and Protection

The service provider as the duly appointed agent will be required to, within the limits of the law, and security policy search any person, container vehicle, or items entering or leaving any of LTAs property, sites, buildings or premises or any property, sites or buildings or premises under LTAs control.

Risk Identification and analysis

The service provider must on an on-going basis maintain a register of incidents, near misses, risks, and identify other incidents which LTA may be exposed to.

Key Control

The service provider shall as and when required manage and administer entrance keys.

Information Security

The service provider must ensure that all staff deployed to the LTA sign relevant nondisclosure contracts.

The service provider must ensure that all information is kept confidential unless duly authorized for release by the duly authorized personnel. i.e. security reports.

Lost and Found Articles

The service provider must ensure that all lost articles are recorded accordingly, after which they must be handed over to the designated LTA representative immediately.

No deliveries or mail post by any person will be received by security staff on behalf of any stakeholder or client on LTA's premises. All arrangements must be made by the relevant designated LTA official.

Labour Unrest Incidents

The service provider must have contingency planning for business continuity for services if they are interrupted or temporarily deferred because of labour unrest, labour dispute civilian disorder, a local or national disaster or any other cause beyond control of the service provider.

Special Services

The service provider shall as and when required provide special protection services as and when the need arises, or a threat is reported to the LTA. The protection will be requested by the designated authority within the LTA after the threat assessment has been conducted. This will include the protection of LTA employees, information and property.

Performance Management

The monitoring and evaluation of services rendered by the service provider shall be done by the LTA, supervision shall be done by the service provider on site, daily and provide LTA with weekly reports.

The service provider will be expected to enter into a Service Level Agreement with the LTA which will regulate the performance levels throughout the period of the contract.

The service provider shall meet with the LTA on a quarterly basis or as and when a need arises to discuss issues of mutual concern, to review the performance and to discuss improvements which the service provider or LTA should make in order to achieve effective security management outcomes.

Reporting

The service provider must submit on a weekly basis management reports over the duration of the contract. The report should include but not limited to the following:

- Daily Compliments
- OB/incident report
- Safety incident
- Other Ad-hoc reports

Account Management

The service provider shall be liable for payment of all personnel in their employment. The LTA shall then make payments for services rendered to service provider within the agreed timeframes as outlined in the Service Level Agreement (SLA).

The service provider must ensure that all payment or remuneration of the appointed employees complies with all relevant legislations e.g. Private Security Industry Regulatory Authority Act 56 of 2001, Labour Relations Act 66 of 1995.

Security Screening

All employees and directors of service provider may be subjected to a security screening investigation conducted by the National Intelligence Agency (NIA) in order to be granted a security clearance at the appropriate level within the LTA.

A declaration of secrecy shall be signed by every individual issued with a security clearance to complement the entire security screening process.

Control Rooms

The service provider must have a control room that is easily accessible by security officers via radio communication, cell phone and panic buttons. It must also demonstrate the ability to respond timeously. **The LTA may conduct periodic site inspection on the control rooms specified on the proposal.**

Management and Staff

a) Management.

At least an Operational Manager must be appointed by the service provider as the contact person for the service and must have a minimum of three years in the security services industry as an Operational Manager.

b) Security Supervisor

At least a Security Supervisor, that will oversee all security matters on site must be appointed by the service provider as the contact person for the service and must have a minimum of two years in the security services industry as a Security Supervisor.

c) Staff

All staff proposed must have the adequate PSIRA grading as indicated in Table 1: Numerical Scope of Requirements.

Uniform

All security officials on duty must be in full uniform with an identifiable company logo.

Fleet

The service provider must have the adequate fleet of vehicles for general, emergency and urgent requirements. (Please attach proof).



“FORM B”

EVALUATION CRITERIA

RESPONSIVENESS CRITERIA - MANDATORY REQUIREMENTS

Minimum Requirements

Bidders must comply with all the minimum requirements as listed below. Failure to comply with or submit any of the supporting documentation listed below will result in your bid being disqualified.

ITEM DESCRIPTION		Please indicate with an “X” to offer complies with the requirements		
		YES	NO	Comment
(a)	Bidder must complete and sign the bid forms in full.			
(b)	Certified copy of PSIRA Registration Certificate of the owner(s) of the company.			
(c)	Certified copy of PSIRA Registration Certificate of the company.			
(d)	All security guards must be registered with PSIRA and proof of registration must be submitted with the bid.			
(e)	Original or certified copy of a Letter of Good Standing from PSIRA.			
(f)	Certified ID copies of shareholders.			
(g)	Proof of Public Liability Insurance Cover/Policy to the value of at least R5 Million providing cover against all claims (including claims related to the use or misuse of firearms), against the entity, contractor or its employees.			
(h)	Certified copy of a Letter of Good Standing from Department of Labour in respect of Compensation for Occupational Injuries and Disease Act (COIDA).			
(i)	Valid and certified copy of compliance with Provident Fund.			
(j)	Original or certified copy of a Certificate of Compliance from the Department of Labour in respect of Unemployment Insurance Fund (UIF).			
(k)	Proof of registration with Central Database System (CSD) must be attached to the bid.			
(l)	Valid and certified copies of firearm licences			



EVALUATION METHODOLOGY

The bid evaluation process shall be carried out in three Phases namely:

- Phase 1: Administrative Compliance
- Phase 2: Evaluation on Functionality
- Phase 3: Evaluation in terms of Price and PPPFA Preference Point System

1. Phase 1: Administrative Compliance (Submission of compulsory proposal requirements by bidders and compliance to specification.)

The first phase of evaluation is checking and verification of all mandatory documents to be submitted by the bidders and compliance to specification.

If any of the following Bid Forms are not completed and signed or handed in with your proposal on closing date and time, your proposal will be immediately disqualified.

- SBD 1 - Invitation to bid
- SBD 3.1 (Pricing Schedule) Make sure it is completed
- SBD 4 (Declaration of Interest) Make sure it is signed.

Only Certified copies or original documents will be accepted.

- **PLEASE NOTE:**

- a) the bidder or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
- b) the bidder has not:
 - i) abused the Supply Chain Management System; or
 - ii) failed to perform on any previous contract and has been given a written notice to this effect;
- c) All corrections and scratching are initialled;
- d) Completion of the bid document using pencil not allowed, **BID DOCUMENT TO BE COMPLETED IN BLACK INK;**
- e) Scratching are done by putting a straight line through the corrected items;

f) **THE USE OF CORRECTION FLUID WILL AUTOMATICALLY INVALIDATE YOUR BID;**

g) Alterations to the bid document or submission of a copy of the original bid document will invalidate the bid;

Bidders that do not comply with the bid requirements may be regarded as non-responsive and may be disqualified.

2. Phase 2: Functionality

The assessment on functionality will be done in terms of the evaluation criteria and minimum threshold as specified. The minimum qualifying score for functionality is **70%** as set out below. Bidders who fail to achieve the minimum qualifying score on functionality will be disqualified for further evaluation of Price.

Functionality assessment should be allocated as follows:

FUNCTIONALITY CRITERIA			
COMPONENTS		Weightings	
A	FINANCIAL ABILITY		10
	Submission of letter from the Bank (we reserve the right to verify)		
	Bank rating A	10	
	Bank rating B	08	
	Bank rating C	06	
	Bank rating D	04	
	Banking rating E downwards	0	
B	COMPANY'S EXPERIENCE (Detailed company's profile must be submitted)		30
	Number of years the bidder has been operating.		
	• 10 + Years	30	
	• 9-7 Years	20	
	• 6-4 years	10	
	• 3-2 Years	05	
	• Less than 2 Years	0	
C	PROVEN TRACK RECORD IN SIMILAR PROJECTS		20
	Signed reference letters on valid letterheads that prove experience of the company. Reference letters must indicate the contract period, value, contract description and performance.		
	• More than four reference letters	20	
	• Three reference letters	15	
	• Two reference letters	10	
	• Less than two reference letters	05	
D	PREVIOUS PROJECTS EXECUTED IN SIMILAR PROJECTS		20
	• R400 000 or more	20	
	• Between R300 000 and R100 000	15	
	• Below R100 000	10	
	Please provide evidence/letter of appointment/purchase order.		

E	GENERAL OPERATIONS CAPACITY - (Security guards of the company available to service the entity in relation to the project)		20
	<ul style="list-style-type: none"> • 10x Permanent security guards in the company (excluding any other staff other than the security guards). • 08x Permanent security guards in the company (excluding any other staff other than the security guards). • 06x Permanent security guards in the company (excluding any other staff other than the security guards). • 04x Permanent security guards in the company (excluding any other staff other than the security guards). • 02x Permanent security guards in the company (excluding any other staff other than the security guards). 	20	
		15	
		10	
		08	
		05	

The minimum qualifying score for functionality is **70%**.

3. Phase 3: Evaluation in terms of Price and PPPFA Preference Point System

Only bids that achieve the minimum qualifying score/percentage for functionality will be evaluated further in accordance with the 80/20 preference point system prescribe in Preferential Procurement Regulations 6 and 7.

Step 1: Calculation of Points for Price

- 1) The PPPFA prescribes that the lowest acceptable bid will score 80 points for price. Bidders that quoted higher prices will score lower points for price on a pro-rata basis.
- 2) **When calculating prices:**
 - a) Unconditional discounts will be taken into account for evaluation purposes; and
 - b) Conditional discounts will not be taken into account for evaluation purposes but would be implemented when payment is affected.
- 3) The formulae to be utilized in calculating points scored for price is as follows:

80/20 Preference point system (for acquisition of goods or services for a Rand value equal to or above R30 000 and up to R50 million) (all applicable taxes included)

Where:

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

P_s= Points scored for price of tender under consideration.

P_t= Price of tender under consideration.

P_{min}= Price of lowest acceptable tender.

- 4) Points scored must be rounded off to the nearest 2 decimal places.

Step 2: Calculation of points for B-BBEE status level of contributor

Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the table below:

B-BBEE STATUS LEVEL CONTRIBUTOR	NUMBER OF POINTS (80/20 SYSTEM)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant	0

Calculation of total points scored for price and B-BBEE status level of contributor.

The points scored for price will be added to the points scored for B-BBEE status level of contributor to obtain the bidders' total points scored out of 100.



SBD 3.1

PRICING SCHEDULE

Description			
Head Office	QTY	Rate per Guard- per Month	Amount per Month [Calculate rate X number of guards]
Day Shift			
Armed	2		
Unarmed	1		
Night Shift			
Armed	3		
Unarmed	0		
Total per month	6		
Cost for thirty-six months [Calculate rate per guard X number of guards X 36 months]	R		
Total Bid Amount (Thirty-six (36) Months)			
R:			

You may attach a spreadsheet to support your calculation. Incorrect calculations will disqualify the bidder.

Company Name: _____

Signature of Bidder: _____

Date: _____



BIDDER'S DISCLOSURE

SBD 4 FORM

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? YES/NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?
YES/NO

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium² will not be construed as collusive bidding.

² 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.

- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM 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 not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

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

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

1.6 The purchaser reserves the right to require of a bidder, either before a bid is

adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

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

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

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

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

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

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

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium

- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

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

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member/director/owner of the following enterprise and duly authorised to act on its behalf:

Enterprise Name	
Trading Name	
Registration Number	
Enterprise Address	

3. I hereby declare under oath that:
 - The enterprise is _____% black owned;
 - The enterprise is _____% black woman owned;
 - Based on the management accounts and other information available on the _____ financial year, the amount did not exceed R10,000,000.00 (ten million Rands);
 - Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% black owned	Level One (135% B-BBEE procurement recognition)	
More than 51% black owned	Level Two (125% B-BBEE procurement recognition)	
Less than 51% black owned	Level Four (100% B-BBEE procurement recognition)	

4. The entity is an empowering supplier in terms of the **dti** Codes of Good Practice.
5. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
6. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths

Signature & Stamp