

TENDER No.:	TIA 007/2017
DESCRIPTION:	TENDER FOR A SERVICE PROVIDER TO DEVELOP ANNUAL REPORT FOR TECHNOLOGY INNOVATION AGENCY
CLOSING TIME AND DATE	03 April 2017 at 11:00 No late tenders will be accepted
DELIVERY DETAILS:	1 X original and 3 copies of proposals must be handed in at reception, TIA House, 83 Lois Avenue, Menlyn, Pretoria in a sealed envelope, clearly stating the reference number, name of the proposal and company name submitting the proposal. Failure to comply might render the tender to be rejected on the basis of being incomplete. Price Proposal must be in a sealed separate envelope clearly stating the reference number, name of the proposal and company name submitting the proposal.
REQUIRED TENDER VALIDITY:	120 days
CONTACT PERSON:	Mandisa Pitso
DURATION OF CONTRACT	For a period not exceeding three (3) years, based on performance and requirements



## Background

The Technology Innovation Agency (TIA) was established in terms of the TIA Act, (Act No. 26 of 2008), with the objective to stimulate and intensify technological innovation in order to improve economic growth and the quality of life of all South Africans by developing and exploiting technological innovations.

## 1. Proposal

TIA invites experienced and capable service providers to submit proposals to produce three consecutive TIA Annual Reports for FY: 2016/2017, 2017/2018 and 2018/2019. A print ready version of the AR should be sent to TIA on 7 June 2017. **The deadline is not negotiable.**

### 1.1 Format of the Proposal

- a) Summary of experience in producing Annual Reports (ARs) with examples of the mentioned reports;
- b) Editing and proofreading capabilities;
- c) Design capabilities;
- d) Design and layout concepts;
- e) Project plan;
- f) Paper samples;
- g) Hard copies of ARs; and
- h) Other requirements.



## 1.2 Requirements

The proposals at own cost should include:

### a) Summary of experience in producing Annual Reports (ARs)

Name five clients who you developed ARs for and provide five references with contact details.

### b) Editing and proofreading capabilities

- CV of the content editor that will be responsible for TIA's ARs;
- Provide proof that you have the capability to translate into all 11 official languages – 20 paragraphs (some 50 words each) in the AR will be translated into the official languages (Google translate is not allowed); and
- Editing and proofreading included in the price as per hourly rate – **6 rounds of partial follow-on** editing required.

### c) Design capabilities

- Design – include the CV of the designer that will be responsible for the design and layout of the three TIA Annual reports specified above; **Provide 3** Creative ideas/concepts (specify cost) on how the AR information can be shared with external stakeholders, including the media. on various electronic communication platforms. Kindly specify the format for example, an electronic flipbook; and
- Specify what hardware and software will be used for the design of the reports

### d) Design and layout concepts

- Provide three different design options based on TIA's current Corporate Identity (CI) Manual. The CI manual will be provided; and



- Provide three design concepts for a memory stick to be presented to stakeholders in line with the AR design. The design should include packaging and the design thereof; and
- The required size of the reports is A4

**e) Project plan**

Develop and submit a project plan for layout, design, proof reading and printing. Make provision for unforeseen circumstances to ensure the plan is achievable as the deadline of 7 June is not negotiable. The appointed service provider should be prepared to meet regularly with the team. TIA reserves the right to change or extend deadlines by agreement with the service provider.

**f) Paper samples**

- Provide three different paper options (for cover and body) with specifications printed on the example. One example should be eco-friendly (note specifications);
- Provide cost effective paper examples with description, for example:
  - Cover: Triple Green Silk, 250 gsm
  - Inner: Power Art (Gloss), 135 gsm

**g) Hard copies of AR**

Provide examples of five ARs that you have developed – one example must have embossing/ dye cutting/ spot varnishing and/or other techniques.

**h) Other requirements**

- Three binding options – include thread sewing and PUR binding;
- Hard copies of the three dummy reports to be submitted;
- Cost to produce an estimated 150-page document that includes the cover;
- The service provider should have in-house printing facilities or provide satisfactory proof of reliable access to printing facilities to meet tight deadlines; and



- Include a half – day photoshoot in the quotation with a white background, studio set-up at the TIA Head Office in Pretoria.

## **2. Expectations**

The Service Provider should also be able to:

- Combine reports from different business units and ensure that there is cohesion and flow in terms of content, design, language and writing style;
- Be willing to do reverts as required by TIA - allow for six rounds of partial follow-on editing and six amended design versions);
- Provide a report that adheres to an Annual Report structure as required by the Department of Science and Technology;
- Provide creative proposals on an appropriate theme;
- Provide creative proposals on the style and structure of the Report
- Supply and print the 150 (8GB) memory sticks;
- Make provision for 25 stock photography pictures selected by TIA – pictures to be the property of TIA and handed to TIA on completion of process;
- Provide an editable MS Word version of the final ARs; and
- Provide a portable studio with white backdrop and lighting for the photoshoot.

## **3. Specifications**

Pages: 150 pages – include page cover

Colours: CMYK throughout

Size: A4

Finish: 3 Options – include section sewn and pur bound

Cover: Effect required one side only

Print run: 450 hard copies with 150 TIA branded 8GB memory sticks

#### 4. Costing

**Please ensure the costing is broken down into a table that reflects costing for the three consecutive years. Table to reflect costing on:**

REQUIREMENT	PRICE
Layout and design	R.....
Proofreading and editing – hourly rate	R.....
1 Hour photoshoot for Board and Exco members at TIA's Head Office	R.....
Translation blocks as per specification in section 2 (b)	R.....
Cost to produce an estimated 150-page document that includes the cover	R.....
Provision for 25 stock photography pictures selected by TIA	R.....
450 hard copies with 150 TIA branded 8GB memory sticks	R.....
3 x Proposed cost effective paper examples with description	R.....
Other	R.....
Total (including VAT)- for 3 years	R.....

**Note: CPI increase will be calculated the possible 2<sup>nd</sup> and 3<sup>rd</sup> year based on the quotation for 2016/2017. If a lower than CPI increase could be considered it should be included and specified in the quotation.**

## 5. Important Notices

- Shortlisted service providers will be invited to present their concepts to TIA.
- Proposals that contains the Request for Proposal reference number must be submitted at Technology Innovation Agency Tender Box in sealed envelopes at 83 Lois Avenue, Atterbury Road, Menlyn.
- Proposals should be submitted at the address mentioned above no later than **03 April 2017 at 11:00**
- Where proposals are not received by TIA by the due date and time, it will not be considered.

## 6. Evaluation Criteria

### 6.1 First Stage: Functionality/Technical Evaluation

Adjudication categories and criteria	Weight	Score
<b>1. Client references</b>  <u><b>Score:</b></u>  Track record of the service provider in annual report design: contactable client references to be provided.  <b>5 = 5-8 contactable references provided</b> <b>4 = 4 contactable references provided</b> <b>3 = 3 contactable references provided</b> <b>0 = less than 3 contactable references</b>	<b>0.2</b>	<b>5</b>

<p><b>2. Content of scientific nature</b></p> <p>Track record of the service provider in dealing with content of <i>scientific</i> and/ or <i>technological nature</i>.</p> <p><b><u>Score:</u></b></p> <p><b>5 = All 5 example ARs submitted are of scientific or technological nature within the NSI</b></p> <p><b>4 = All 5 example ARs submitted are of scientific or technological nature</b></p> <p><b>3 = AR examples submitted of scientific or technological nature are less than 5</b></p> <p><b>0 = All example ARs are not of scientific or technological</b></p>	<p><b>0.1</b></p>	<p><b>5</b></p>
<p><b>3. Experience – Design and layout team</b></p> <p>Experience of the design and layout team working on the TIA AR</p> <p><b><u>Score:</u></b></p> <p><b>5 = CV submitted confirms an accredited tertiary qualification with 10 years of experience in AR design</b></p> <p><b>4 = CV submitted confirms an accredited tertiary qualification with 10 years of experience in graphic design</b></p> <p><b>3 = CV submitted confirms experience in graphic design of 5-10 years</b></p>	<p><b>0.3</b></p>	<p><b>5</b></p>

<p><b>4. Experience – Proof reading and editing</b></p> <p>Experience of the editor working on the TIA AR</p> <p><b><u>Score:</u></b></p> <p><b>5 = CV submitted of editor confirms Masters’ degree or equivalent qualification with 15 years of experience working on developing ARs</b></p> <p><b>4 = CV submitted confirms a tertiary qualification and 5 years of experience working on Annual Reports</b></p> <p><b>3 = CV submitted confirms 5 years of graphic design experience</b></p>	<p><b>0.3</b></p>	
<p><b>5. Design and printing capabilities</b></p> <p>In-house capabilities or adequate proof of existing working relationships</p> <p><b>5 = Marketing and Communications company - design and printing in-house</b></p> <p><b>4 = Marketing and Communications company with in-house capabilities, but outsourcing printing</b></p> <p><b>3 = Printing company with in-house design capabilities</b></p> <p><b>0 = Any other company that outsources services</b></p>	<p><b>0.1</b></p>	
<p><b>Total weighted score/Maximum possible score</b></p>	<p><b>1.0</b></p>	
<p><b>Minimum qualifying score (expressed as percentage)</b></p>		<p><b>70%</b></p>

**NB: The minimum qualifying score (expressed as percentage) for the above bid is 70% Bids that fail to meet the minimum qualifying score for functionality will not proceed to the second evaluation stage.**

## 7.2 Second stage: Presentation for service providers to present their creativity

Shortlisted service providers will be expected to present their creative concept they developed for TIA specifically. Here the service provider will get the opportunity to showcase their creativity and understanding of the TIA brand. You are welcome to present different finishing that can be used such as spot varnishing, embossing our other “out-of-the-box” possibilities. It is advisable to present the creative concept but also include how the financial statements can be presented in an appealing manner.

### Evaluation criteria for stage 2:

Creativity	5 = Excellent; 3 = Acceptable; 0 = Unacceptable
Variety	5 = Excellent; 3 = Acceptable; 0 = Unacceptable
Understanding of the NSI as expressed in the creative concept	5 = Excellent; 3 = Acceptable; 0 = Unacceptable
Overall impression of the developed concept	5 = Excellent; 3 = Acceptable; 0 = Unacceptable

The 3 highest scoring service providers in stage 2 will proceed to the 3<sup>rd</sup> and final stage of evaluation.

## 7.3 Third Stage: Evaluation in terms of 90/10

Bidders who met the 65% threshold will be evaluated further based on 90/10 preferential point system as below:

Evaluation Categories	Points
1. Bid Price	90
2. Points awarded for B-BBEE Status Level	10
<b>Total points</b>	<b>100</b>



## **7. Contacts**

All enquiries regarding this specification shall be submitted in writing to **Ms Mandisa Pitso** ([mandisa.pitso@tia.org.za](mailto:mandisa.pitso@tia.org.za))

## **8. Medium of Communication**

All documentation submitted in response to this request must be in English.

**9. Verification of Documents** Respondents should check the numbers of the pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by TIA in regard to anything arising from the fact that pages are missing or duplicated.

**10. Mandatory Requirements (Failing to meet any of these requirements will lead to disqualification of the bid):**

- Completed Standard bidding documents
- 4 x copies (including the original)
- Compliant tax status on the Central Supplier Database (CSD)
- The supplier must be registered on the CSD

## **11. Pricing**

Costs must be in South African Rand and inclusive of VAT.

## **12. Submission of bid**

The bid should be deposited in the tender box at:

**83 Lois Avenue  
Cnr Lois Avenue and Atterbury Road  
Menlyn, Pretoria  
Tel: (012) 472 2700**

**Closing Date: 03 April 2017**

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:

.....

2.2 Identity Number:

.....



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

.....

2.4 Company Registration Number:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<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 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:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain YES / NO  
the appropriate authority to undertake remunerative  
work outside employment in the public sector?

2.7.2.1 If yes, did you attached proof of such authority to the bid YES / NO  
document?



(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:

.....

.....

.....

2.8.2 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.9.1 If so, furnish particulars.



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

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



#### 4 DECLARATION

I, THE UNDERSIGNED

(NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

#### SBD 6.1

#### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.

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 R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the.....system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

POINTS

1.3.1.1 PRICE .....



#### 1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION .....

Total points for Price and B-BBEE must not exceed 100

- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B- BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5. 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

- 2..1 “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;

- 2.3 “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 “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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 “comparative price” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 “consortium or joint venture” 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;
- 2.8 “contract” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 “EME” means any enterprise with an annual total revenue of R5 million or less.
- 2.10 “Firm price” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;

- 2.11 “functionality” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 “non-firm prices” means all prices other than “firm” prices;
- 2.13 “person” includes a juristic person;
- 2.14 “rand value” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 “sub-contract” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 “total revenue” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 “trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “trustee” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.



### 3. ADJUDICATION USING A POINT SYSTEM

3.1 The bidder obtaining the highest number of total points will be awarded the contract.

3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.

3.3 Points scored must be rounded off to the nearest 2 decimal places.

1.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

3.5 However, when functionality is part of the evaluation process and two more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.

3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots

### 4. POINTS AWARDED FOR PRICE

#### 4.1 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 comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

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

## 5. Points awarded for B-BBEE Status Level of Contribution

5.1 In terms of Regulation 5 (2) and 6 (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	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.



5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

## 6. BID DECLARATION

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

### 7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

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



(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

## 8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 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? YES / NO (delete which is not applicable)

## 9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm :

9.2 VAT registration number :



9.3 Company registration number

.....  
:

9.4 TYPE OF COMPANY/ FIRM

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

[Tick applicable box]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

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

[Tick applicable box]

9.7 Total number of years the company/firm has been in business?

.....

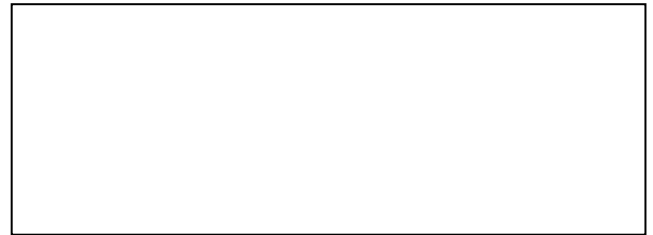
9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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. ....



.....

SIGNATURE(S) OF BIDDER(S)

2. ....

DATE:.....

ADDRESS:.....

.....

.....

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

#### CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder



## 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. 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:

<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.

## SBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---



(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf  
of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

SBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or 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.

#### SBD 9

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

.....