



TENDER NUMBER: TIA001/2019

TECHNOLOGY INNOVATION AGENCY

ESTABLISHMENT OF A PANEL OF BUSINESS SUPPORT SERVICE PROVIDERS

83 LOIS AVENUE, MENLYN, PRETORIA

COMPANY REPRESENTATIVE AND CONTACT DETAILS: _____

Issue Date: 25 January 2019

Mandatory Briefing session: 04 February 2019 at 11:00

**Venue: TIA House
83 Lois Avenue
Menlyn
Pretoria**

Validity Period: 120 Days (after closing date)

Response Deadline: 19 February 2019 at 11:00

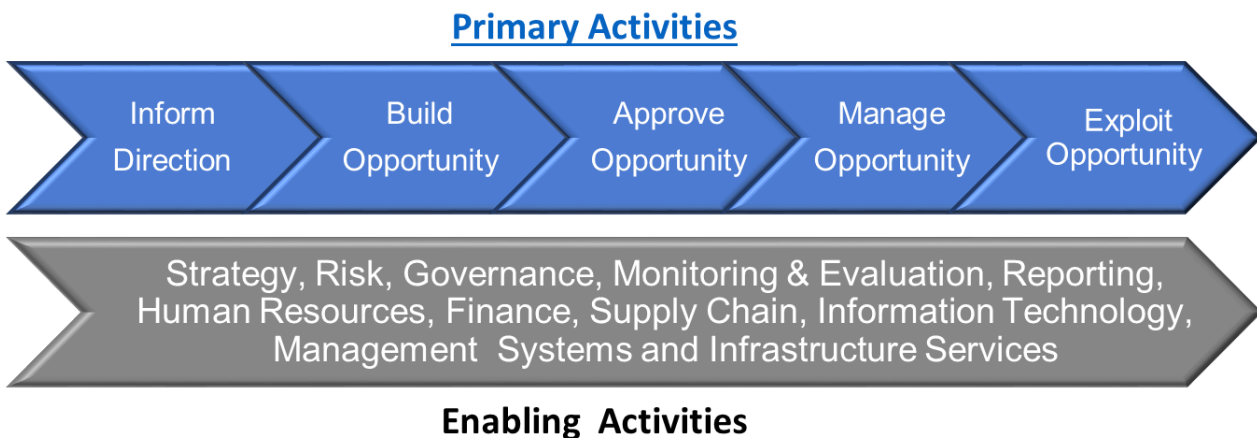
Contact Person: mandisa.pitso@tia.org.za

Duration: 3 years

1. BACKGROUND

1.1. The National System of Innovation (NSI) in South Africa is still very young and fragmented and the flow of technology and information amongst people, enterprises and institutions is limited. The inability of research to reach the market as products and services is limiting economic development especially about technology innovation.

1.2. The Technology Innovation Agency (TIA) an entity of the Department of Science and Technology (DST) was established in terms of the TIA Act (Act No. 26 of 2008), with the objective to stimulate and intensify technological innovation to improve economic growth and the quality of life of all South Africans by developing and exploiting technological innovations, as the value chain depicted below.



To increase business development and sustainability through the provision of business advisory and non-financial support, the following strategic benefits will be realised:

- An increase in the number of transformed technologies into viable businesses.
- De-risking and preparing investees for future growth.
- Enhancing business attractiveness for acquisitions by strategic partners.
- Increase the success rate of TIA funded opportunities and return on investment.



2. PURPOSE

TIA seeks to appoint a panel of service providers for a period of three years who will provide business, entrepreneurial and commercialisation support services to TIA funded projects that have progressed past technology readiness level 5, commercialisation stage or are fully-fledged businesses.

3. OBJECTIVE

Business support is a cross functional activity and tool utilised to enhance the survival and success rate of funded business opportunities. To achieve this, TIA would be required to actively provide business support to its projects. The support services will assist with transforming technologies into sustainable businesses for acquisition by strategic partners where applicable. TIA will call on service providers on a case by case basis depending on the entrepreneurial needs and risks identified. These outsourced services will bridge the gap and assist TIA funded investees to progress through the technology, business and market readiness levels.

The Panel will be expected to provide the following services:

- 3.1 The provision of business mentorship and coaching, including team and/ or management development. In addition, there is a need to focus on technology, market and business readiness levels training and support programs. The establishment of compliance frameworks or tools such as industry standards and regulatory matters will be considered.
- 3.2 A highly flexible combination of business support services designed to nurture new and small businesses through business incubation models that include pre-incubation, incubation and post-incubation stage. Where infrastructure is required, TIA Technology Station, Technology Platform and partner infrastructure and services e.g. Smartxchange and Invotech but not limited to, will be utilised.
- 3.3 The provision of market opportunities and scale-up, access to networks, connection to venture capital or co-funding and portfolio diversification initiatives. Perform a skills



gap analysis to determine the training and/or hiring requirements for a project. The analysis will assist with highlighting the variances between the existing and the required skill levels, as well as identifying the best strategies to close the gap or reduce the variations.

4 SCOPE OF WORK

As projects enter the value chain at various readiness levels, the levels of support required will vary depending on the maturity levels of each project. Service providers on the panel will be brought on board on an ad hoc basis to assist TIA to de risk and prepare TIA investee projects for growth. The scope of work per identified need will be governed by an independent agreement between TIA and the identified service provider from the panel. Bidders are encouraged to bid based on their areas of expertise and it is not mandatory to specialise in all areas, as the list is exhaustive for the benefit of the different needs and risks TIA will be exposed to.

The table below outlines a broad description of potential engagements that will form the basis of the scope of work:

Objective 1 (Linked to 3.1)

Commercialisation: business and market readiness

- Assist entrepreneurs with their business plan development that will inform their product/service offerings. Establish compelling business case that will persuade customers to buy the product/service.
- Assist TIA with Independent business reviews, projects that have already been funded by TIA that might require an independent opinion. Identify areas of risks as well as areas of opportunities.
- Provide guidance and analysis on business assumptions, which includes a post-planning method that helps companies to deal with uncertainty. Identify the most important assumptions in a company's business plans, test these assumptions, and provide support to accommodate unexpected outcomes.
- Assess potential business growth opportunities. Work with the entrepreneurs in identifying what their future ability is to generate larger profits, expand their workforce and increase production.
- Conduct preliminary market/sales prediction. Assist with projecting the future numbers, characteristics, and trends in the targeted/identified markets.
- Provide assistance with market reviews: This will include market accessibility / market entry. Build a winning market entry strategy and start exporting into previously unknown territory.
- Assist with product development. This includes a series of steps from conceptualization, design, development and marketing of newly created or newly rebranded goods or

<p>services. Conduct feasibility studies, risk management, testing, proof of concept, & product launch.</p>
<p>Business Advisory (Coaching and Mentoring)</p>
<ul style="list-style-type: none"> • Implement business advisory tools based on the entrepreneurs’ needs. The objective of the advisory tools with expert design, planning, recommendations and implementation will enhance the smooth and efficient business operations. • Provide coaching and mentoring according to the needs analysis. This will be considered for both project and professional development, that will build a positive and concrete change in individuals and to boost the transfer of knowledge from the coach/mentor to the entrepreneur for the benefit of the project.
<p>Governance toolkits, policies and procedures</p>
<p>Assist with best practises. Provide methods or techniques that will align projects to best practises and generally accepted standards on governance. Provide strategies that will help businesses to:</p> <ul style="list-style-type: none"> • become more competitive. • increase sales and develop new markets. • reduce costs and become more efficient. • improve the skills of their workforce. • use technology more effectively. • reduce waste and improve quality. • improved response rates to innovations in identified sectors. • adequate response to risk.

Objective 2: (Linked to 3.2)

Financial Management /Planning

Assist with determining how a business will afford to achieve its strategic goals and objectives. Provide continuous guidance to assist projects to achieve their goals during the business life cycle. Identify what the project's short and long-term financial goals are and create a balanced plan to meet those goals. Activities will include the following but not limited to:

- Create and implement a financial action plan
- Establish and define the client-advisor relationship
- Gather information, discuss goals and objectives that are pertinent to the project.
- Analyse the overall financial situation of the project
- Discuss the plan with the relevant stakeholders, seek approval from funders and stakeholders to the project.
- Put the plan into action and monitor.
- Perform a risk analysis on the project and propose mitigation strategies.

Business model building and validation

The building and validation of business models are the most crucial part of starting a company. A business model plays a vital role in the success of any company, as it explains how that business will earn revenue. For entrepreneurs, a business model aids in acquiring investors and establishing partnerships. Some key activities will include the following:

- Assist with building key elements of the business model.
- Determine what the value proposition/ competitive advantage is

- Determine who the partners are and, what the key activities are.
- Determine what the revenue streams are
- **Validate assumptions for the business model:**
 - Identify and track business assumptions in line with the proposed business model
 - Test assumptions in the field with customers and provide proposals to change in direction if assumptions are incorrect.
 - Demonstrate if the project has gained market traction through positive feedback.

Business Incubation modelling

Business incubation (process) is a public and/or private, entrepreneurial, economic and social development process designed to nurture business ideas and start-up companies and, through a comprehensive business support program, help them establish and accelerate their growth and success. There is no one model that fits or suits all. Provide business incubation models from pre-to post incubation and where infrastructure is required, TIA Technology Station, Technology Platform and partner infrastructure and services will be utilised.

Objective 3: (Linked to 3.3)

Gap analysis on skills required in companies

A skills gap is the difference between skills that employers want or need, and skills their workforce offer. Conducting a skills gap analysis will assist with identifying skills the project will need to meet the business goals. It can also inform the employee development and hiring

programs. The analysis helps in revealing the variances between the existing and the required skill levels, as well as identifying the best strategies to close the gap or reduce the variations in terms of the skills.

- Perform a skills audit. Assess the team, their skills, expertise and experience. Identify the bottlenecks and make recommendations that will benefit the success of the project.
- Recommend and implement training and development programs /initiatives.

Scale up

Business owners need new skills and focus areas to generate sustainable growth over an extended period, whilst managing risk. It means that the business has the potential to multiply revenue with minimal incremental cost. The objective is to develop a clear, unique message for their offering by focusing on their strengths. The best way to differentiate their business is through efficient and friendly customer service/products. Activities during scale up will include focus areas such as:

- Conduct research and introduce new and potential markets.
- Perform customer analysis and review their expectations.
- Review the existing process and identify bottlenecks, make recommendations where changes are applicable.
- Assist with the migration of a process from the lab-scale to the pilot plant-scale or commercial scale.



5 GENERAL TERMS AND CONDITIONS

5.1 The Respondent is responsible for all costs incurred in the preparation and submission of the proposal.

5.2 A copy/s of any affiliations, memberships and/or accreditations that support your submission must be included in the proposal.

5.3 Kindly note that TIA is entitled to:

5.3.1 Amend any RFP conditions, validity period, specifications, or extend the closing date and/or time of RFP's before the closing date. All Respondents, to whom the RFP documents have been issued, will be advised in writing of such amendments in good time;

5.3.2 Verify any information contained in a proposal;

5.3.3 Not appoint any service provider;

5.3.4 Disqualify proposals that contain an omission of disclosure of material information, that is factual inaccurate, and/or contains a misrepresentation of facts. This could also lead to the cancellation of any subsequent contracts;

5.4 Not accept the lowest proposal or any proposal in part or in whole. TIA normally awards the contract to the Bidder who proves to be fully capable of handling the contract and whose proposal is technically acceptable and/or financially advantageous to TIA. Appointment as a successful contractor shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement within 30 (thirty) days from the appointment date, TIA shall be entitled to appoint the contractor who was rated 2nd (second), and so on;

5.5 Award this RFP as a whole or in part without furnishing reasons;

5.6 Cancel or withdraw from this RFP as a whole or in part without furnishing reasons and without attracting any liability;



5.7 The Respondent hereby offers to render services described in clause 4.1 above to TIA and in accordance with the specifications stipulated in this RFP documents (and which shall be taken as part of, and incorporated into this proposal.

5.8 This proposal and its acceptance shall be subject to the terms and conditions contained in this RFP document; and

5.9 The Respondent shall prepare for a possible presentation should TIA require such and the Respondent shall be notified thereof no later than 4 (four) days before the actual presentation date.

6 EVALUATION CRITERIA

6.1 The proposals will be evaluated based on the criteria requirements listed below.

EVALUATION CRITERIA	WEIGHT	SCORE
<p>1. Number of years in providing services in reference to the objectives in section (3) above:</p> <p>The service provider must provide a profile/CV indicating the number of years in consulting and providing business support in the areas indicated in 4.1 above:</p> <p>(5) = 15 years' experience and above (3) = More than 10 and less than 15 years' experience (1) = Less than 10 years' experience</p>	0.45	
<p>2. Provide a proven track record on previous work performed on providing business support through either /or the items listed 4 above:</p> <ul style="list-style-type: none"> Written reference letters (Minimum 3) of similar projects done. <p>(5) = 4 letters and more (3) = 3 letters (1) = less than 3</p>	0.25	

EVALUATION CRITERIA	WEIGHT	SCORE
<p>3. Demonstrate relevant experience in business support on the items listed below:</p> <ul style="list-style-type: none"> • Make available mentorship and coaching programs. • Provide business incubation models to include pre-to post incubation phase of a project. • Accessibility to market research through available tools. • Provide “scale up” interventions for projects at development stage to grow in terms of market access, revenues, number of employees. • Access to networks for market attraction. • Financial management/planning and business modelling <p>Service providers that do not demonstrate experience in implementing Business Support (0).</p> <p>(5) = 100% of the above list (4) = 80% of the above list. (3) = 50% of the above list (2) = 20% of the above list (1) = 10% of the above list (0) = No reference letters provided or irrelevant reference letters</p>	0.20	
<p>3. A service provider must provide a track record of successful projects or areas of good governance in the form of letters of award, letters of recommendation, and letters of achievement. Provide risk management or tools to reduce overall risks and to improve project performance.</p> <p>(5) = Proven track record of good governance and risk management implemented. (0) = No track record of governance and risk management.</p>	0.10	
Total weighted score/Maximum possible score	100	

EVALUATION CRITERIA	WEIGHT	SCORE
Minimum qualifying score		70

B-BBEE status level Contributor		20
Points for Price		80
Maximum Points		100

7 MANDATORY REQUIREMENTS

- 7.1 Proposals will be disqualified or excluded under the following conditions:
- 7.1.1 Submission after the deadline;
 - 7.1.2 Proposals submitted at incorrect location
 - 7.1.3 Proposals submitted via email or fax
 - 7.1.4 Service Providers not registered on Central Supplier Database (www.csd.gov.za)
 - 7.1.5 Service Providers whose tax matters are not in order at the date of submission.
 - 7.1.6 Failure to submit 4 x copies including the original
 - 7.1.7 Briefing Session attendance

8 DEADLINE FOR SUBMISSION

- 8.1 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**
- 8.2 Proposals should be submitted at the address mentioned above no later than **19 February 2019 at 11:00**
- 8.3 Where proposals are not received by the due date and time, it will not be considered as 7.1.1 above states.



9 PERIOD OF APPOINTMENT

- 9.1 Successful applicants will be members of the panel of experts. Service providers from the established panel will be called upon to submit proposals as and when the need may arise. The provision of services will be subject to the signing of a contractual agreement with TIA. The terms and conditions will be dependent on the nature of the assignment. The relationship will be governed by the contractual agreement between TIA and the service provider on a case by case basis. The panel will be in existence for the period of three (3) years.



SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:
.....

2.2 Identity Number:
.....

2.3 Position occupied in the Company (director, trustee, shareholder²):
.....

2.4 Company Registration Number:



2.5 Tax Reference Number :

2.6

2.7 VAT Registration Number:

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

¹“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder **YES / NO**
presently employed by the state?

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
.....

Name of state institution at which you or the person connected to the bidder is employed :
.....



Position occupied in the state institution:.....

Any other particulars:

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

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?

YES / NO

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

YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

2.8 Did you or your spouse, or any of the company's directors / trustees /shareholder/ members or their spouses conduct business with the state in the previous twelve months?

YES / NO

2.8.1 If so, furnish particulars:

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



2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

YES / NO

2.9.1 If so, furnish particulars.

.....
.....

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

YES/NO

2.10.1 If so, furnish particulars.

.....
.....

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

YES/NO

2.11.1 If so, furnish particulars:

.....
.....

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



Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Personnel 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 2017

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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

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"/>
-----	--------------------------	----	--------------------------

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 least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration



number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;



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

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....



SBD 8

2 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.**

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

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



SBD 8

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder



SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.



² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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