

**REQUEST FOR QUOTATION  
FOR  
PROVISION OF GRAPHIC DESIGN SERVICES**



|  |   |
|--|---|
| <b>Bid Number</b>  | <b>EWSETA/RFQ/10/2020</b>                   |
| <b>Bid Scope</b>   | <b>PROVISION OF GRAPHIC DESIGN SERVICES</b> |
| <b>Issue Date</b>  | <b>25/05/2020</b>                           |
| <b>Compulsory briefing session</b>                       | <b>N/A</b>                                  |
| <b>Closing Date for submission of bids</b>               | <b>FRIDAY 29/05/2020 @13:00hrs</b>          |
| <b>Inquiries</b><br>(all inquiries should be in writing) | <b>scmadmin@ewseta.org.za</b>               |

## 1. Background information

1.1 The EWSETA is a statutory body established through the Skills Development Act of 1998 to facilitate skills development for Energy and Water stakeholders, through providing integrated, value-added education and training services.

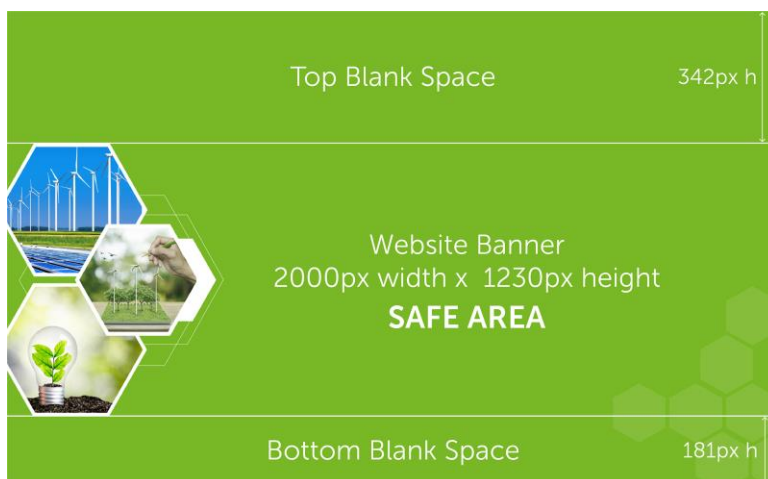
1.2 A competent service provider, with appropriate experience and competencies to deliver all the requirements as stated in the Scope of Work below, is required to work with the Marketing & Communications Manager to ensure that professional, creative, accurate and exciting marketing and communications design collateral and elements are developed.

## 2. Scope of work

The EWSETA requires the services of a graphic design agency, whose main business of operation is graphic design (80% or more) for a range of marketing communication requirements.

### Item 1 – Design of Digital Communication Elements

- 12 x LinkedIn Page Banners
- 12 x FaceBook Page Banners
- 4 x Twitter Page Banners
- 4 x Instagram Page Banners
- 36 x social media tiles (square) and saved as jpegs
- 24 x portrait jpeg files
- 12 x EWSETA website page banners (refer below for size details)
- 18 x e-mail signature banners
- 10 x digital advertising banners (15cm x 15cm)
- 10 x digital advertising banners (10cm x 10cm)
- 10 x digital advertising banners (10cm x 5cm)



## **Item 2 – Powerpoint Presentations**

Design of 8 Powerpoint presentations utilising EWSETA CI. Each presentation to comprise 20 slides and not exceed 5MB in size.

## **Item 3 – Quarterly Newsletter**

Tweaking of current newsletter 'look and feel' for a fresh look for 2020/21 issues  
Design of 4 A4 issues x 24 pages/issue  
Supply as PDF file

**No print quote required**

## **Item 4 – Infographics**

Conceptualising EWSETA infographics based on content provided  
Design of 30 x A4 infographics

## **Item 5 – Infographics Image Contingency**

R15 000

## **Item 6 – NSDP 2030 Brochure**

24 pages (content will be provided)  
21cm x 21cm  
Supply as PDF

**No print quote required**

## **Item 7 – Energy Opportunities Brochure**

24 pages (content will be provided)  
A5  
Supply as PDF

**No print quote required**

## **Item 8 – Water Opportunities Brochure**

24 pages (content will be provided)  
A5  
Supply as PDF

**No print quote required**

## **Item 9 – Design and Production of Pull-up Banners**

Design of 10 x pull up banners



Production of 20 X-stand banners (refer image on right)  
Production of 10 x Executive/Deluxe Roll Up Banners (refer image on right)



#### **Item 10 – Stock Image Contingency**

R10 000

#### **Item 11 – Print Advertising Artwork**

6 x A4 advertisements  
4 x DPS A4 advertisements

#### **Item 12 – Posters**

Design of 12 x A0 posters  
Print of 24 posters onto Perspex

#### **Item 13 – Brochures**

Design of 4 x double-sided A3 brochures

#### **Item 14 – From the desk of Banners**

Design 12 digital banners 6cm x 15cm and supply as jpegs

#### **Item 15 – Cartoon Contingency**

R25 000

### **3. Evaluation Process**

#### **3.1 Stage 1: Submission of Compulsory Documents:**

**Prospective bidders must comply with the requirements and submit all required document(s) indicated hereunder with the bid documents at the closing date and time of bid. This phase is not scored and bidders who fail to comply with all the mandatory criteria may be disqualified.**

- 3.1.1** Prospective bidders are required to provide proof of registration with the Central Supplier Database by submitting the CSD report. In case of a Joint Venture, each party must provide proof of registration with CSD and their tax compliance status will be verified through the CSD.
- 3.1.2** A prospective bidder must ensure that their tax matters are in order in line with the Treasury Regulations and reflect accordingly on CSD. It is therefore a condition of this bid that the tax matters of the bidder be in order at the time of award.
- 3.1.3** Completed and signed Standard Bidding Documents attached to the bid. In case of a Joint Venture, a written agreement between the parties which must clearly set out the roles and responsibilities of each member.
- 3.1.4** Certified copy of B-BBEE Certificate. A Joint Venture will qualify for the B-BBEE status level as a legal entity, provided that the legal entity submits their B-BBEE status level certificate. Failure on the part of the bidder to comply with the above will be deemed that preference points for B-BBEE status level of contribution are not claimed and will therefore be allocated a zero (0).
- 3.1.5** Only B-BBEE verification Agency accredited by South African National Accreditation System (SANAS) must respond. Bidders are required to submit proof of such accreditation.

### 3.2 Stage 2 – Functional /Technical evaluation

An assessment of Functionality will be based on the evaluation criteria noted in the table below. Each of the evaluation criteria in the table will carry a weighting as indicated, and the bidder will be required to score a minimum of 75%, for Functionality in order to qualify to proceed to Stage 3.

Submit all functionality information/documents in folders that correspond with criteria as detailed below.

| CRITERIA   | GUIDE ON THE ALLOCATION OF POINTS   | MAXIMUM POINTS TO BE AWARDED |
|--|---|------------------------------|
| <b>Brief Company Profile</b>   | 10+ years' experience in graphic design services = 10 points<br>5 to 10 years' experience in graphic design services = 6 points<br>Up to 5 years' experience in graphic design services = 3 points  | 10                           |
| <b>CV of Creative Director</b>   | 15+ years' experience in graphic design = 10 points<br>6 to 14 years' experience in graphic design = 6 points<br>Up to 6 years' experience in graphic design = 3 points   | 10                           |
| <b>Provide referral letters of previous work conducted</b><br>NB: The Reference Letter(s) must not be older than 2 years, must be on the letterhead of the previously serviced client and should reflect at least name of the client, title of the related work conducted, year(s) conducted and completed, contactable reference name and contact details and signed by the appropriate delegate. The Reference Letter should indicate the quality of the service rendered. | Supply of three references no older than 12 months for graphic design work = 10 points<br>Supply of two references no older than 12 months for graphic design work = 6 points<br>Supply of one reference no older than 12 months for graphic design work = 3 points | 10                           |
| <b>Supply of three examples of newsletters produced in last three years. Please supply file with all reg marks, colour bars and crop marks (final artwork files) – please supply actual files and not links to files situated elsewhere</b>  | Supply of 3 examples as requested – 6 points and score out of 14 for design<br>Supply of 2 examples as requested – 4 points and score out of 10 for design<br>Supply of 1 example as requested – 2 points and score out of 6 for design                             | 20                           |
| <b>Supply of three examples of Powerpoint Presentations Produced – please supply files and not links to any files situated elsewhere</b>   | Supply of 3 examples as requested – 6 points and score out of 14 for design (20 max)<br>Supply of 2 examples as requested – 4 points and score out of 10 for design (14 max)<br>Supply of 1 example as requested – 2 points and score out of 6 for design (8 max)   | 20                           |

|  |   |            |
|--|---|------------|
| <b>Supply of 10 examples of digital banners produced</b>   | 1 point for each banner submitted<br>Point score out of 10 for creativity of design     | 20         |
| <b>Supply of 3 examples of 'stand-alone' infographics (this means that the infographics should not be part of a bigger document)</b> | 1 point each for infographic submitted<br>Point score out of 7 for creativity of design | 10         |
| <b>Total</b>   |   | <b>100</b> |

Bidders who fail to meet the minimum score of 75% in Stage 1 shall not be considered for evaluation in terms of Stage 3 (Price and preference points).

**a. Stage 2: Pricing Stage**

- For orders above R30, 000 bids will be evaluated for Price in terms of the 80/20 preference point system, where 80 points will be for Price and 20 points will be for the organization's B-BBEE status.
- The points scored in respect of B-BBEE contribution will be added to the points scored for price.
- The following formula will be used to calculate the points for Price:

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

Where

P<sub>s</sub> = Points scored for comparative price of proposal or quotation

P<sub>t</sub> = Comparative price of proposal or offer

P<sub>min</sub> = Comparative price of lowest acceptable proposal or offer

| B-BBEE Status Level of contributor | Number of points 80/20 system) |
|------------------------------------|--------------------------------|
| 1                                  | 20                             |
| 2                                  | 18                             |
| 3                                  | 16                             |
| 4                                  | 12                             |
| 5                                  | 8                              |
| 6                                  | 6                              |
| 7                                  | 4                              |
| 8                                  | 2                              |
| Non-compliant contributor          | 0                              |

The points for the bidder's status will be awarded as per the company's B-BBEE status level of contribution in accordance with the table below and the BEE rating certificate accredited by SANAS for the bidder's company.

#### 4. Financial Proposal

Financial proposals will be compared on the basis of their total amount inclusive of VAT and all other related costs. **Bidders are required to submit financial proposals as per the table below on a company letterhead.**

##### Annexure B: Fees schedule

| Item  | Cost     |
|---|----------|
| Item 1 – Design of Digital Communication Elements |          |
| Item 2 – Powerpoint Presentations                 |          |
| Item 3 – Quarterly Newsletters                    |          |
| Item 4 – Infographics                             |          |
| Item 5 – Infographics Image Contingency           | R15 000  |
| Item 6 – NSDP 2030 Brochure                       |          |
| Item 7 – Energy Opportunities Brochure            |          |
| Item 8 – Water Opportunities Brochure             |          |
| Item 9 – Design and Production of Pull-up Banners |          |
| Item 10 – Stock Image Contingency                 | R10 000  |
| Item 11 – Print Advertising Artwork               |          |
| Item 12 – Posters                                 |          |
| Item 13 – Brochures                               |          |
| Item 14 – From the desk of Banners                |          |
| Item 15 – Cartoon Contingency                     | R25 000  |
|   |          |
| <b>Subtotal</b>                                   | <b>R</b> |
| <b>Vat</b>  | <b>R</b> |
| <b>Total Amount inclusive of VAT</b>              | <b>R</b> |

C

COMPANY NAME: \_\_\_\_\_

SIGNATURE OF BIDDER: \_\_\_\_\_

Only firm prices will be accepted. Non-firm prices (including prices subject to rates of exchange variations) will not be considered.

Pricing schedule is compulsory and failure to complete same in prescribed manner as per the Annexure B and without alterations may result in disqualification of bid price proposal during the financial evaluation process.

Bidders are requested to provide a clear agreement regarding joint venture/consortia. The percentage involvement of each company in the joint venture agreement should be indicated on the agreement. A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification Certificate for every separate bid;

Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their B-BBEE rating claims;

A bidder 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;

A bidder 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;

## **5. Submission of Bids**

Bidders are required to email their proposals to [scmadmin@ewseta.org.za](mailto:scmadmin@ewseta.org.za) and should indicate the RFQ number EWSETA/RFQ/10/2020 and description of the bid as subject of the email.

EWSETA may request clarification or further information regarding any aspect of the bidder. The bidder must provide the requested information within forty-eight (48) hours after the request have been made; otherwise, the bidder may be disqualified.

## **6. Closing Date of Proposal**

Bids must reach EWSETA **by no later than Friday 29 MAY 2020, before 13H00. Please note that no late proposals will be considered.**

## **7. Tender validity**

This RFQ shall be valid for **30** days calculated from Bid closing date.

## **8. Fraud Hot-line**

EWSETA subscribes to fair and just administrative processes. EWSETA therefore urges its clients, suppliers and the general public to report any fraud or corruption to:

EWSETA TIP-OFFS ANONYMOUS

Free Call: 0800 611 205

Email: [ewseta@tip-offs.com](mailto:ewseta@tip-offs.com)

Or visit their website [www.tip-offs.com](http://www.tip-offs.com)



**The following particulars must be furnished**

**Information of the Bidder**

|                         |  |
|-------------------------|--|
| Name of bidder          |  |
| Registration number     |  |
| VAT registration number |  |
| Contact person          |  |
| Telephone number        |  |
| Cell number             |  |
| E-mail address          |  |
| Postal address          |  |
| Physical address        |  |

I certify that the information furnished on this form is true and correct.

I further accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

\_\_\_\_\_  
Name of bidder (duly authorised)

\_\_\_\_\_  
Signature of bidder

\_\_\_\_\_  
Date

\_\_\_\_\_  
Capacity under which this RFQ is signed

## **EWSETA GENERAL CONDITIONS OF PURCHASE**

### **General**

EWSETA and the Supplier enter into an order/contract on these conditions to supply the items (goods/services/works) as described in the order/contract.

### **Conditions**

These conditions form the basis of the contract between EWSETA and the Supplier. Notwithstanding anything to the contrary in any document issued or sent by the Supplier, these conditions apply except as expressly agreed in writing by EWSETA. No servant or agent of EWSETA has authority to vary these conditions orally. These general conditions of purchase are subject to such further special conditions as may be prescribed in writing by EWSETA in the order/contract.

### **Price and payment**

The price or rates for the items stated in the order/contract may include an amount for price adjustment, which is calculated in accordance with the formula stated in the order/contract. The Supplier may be paid in one currency other than South African Rand. Only one exchange rate is used to convert from this currency to South African Rand. Payment to the Supplier in this currency other than South African Rand, does not exceed the amounts stated in the order/contract. EWSETA pays for the item within 30 days of receipt of the Suppliers correct tax invoice.

### **Delivery and documents**

The Supplier's obligation is to deliver the items on or before the date stated in the order/contract. Late deliveries or late completion of the items may be subject to a penalty if this is imposed in the order/contract. No payment is made if the Supplier does not provide the item as stated in order/contract.

### **Where items are to be delivered the Supplier:**

Clearly marks the outside of each consignment or package with the Supplier's name and full details of the destination in accordance with the order and includes a packing note stating the contents thereof; On dispatch of each consignment, sends to EWSETA at the address for delivery of the items, an advice note specifying the means of transport, weight, number of volume as appropriate and the point and date of dispatch; Sends to EWSETA a detailed priced invoice as soon as is reasonably practical after dispatch of the items, and states on all communications in respect of the order the order number and code number (if any).

### **Containers / packing material**

Unless otherwise stated in the order/contract, no payment is made for containers or packing materials or return to the Supplier.

### **Title and risk**

Without prejudice to rights of rejection under these conditions, title to and risk in the items passes to EWSETA when accepted by EWSETA.

### **Rejection**

If the Supplier fails to comply with his obligations under the order/contract, EWSETA may reject any part of the items by giving written notice to the Supplier specifying the reason for rejection and whether and within what period replacement of items or re-work are required.

In the case of items delivered, EWSETA may return the rejected items to the Supplier at the

Supplier's risk and expense. Any money paid to the Supplier in respect of the items not replaced within the time required, together with the costs of returning rejected items to the Supplier and obtaining replacement items from a third party, are paid by the Supplier to EWSETA.

In the case of service, the Supplier corrects non-conformances as indicated by EWSETA.

### **Warranty**

Without prejudice to any other rights of EWSETA under these conditions, the Supplier warrants that the items are in accordance with EWSETA's requirements, and fit for the purpose for which they are intended, and will remain free from defects for a period of one year (unless another period is stated in the Order) from acceptance of the items by EWSETA.

### **Indemnity**

The Supplier indemnifies EWSETA against all actions, suits, claims, demands, costs, charges and expenses arising in connection therewith arising from the negligence, infringement of intellectual or legal rights or breach of statutory duty of the Supplier, his subcontractors, agents or servants, or from the Supplier's defective design, materials or workmanship.

The Supplier indemnifies EWSETA against claims, proceedings, compensation and costs payable arising out of infringement by the Supplier of the rights of others, except an infringement which arose out of the use by the Supplier of things provided by EWSETA.

### **Assignment and sub-contracting**

The Supplier may not assign or subcontract any part of this order/contract without the written consent of EWSETA.

### **Termination**

EWSETA may terminate the order/contract at any time (without prejudice to any right of action or remedy which has accrued or thereafter accrues to EWSETA):

If the Supplier defaults in due performance of the order/contract, or if the Supplier becomes bankrupt or otherwise is, in the opinion of EWSETA, in such financial circumstances as to prejudice the proper performance of the order/contract, or for any other reason in which case the Supplier will be compensated for all costs incurred.

### **Governing law**

The order/contract is governed by the law of the Republic of South Africa and the parties hereby submit to the non-exclusive jurisdiction of the South African courts.

**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state\*, 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 and/or take an oath declaring his/her interest, 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, shareholder etc):

.....

2.4 Company Registration Number:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

\* "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.

2.7 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 / shareholder/ member ..... Name of  
state institution to which the person is connected ..... Position  
occupied in the state institution:  
.....

Any other particulars:  
.....  
.....  
.....

2.8 Did you or your spouse, or any of the company's directors YES / NO  
shareholders / members or their spouses conduct business with the state in the previous  
twelve months?

DECLARATION

I, THE UNDERSIGNED  
(NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2.1 TO 2.11.1 ABOVE  
IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME IN TERMS OF EWSETA'S GENERAL  
CONDITIONS OF TENDER AS STIPULATED IN THE RFP SHOULD THIS DECLARATION  
PROVE TO BE FALSE.

.....  
SIGNATURE DATE

.....  
POSITIONNAME 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.**

**2.3 GENERAL CONDITIONS**

- a. The value of this bid is estimated not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

1.2 Points for this bid shall be awarded for:

2.

2.3 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

(a) Price; and

(b) B-BBEE Status Level of Contributor.

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

**2.2.1 Price - 80**

**2.2.2 B-BBEE Status Level of Contributor- 20**

**2.2.3 Total points for Price and B-BBEE - 100**

2.3 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.

2.4 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.

**3. 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 bidder to provide goods or services in accordance with specifications as set out in the tender/ RFQ 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;

#### 4. POINTS AWARDED FOR PRICE

##### 4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration
- P<sub>min</sub> = Price of lowest acceptable bid

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

5.1 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 (80/20 system)

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

**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 CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 4.1 AND 5.1**

7.1 B-BBEE Status Level of Contributor: = .....(maximum of 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 relevant proof of B-BBEE status level of contributor

**8. SUB-CONTRACTING**

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

*(Tick applicable box)*

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

8.1.1 If yes, indicate:

- i. What percentage of the contract will be subcontracted.....%
- ii. The name of the sub-contractor contractor.....
- iii. The B-BBEE status level of 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:

| <b>Designated Group: An EME or QSE which is at last 51% owned by:</b> | <b>EME</b> | <b>QSE</b> |
|---|------------|------------|
|   | √          | √          |
| 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                                |            |            |
| <b>OR</b>   |            |            |
| Any EME   |            |            |
| Any QSE   |            |            |

**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**

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

**COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

9.7 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 .....

.....

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

The order/contract is governed by the law of the Republic of South Africa and the parties hereby submit to the non-exclusive jurisdiction of the South African courts.

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?</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><b><i>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.</i></b></p> | Yes | No |
| 4.1.1 | If so, furnish particulars:  |     |    |

|       |  |     |    |
|-------|--|-----|----|
| 4.2   | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?<br><b><i>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.</i></b> | Yes | No |
| 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 | No |
| 4.3.1 | If so, furnish particulars: <input type="checkbox"/> <input type="checkbox"/>  |     |    |
| 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 | No |
| 4.4.1 | If so, furnish particulars:  |     |    |

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....**

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.**

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Standard Bidding Document (SBD) must form part of all 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.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

I certify, on behalf of:

---

that: (Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - a. has been requested to submit a bid in response to this bid invitation;
  - b. could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - c. provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - a. prices;
  - b. geographical area where product or service will be rendered (market allocation)
  - c. methods, factors or formulas used to calculate prices;
  - d. the intention or decision to submit or not to submit, a bid;
  - e. the submission of a bid which does not meet the specifications and conditions of the bid; or
  - f. bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation

relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder