

<b>TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO SUPPORT AND MAINTAIN TELECOMMUNICATIONS SERVICES FOR THE NATIONAL DEVELOPMENT AGENCY (NDA) OVER A PERIOD OF 36 MONTHS</b>	
<b>BID REF: NDA10/CS04/21</b>	
<b>BRIEFING SESSION</b>	A COMPULSORY BRIEFING SESSION WILL BE HELD ON THE <b>13<sup>th</sup> APRIL 2021 @ 10H00</b>
<b>VENUE</b>	<b>MICROSOFT TEAMS:</b> Bidders who are interested in joining the compulsory briefing session <b>MUST</b> send their e-mail addresses to: <a href="mailto:MuziM@nda.org.za">MuziM@nda.org.za</a> by 09h00 on the 13 <sup>th</sup> April 2021 so that a link can be sent to them for joining the Microsoft Teams meeting.
<b>CLOSING DATE</b>	<b><u>29<sup>th</sup> APRIL 2021</u></b>
<b>CLOSING TIME</b>	12H00 – Late bids will be disqualified
<b>SUBMISSION OF DOCUMENTS</b>	<p>All proposals must be delivered at the NDA Head Office on or before the closing date and time. The Head Office address is 26 Wellington Road, Parktown, Johannesburg, 2193. Submissions must be strictly submitted inside the tender box, which is at the main entrance and accessible 24/7.</p> <p><b><i>Service providers outside of Gauteng are advised to send their documents by courier. NDA will not take responsibility for documents sent via postal services.</i></b></p>
<b>SUPPLIER ENVELOPES</b>	The supplier's envelope/s <b>MUST</b> clearly have the description of the "The appointment of a service provider to support and maintain telecommunication services for the NDA over a period of 36-months".
	<p>A TWO-ENVELOPE system will be used for the submission of bids:</p> <p>Commercial Envelope</p> <p>This envelope must contain price quotations plus all the mandatory documents as listed in section 7 of this document.</p>

	<p>Technical Envelope</p> <p>This envelope must contain all info listed in section 4 of this document.</p>
<b>LATE BIDS</b>	<p>Bids received after the closing date and time will not be accepted for consideration and where practicable, will be returned unopened to the Bidder(s).</p>
<p>Contact person for Commercial Queries is Ms Elizabeth Mnqabashe or Muzi Matsenjwa on 011 018-5546/5562 between 08h30 to 17h00 on weekdays. Queries can also be sent in writing to <a href="mailto:ElizabethM@nda.org.za">ElizabethM@nda.org.za</a>/<a href="mailto:MuziM@nda.org.za">MuziM@nda.org.za</a>.</p> <p>Contact person for Technical Queries is Mr Philemon Peu on 011 018 5519 or <a href="mailto:philemonp@nda.org.za">philemonp@nda.org.za</a>.</p>	

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## **1.0 OVERVIEW OF NDA**

The National Development Agency is a public entity listed under Schedule 3A of the Public Finance Management Act (PFMA). It was established in terms of the National Development Agency Act No 108 of 1998 as amended.

### ***Our mandate***

In terms of the National Development Agency (NDA) Act (Act No 108 of 1998 as amended), NDA was mandated to contribute towards the eradication of poverty and its causes by granting funds to civil society organizations (CSOs) to:

- Implement development projects in poor communities, and
- Strengthen the institutional capacity of other CSOs that provide services to poor communities.

### **Impact Statement:**

Reduced levels of poverty in South Africa.

### **Mission:**

A premier development agency that coordinates and integrates development initiatives to break the cycle of poverty in the country.

### **Vision:**

Championing development for a society free from poverty.

### **Organisational values:**

- Integrity
- Accountability and Responsibility
- Transparency
- Respect
- Ubuntu
- Innovation
- Excellence

## 2.0 BACKGROUND

The National Development Agency (NDA) telecommunication system uses 3C VoIP technology that is working perfectly and makes support much easier and it is maintained at an affordable cost. The NDA utilises Gijima at all our offices for all voice calls. The rental cost to the current Service Provider is estimated at R45 495.15 including VAT, running on a VoIP technology; leaving the NDA with a more acceptable user experience at a normal cost.

The NDA would like to improve/maintain its current state of the telecommunication system to keep up with the latest technology. The NDA's aspiration is a cost reduction of at least 50% on call charges, line rentals and maintenance.

The proposed telecommunication system should support scalability to make provision to connect two hundred and ninety telephone extensions for future organisational growth with less technical installation efforts and quick turnaround time.

### 2.1 Current Technology

Currently, the NDA is using a hosted telecommunication technology that expires on the 25<sup>th</sup> June 2021. The NDA aims to contract the new Service Provider before the expiry date of the current agreement. All thirteen offices are using the 3C VoIP with the following devices:

Office	Physical Address	Description of Handset	Quantity
Parktown (HO)	26 Wellington Road,	Centralized hosted PABX at SP's side with scalable extensions	1
		Executive IP Phones	20
		Reception IP Phone with all functionalities and accessories	1
		Normal IP Phones	80
Gauteng	Parktown Johannesburg	Executive IP Phone	2
		Normal IP Phones	12
Provincial Offices			
Mpumalanga	16 Branders Street, Nelspruit	Executive IP Phones	2
		Normal IP Phones	12
Eastern Cape	Vincendon Office Park, 08 Donald Road, East London	Executive IP Phones	2
		Normal IP Phones	12
Northern Cape	NG Meyer building,	Executive IP Phones	1

Office	Physical Address	Description of Handset	Quantity
	Corner Tyburn and Duncan street Kimberley	Normal IP Phones	6
	Matanzima street, Galeshewe, Kimberley	Executive IP Phones	1
		Normal IP Phones	6
KwaZulu-Natal	22 Dorothy Nyembe Street, 6 <sup>th</sup> Floor, Marine Building, Durban	Executive IP Phones	2
		Normal IP Phones	15
Limpopo	66A Market Street, Polokwane	Executive IP Phones	2
		Normal IP Phones	12
Western Cape	62 York Road, Unit 22, George	Executive IP Phones	2
		Normal IP Phones	12
Free State	53 Charlotte Maxeke Street, Bloemfontein	Executive IP Phones	2
		Normal IP Phones	11
Northwest	4059 Joules Street, 1st Floor, Mafikeng	Executive IP Phones	2
		Normal IP Phones	12
District Office			
Jane Furse	24 Jane Furse, Sekhukhune District, Limpopo	Executive IP Phones	2
		Normal IP Phones	12
George	62 York Road, Unit 22, George	Executive IP Phones	2
		Normal IP Phones	12
King Cetshwayo District,	Corner Pearce Cresent and Turn Bull Road Empangeni	Executive IP Phones	2
		Normal IP Phones	12

## 2.2 Additional Information

Device and Services	Quantity
<b>Peripherals Equipments:</b> <ul style="list-style-type: none"><li>TMS Corded Headset</li></ul>	10
<b>FortiSwitch 224D FPOE</b> The NDA uses the above-mentioned switches on its network infrastructure.	22
<b>Internet Service Provider (ISP):</b> <p>The National Development Agency has 13 Offices (1 x Head Office + 9 x Provincial Offices + 3 x District Offices) which are all connected by an MPLS network through Fibre and/or Diginet WAN Links. We use a combination of Cisco routers (Managed by Network Service Provider), Full POE Fortigate switches and a Fortinet firewall (Hosted by Network Service Provider). The line capacities range from 2Mbps to 10Mbps for all the sites with 20Mbps internet breakout point at the Service Provider. The Head Office and Gauteng Provincial Office use VOIP while the rest of the other offices are still using Digital telephony.</p> <b>Telephone Line(SP):</b> <p>We are currently using Gijima for telephone lines in all our offices.</p>	
<b>Private Automated Branch eXchange (PABX) information</b> <p>The Solution is a soft PABX, which runs from a server hosted at Teraco which is SP's Data Center. The connection for this service was made possible by extending NDA's LAN into SP's Hosting environment, SP also has the Application that controls the call flow for the Operator which is Business Connect. SP has a Telephone Management system to track call usage.</p> <p>The version of 3C 9.1 is what we are currently using.</p>	
<b>Executive IP Phones Model: NEC ITY-6D-1P (BK) TEL</b> <b>Normal IP Phones Model: ES 205</b>	

## 3.0 OBJECTIVES OF THIS BID

The NDA seeks to appoint a suitably qualified and experienced service provider to support and maintain the current telecommunication system to 3C Voice over Internet Protocol (VoIP).

## 4.0 SCOPE OF WORK

The NDA is requesting support and maintenance of its centralised 3C Voice over Internet Protocol (VoIP) telecommunication system services hosted at their premises. The scope of work will include, but not limited to the following:

#### 4.1 Telecommunication equipment to be supported and maintained

The service provider should support and maintain the following products for the NDA's Telecommunication System:

Office	Physical Address	Description of Handset	Quantity
Parktown (HO)	26 Wellington Road,	Centralized hosted PABX at SP's side with scalable extensions	1
		Executive IP Phones	20
		Reception IP Phone with all functionalities and accessories	1
		Normal IP Phones	80
Gauteng	Parktown Johannesburg	Executive IP Phone	2
		Normal IP Phones	12
Provincial Offices			
Mpumalanga	16 Branders Street, Nelspruit	Executive IP Phones	2
		Normal IP Phones	12
Eastern Cape	Vincendon Office Park, 08 Donald Road, East London	Executive IP Phones	2
		Normal IP Phones	12
Northern Cape	Matanzima street, Galeshewe, Kimberley	Executive IP Phones	2
		Normal IP Phones	12
KwaZulu-Natal	22 Dorothy Nyembe Street, 6 <sup>th</sup> Floor, Marine Building, Durban	Executive IP Phones	2
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		Normal IP Phones	12
Western Cape	62 York Road, Unit 22, George	Executive IP Phones	2
		Normal IP Phones	12
Free State	53 Charlotte Maxeke Street, Bloemfontein	Executive IP Phones	2
		Normal IP Phones	12
Northwest	4059 Joules Street, 1st Floor, Mafikeng	Executive IP Phones	2
		Normal IP Phones	12

Office	Physical Address	Description of Handset	Quantity
<b>District Office</b>			
<b>Jane Furse</b>	24 Jane Furse, Sekhukhune District, Limpopo	Executive IP Phones	2
		Normal IP Phones	12
<b>George</b>	62 York Road, Unit 22, George	Executive IP Phones	2
		Normal IP Phones	12
<b>King Cetshwayo District,</b>	Corner Pearce Crescent and Turn Bull Road Empangeni	Executive IP Phones	2
		Normal IP Phones	12

#### 4.1.1 Telecommunication Functionality

- Bidders must provide own network infrastructure (e.g. Dedicated line for VoIP) to implement the VoIP solution, however, can consider the current NDA's equipment (e.g. Switches, IP Phones, etc.) for cost-effectiveness
- The Solution should provide solution design (Architecture Diagram), indicating interconnectivity, security and redundancy connection, and VoIP equipment
- The Solution should be secured and able to encrypt the IP calls end to end with appropriate securities
- The solution should also provide the ability for encrypted audio streams from IP Phone to the multi-party conference bridge
- The VoIP solution should make provision for Vemail, Videoconferencing ready
- The System should be capable of supporting multiple audios conferencing in any combination of external and internal calls and the conferences should be password protected
- The VoIP solution should be interoperable, without any restricted access or implementation
  - The offered IP PBX and Unified Communication software should be fault-tolerant architecture with self-healing capabilities
- The proposed communications solution should support advanced administration functions using user-friendly software tools
- It is required that all management/maintenance operations must be supported by a single management system with a unified customer database for all station users across all locations
- The proposed VoIP solution should be based on the best in the industry products

- UC client software to allow users to make a call from their laptops and mobile devices.

#### **4.2 Call Features / Functionality**

- Inter-branch calling (Head office, 9 Provincial offices & 3 District offices)
- Interactive voice response (IVR) menus (digital receptionist)
- Voicemail / Auto-Attendant channels
- Displayed missed calls
- Lock and unlock of the handset to replace the current user pin as this will allow redialling
- On-hold messages (per office) for all offices
- The proposed solution should have a VoIP Switchboard software application

#### **4.3 Maintenance and Support Services**

- The Maintenance and support services should be included in the price quotation (commercial envelope) of this contract for the duration of the Service Level Agreement.

#### **4.4 Telephone Management System (TMS)**

The solution should include the Telephone Management System (TMS) at no licensing cost to the NDA to centrally manage the telephone services within the NDA offices. The TMS software should provide at least the following functionalities:

- Centrally controlled functionality
- Accessible securely via the internet browser
- User extension profile
- Access, view and download all invoices, statements and payments and itemised billing
- Access real-time account status and usage, with soft lock
- Account credit restrictions, monitoring and control at organisational/user level
- Automated reporting to create and share reports at specific time intervals (schedules)
- Call trend and data analysis in graphical formats (dashboards)

- 4.5 The service provider should compile a detailed call costs comparison that is competitive with local telecoms market indicating the cost savings for both post-paid and pre-paid rates.

- 4.6 The Service Provider should provide connectivity to the telecommunication solution.
- 4.7 The Service Provider should include all services, travel and installation fees
- 4.8 The Service Provider should clearly state implementation schedule and timelines

## 5.0 TECHNICAL EVALUATION

### 5.1 Evaluation Criteria (Technical)

Category	Description	Weight
1.Experience	<b>1.1. Experience of the Team:</b> The service provider should submit a company profile with an Organogram indicating a minimum of three team members that will be allocated for supporting the NDA. Furthermore, CVs (not more than 3 pages) and 3C certification or equivalent qualifications of each team member allocated to the NDA should be attached.  One Accounts Manager = 2points Two Technical Support Staff = 4points	6
	<b>1.2 Reference Letters:</b> The Service Provider should submit 3 signed reference letters not older than 5years on a client's letterhead indicating the relevant Telecommunication services provided, the number of years servicing the client, and any other additional information that can display relevant experience in the industry.  3 letters – 6 points Less than 3 - No points <b>Note: Letters that are not signed by the client, older than 5 years not indicating the scope of work will not be considered.</b>	6
2. Scope of work	<b>2.1. Support and Maintenance of the existing Telecommunication equipment</b> (under section 4.1)  1 x centralized hosted PABX at SP's side with scalable Extensions 44 x Executive IP phones 1 x Reception IP Phone with all functionalities and accessories 227 x Normal IP phones  <b>Bidder to complete and sign ANNEXURE A indicating the ability perform the service above. Failure to complete and sign ANNEXURE A will result in a score of zero.</b>	25
	<b>Bidder must submit a detailed technical proposal indicating their ability to support and maintain the requirements stated in the sections below:</b>  <b>2.2. Telecommunication Functionality (under section 4.1.1)</b>	24

	Two points will be allocated to each of the twelve (12) requirements on section 4.1.1	
	<b>2.3. Call Features / Functionality (under section 4.2)</b> One point will be allocated to each of the seven requirements on section 4.2	7
	<b>2.4. Architecture that will cater for growth and scalability (4.10)</b>  Scalability for a minimum of 230 headcount = 5 points Less than 230 headcounts = No points	5
	<b>2.5. Telephone Management System (under section 4.4)</b>  Points will be allocated to each of the eight requirements on section 4.4	11
3. Redundancy Reliability	<b>Redundancy and Reliability for business continuity (4.11)</b>  3.1. Provide details on how the solution will be designed to tolerate hardware failures (3 points)  3.2. Provide details on how the solution will ensure maximum system uptime (3 points)	6
4. Skills Transfer	The Service Provider should provide a knowledge/skills transfer plan on how they are going to transfer the skills to the NDA IT Staff.	5
5. Service Take-on	The bidder must provide a detailed work plan with activities/deliverables and timelines  <b><i>The project work-plan must be detailed on Microsoft Project Plan or Excel.</i></b>	5
<b>TOTAL SCORE</b>		<b>100</b>
<b>MINIMUM QUALIFYING SCORE FOR FUNCTIONALITY</b>		<b>80</b>

## 5.2 Clarification of Scores in 2.5 = 11 Points

***Bidder must submit a detailed technical proposal indicating their ability to support and maintain the requirements stated in section 4.4 above and points will be allocated as follows:***

The solution should include the Telephone Management System (TMS) at no licensing cost to the NDA to centrally manage the telephone services within the NDA offices. The TMS software should provide at least the following functionalities:

- Centrally controlled functionality = **1 point.**
- Accessible securely via the internet browser = **1 point.**
- User extension profile = **1 point.**

- Access, view and download all invoices, statements and payments and itemised billing = **1 point.**
- Access real-time account status and usage, with soft lock = **1 point.**
- Account credit restrictions, monitoring and control at an organisational or user-level = **2 points.**
- Automated reporting to create and share reports at specific time intervals (schedules) = **2 points.**
- Call trend and data analysis in graphical formats (dashboards) = **2 points.**

## **6.0 AD HOC SERVICES (NON-SCORABLE REQUIREMENTS)**

- 6.1.1 The Ad Hoc Services will not exceed 15% of the Contract Value for the contract period. Both the Agency and the successful bidder will be required to keep account of the Ad Hoc Services and the costs thereof such that the specified variation percentage is not exceeded.
- 6.1.2 All service requests requirements will be classified as Ad Hoc Services, except for the Change Requests that result from Incident Management, Problem Management and Maintenance processes, which will be part of the baseline services.
- 6.1.3 The Successful bidder will invoice only on approved and completed Ad Hoc Services on one-month arrear bases. Bidder to indicate acceptance with this arrangement.
- 6.1.4 Ad hoc services to be agreed in advance with the successful bidder and price list to be documented in advance.
- 6.1.5 In the case in the course of this contract new offices are opened by the NDA, the successful bidder shall be required to provide a quotation for the additional works. The quotation costs are expected to be consistent with the average costs of a similar service in the contract and such additional works shall make an Addendum to the existing contract.

## **7.0 COMMERCIAL EVALUATION (PHASE 2)**

- 7.1 Bids will be evaluated in accordance with the Preferential Procurement Regulations, 2017, using the 80/20 preference points system as prescribed in the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000). The lowest acceptable

bid will score 80 points for price and a maximum of 20 points will be awarded for attaining the Broad-Based Black Economic Empowerment (B-BBEE) status level of contribution.

- 7.2 The bid proposals received will be evaluated in two (2) phases. On the first phase bids will be evaluated on functionality and the second phase in accordance with the 80/20 preference points system respectively.
- 7.3 The bid proposal must score a minimum of eighty (80) points or more out of a hundred (100) points on functionality to qualify for advancement to the next phase of evaluation. The second phase, a bid proposal scoring less than 80 out of 100 will not be considered for further evaluation and will be disqualified.
- 7.4 Phase two: During this phase, bid proposals that passed the first phase will be further evaluated based on the 80/20 preference points system in accordance with the PPPFA Act, where 80 points will be attained in respect of price (the lowest acceptable bid will score 80 points and bidders that quoted higher prices will score lower points for price on a pro-rata basis) and 20 points will be awarded for attaining the Broad-Based Economic Empowerment (B-BBEE) status level of contribution in accordance with the table below:

<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

- 7.5 In order to claim the B-BBEE Status Level of Contributor, bidders must submit Sworn Affidavits or original and valid B-BBEE Status Level Verification Certificates or certified copies thereof, issued by accredited Verification Agencies such as SANAS or Registered Auditor approved by the IRBA together with their bids, to substantiate

their B-BBEE claims. Exempted Micro Enterprises must submit a letter from the Accounting Officer who is appointed in terms of the Close Corporation Act.

- 7.6 Bidders who do not submit B-BBEE Status Level Verification Certificate or are non-compliant contributors to B-BBEE do not qualify for preference points for B-BBEE, but will not be disqualified from the bidding process. They will score points out of 80 for price only and zero (0) points out of 20 for B-BBEE.
- 7.7 Bidders are requested to complete the preference claim form (SBD 6.1) in order to claim preference points.
- 7.8 A tender will be awarded to the tenderer who scored the highest total number of points in terms of the preference point systems (price and B-BBEE points). It should be noted that the NDA reserves the right not to appoint any bidder and no bidder will be reimbursed for any costs incurred whilst participating in this bid.

## **8.0 PRICING**

- 8.1 Bidders must submit a detailed cost breakdown for all applicable costs e.g. Initial setup costs, monthly costs, and any other applicable costs. All prices submitted must be inclusive of VAT.
- 8.2 Bidders must indicate if their prices will be fixed and firm for the duration of the proposed contract period, if not, the proposed escalations should be clearly indicated.
- 8.3 Bidders must ensure that the quotes submitted have no arithmetic errors as NDA will not rectify any errors and no adjustments to quotations received will be permitted.

- 8.4 Bidders will carry the responsibility of ensuring that the proposals submitted have been signed by a duly authorised person. Should it be established after the submission of proposals that the signatory authorising the proposal is not legally appointed by the service provider, the offer/proposal will be disqualified from the evaluation process.
- 8.5 All prices submitted should be typed in black ink or written in pen, proposals written in pencil will not be accepted and evaluated.
- 8.6 A two-envelope system will be used for the submission of proposals.

#### **9.0 TENDER VALIDITY**

All submitted bids must be valid for 150-days from the closing date of this bid.

#### **10.0 NDA PAYMENT TERMS**

Invoices will be paid 30-days from the date of submission and approval.

#### **11.0 MANDATORY DOCUMENTS**

- 11.1 Valid Tax Clearance Certificate issued by the South African Revenue Services (SARS). Where consortium/joint ventures/sub-contractor are involved in each party to the association must submit a separate valid original Tax Clearance Certificate or SARS tax Pin or a CSD report.
- 11.2 Company registration documents (CIPC).
- 11.3 A letter/resolution authorising the person signing the bid documents and contracts.
- 11.4 All participating bidders must complete, sign and return ALL the attached SBD forms together with their proposals.

**Failure to complete and submit any of the attached documents will result in immediate disqualification.**

## **12.0 CENTRAL SUPPLIER DATABASE**

- 12.1 The NDA will not appoint any supplier who is not registered as a prospective supplier on the central supplier database as required in terms of National Treasury Circular No. 3 of 2015/2016 and National Treasury SCM Instruction note 4 of 2016/2017

## **13.0 CONTRACT AWARD**

A binding contract will be signed after both parties have fully agreed to the scope of work and all terms and conditions. The NDA legal department will develop a draft contract that shall be used as the basis to finalise contract terms and conditions.

## **14.0 DISCLAIMER**

- 14.1 Whilst all due care has been taken in connection with the preparation of this bid, the NDA makes no representations or warranties that the content in this bid or any information communicated to or provided to bidders during the bidding process is, or will be, accurate, current or complete. The NDA, and its officers and employees will not be liable with respect to any information communicated which is not accurate, current or complete.
- 14.2 If a bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by the NDA (other than minor clerical matters); the bidder must promptly notify NDA in writing of such discrepancy, ambiguity, error or inconsistency in order to afford the NDA an opportunity to consider what corrective action is necessary (if any).
- 14.3 Any actual discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by the NDA will, if possible, be corrected and provided to all bidders without attribution to the bidder who provided the written notice.

- 14.4 No representations made by or on behalf of NDA in relation to this bid will be binding on the NDA unless that representation is expressly incorporated into the contract ultimately entered into between NDA and the successful bidder.

#### **15.0 ADDITIONS AND AMENDMENTS TO THE BID**

- 15.1 The NDA reserves the right to change any information in or to issue an addendum to this bid before the closing date and time. The NDA its officers and employees will not be liable in connection with either the exercise of or failure to exercise this right.
- 15.2 If the NDA exercises its right to change the information in terms of clause 14.1 all amendments will be communicated to all bidders.

#### **16.0 CONTENT PAGE**

- 16.1 Participating bidders are required to submit a detailed content page that clearly states (**cross-reference**) where each technical requirement as per section 5.0 of this document is placed in their bid documents. Any additional information that we might have missed must be clearly referenced in the content page.

#### **17.0 PRICE NEGOTIATIONS**

As guided by the Implementation Guide Preferential Procurement Regulations, 2017 pertaining to the PPPFA, Act No.5 of 2000, 19.2; the award of this tender may be subjected to price negotiation with the preferred tenderers.

## **ANNEXURE A: CONFIRMATION OF SERVICES**

**Annexure A confirms tenderer's ability for Support and Maintenance of the existing Telecommunication equipment.**

(under section 4.1)

1 x centralized hosted PABX at SP's side with scalable Extensions

44 x Executive IP phones

1 x Reception IP Phone with all functionalities and accessories

227 x Normal IP phones

**Bidder to complete and sign ANNEXURE A indicating the ability to perform the service above. Failure to complete and sign ANNEXURE A will result to a score of zero.**

<b>Office</b>	<b>Description of Handset</b>	<b>Quantity</b>	<b>Proposed Quantity</b>	<b>Confirmation with a signature</b>
<b>Parktown (HO)</b>	Centralized hosted PABX at SP's side with scalable extensions	1		
	Executive IP Phones	20		
	Reception IP Phone with all functionalities and accessories	1		
	Normal IP Phones	80		
<b>Gauteng</b>	Executive IP Phone	2		
	Normal IP Phones	12		
<b>Mpumalanga</b>	Executive IP Phones	2		
	Normal IP Phones	12		
<b>Eastern Cape</b>	Executive IP Phones	2		
	Normal IP Phones	12		
<b>Northern Cape</b>	Executive IP Phones	2		
	Normal IP Phones	12		
<b>KwaZulu-Natal</b>	Executive IP Phones	2		
	Normal IP Phones	15		
<b>Limpopo</b>	Executive IP Phones	2		
	Normal IP Phones	12		
<b>Western Cape</b>	Executive IP Phones	2		
	Normal IP Phones	12		

Office	Description of Handset	Quantity	Proposed Quantity	Confirmation with a signature
Free State	Executive IP Phones	2		
	Normal IP Phones	11		
Northwest	Executive IP Phones	2		
	Normal IP Phones	12		
Jane Furse	Executive IP Phones	2		
	Normal IP Phones	12		
George	Executive IP Phones	2		
	Normal IP Phones	12		
King Cetshwayo District,	Executive IP Phones	2		
	Normal IP Phones	12		

# **PART A** **INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/PUBLIC ENTITY)</b>					
BID NUMBER:	NDA10/CS04/21	CLOSING DATE: 13 <sup>th</sup> <u>APRIL 2021</u>		CLOSING TIME:	12H00 PM
DESCRIPTION	<b>THE APPOINTMENT OF A SERVICE PROVIDER TO SUPPORT AND MAINTAIN TELECOMMUNICATIONS SERVICES FOR THE NATIONAL DEVELOPMENT AGENCY (NDA) OVER A PERIOD OF 36 MONTHS</b>				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
26 WELLINGTON ROAD					
PARKTOWN					
2193					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Muzi Matsenjwa		CONTACT PERSON	Philemon Peu	
TELEPHONE NUMBER	011 018 5500/5562		TELEPHONE NUMBER	011 018 5519	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	MuziM@nda.org.za		E-MAIL ADDRESS	Philemonp@nda.org.za	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ NO

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

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1.</b>	<b>BID SUBMISSION:</b>
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
<b>2.</b>	<b>TAX COMPLIANCE REQUIREMENTS</b>
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....



SBD 3.3

**PRICING SCHEDULE**  
(Professional Services)

NAME OF BIDDER: ..... BID NO.: .....

CLOSING TIME 11:00

CLOSING DATE.....

OFFER TO BE VALID FOR .....DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
------------	-------------	--

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

.....

R.....

.....

.....

R.....

.....

.....

R.....

.....

.....

R.....

.....

.....

R.....

.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

.....

R.....

..... days

.....

R.....

..... days

.....

R.....

..... days

.....

R.....

..... days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED

RATE

QUANTITY

AMOUNT

.....

.....

.....

R.....

.....

.....

.....

R.....

.....

.....

.....

R.....

.....

.....

.....

R.....

Bid No.: .....

Name of Bidder: .....

TOTAL: R.....

\*\* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid .....
7. Estimated man-days for completion of project .....
8. Are the rates quoted firm for the full period of contract? \*YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index. ....
- .....
- .....
- .....

\*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –



**NDA**

National  
Development  
Agency

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 presently employed by the state? **YES / NO**

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 attached 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 / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the 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 Reference Number	Tax Number	State Number Number	Employee / 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

## 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
<b>PRICE</b>	
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

## 2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **"prices"** includes all applicable taxes less all unconditional discounts;
- (h) **"proof of B-BBEE status level of contributor"** means:
  - 1) 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		
<b>OR</b>		
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 .....

.....

.....



## CONTRACT FORM - RENDERING OF SERVICES

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

### PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

#### WITNESSES

1 .....

2 .....

DATE: .....

**CONTRACT FORM - RENDERING OF SERVICES****PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as..... accept your bid under reference number .....dated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

--

WITNESSES

1 .....

2 .....

DATE: .....



SBD 8

### 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?</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>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.</b></p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
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)? <b>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.</b>	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:		

### 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**

Js365bW

.....  
**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.

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

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(Bid Number and Description)

in response to the invitation for the bid made by:

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(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

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