

# INVITATION TO QUOTE

<b>YOU ARE HEREBY INVITED TO QUOTE FOR REQUIREMENTS OF THE FRERE HOSPITAL</b>					
<b>BID NUMBER:</b>		SCMU3-22/23-0188-FRE		<b>CLOSING DATE:</b> 08 DECEMBER 2022	
				<b>CLOSING TIME:</b> 11H00	
<b>DESCRIPTION</b>		RENDERING OF ANNUAL SERVICE & REPAIRS OF VARIOUS MEDICAL EQUIPMENT AT FRERE HOSPITAL - RATE BASED CONTRACT			
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>FRERE HOSPITAL</b>					
<b>CNR OF CONNAUGHT &amp; AMALINDA MAIN ROAD</b>					
<b>AMALINDA. EAST LONDON</b>					
<b>BIDS &amp; CONTRACTS MANAGEMENT OFFICE</b>					
<b>ROOM 5: Y- BLOCK BUILDING</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
<b>CONTACT PERSON</b>		Alex Ngqwebo		<b>CONTACT PERSON</b>	
				Alex Ngqwebo	
<b>TELEPHONE NUMBER</b>		043 709 2583		<b>TELEPHONE NUMBER</b>	
				043 709 2583	
<b>FACSIMILE NUMBER</b>		043 709 4317		<b>FACSIMILE NUMBER</b>	
				043 709 4317	
<b>E-MAIL ADDRESS</b>		<a href="mailto:Alex.Ngqwebo@echealth.gov.za">Alex.Ngqwebo@echealth.gov.za</a>		<b>E-MAIL ADDRESS</b>	
				<a href="mailto:Alex.Ngqwebo@echealth.gov.za">Alex.Ngqwebo@echealth.gov.za</a>	
<b>SUPPLIER INFORMATION</b>					
<b>NAME OF BIDDER</b>					
<b>POSTAL ADDRESS</b>					
<b>STREET ADDRESS</b>					
<b>TELEPHONE NUMBER</b>		<b>CODE</b>		<b>NUMBER</b>	
<b>CELLPHONE NUMBER</b>					
<b>FACSIMILE NUMBER</b>		<b>CODE</b>		<b>NUMBER</b>	
<b>E-MAIL ADDRESS</b>					
<b>VAT REGISTRATION NUMBER</b>					
<b>SUPPLIER COMPLIANCE STATUS</b>		<b>TAX COMPLIANCE SYSTEM PIN:</b>		<b>OR</b>	<b>CENTRAL SUPPLIER DATABASE No:</b>
					<b>MAAA</b>
<b>B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE</b>		<b>TICK APPLICABLE BOX]</b> <input type="checkbox"/> Yes <input type="checkbox"/> No		<b>B-BBEE STATUS LEVEL SWORN AFFIDAVIT</b> <b>[TICK APPLICABLE BOX]</b> <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?	<div> <input type="checkbox"/>Yes           <input type="checkbox"/>No         </div> <div>[IF YES ENCLOSE PROOF]</div>	ARE YOU A FOREIGN BASED SUPPLIER FOR <b>THE GOODS /SERVICES /WORKS OFFERED?</b>	<div> <input type="checkbox"/>Yes <input type="checkbox"/>No         </div> <div>[IF YES, ANSWER THE QUESTIONNAIRE BELOW]</div>
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<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  DOES THE ENTITY HAVE A BRANCH IN THE RSA?  DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?  IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<div> <input type="checkbox"/> YES <input type="checkbox"/> NO         </div> <div> <input type="checkbox"/> YES <input type="checkbox"/> NO         </div> <div> <input type="checkbox"/> YES <input type="checkbox"/> NO         </div> <div> <input type="checkbox"/> YES <input type="checkbox"/> NO         </div> <div> <input type="checkbox"/> YES <input type="checkbox"/> NO         </div>
<b>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.</b>	

## PART B TERMS AND CONDITIONS

### 1. BID SUBMISSION:

- 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).**

### 2. TAX COMPLIANCE REQUIREMENTS

- 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](http://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 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."

# INDEX

## RETURNABLE SCHEDULES

(All schedules must be completed and returned by the SUPPLIER)

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SBD 1 (Part A and B)

Schedule 2  
Evaluation criteria

Schedule 3  
Specification

Schedule 4  
Price Schedule

Schedule 5  
Declaration of Interest

Schedule 6  
Qualifications & Experience

Schedule 7  
Preference points claim form

## RETURNABLE SCHEDULE 2: EVALUATION CRITERIA

### 1. EVALUATION CRITERIA

#### 1.1 The Quote will be evaluated as follows:

- Stage 1: Administrative compliance
- Stage 2: Compliance to Non-Negotiable Requirements
- Stage 3: Price & BBBEE points

#### STAGE 1: ADMINISTRATIVE COMPLIANCE

#	Requirement	Please Tick ✓	
		Complied	Not Complied
A	Invitation to Quote (SBD1) completed and signed		
B	Pricing Schedule (SBD 3.1) completed and signed		
C	Declaration of Interest (SBD 4) completed and signed		
D	Preferential Points Claim (SBD 6.1)		
E	Latest CSD report attached		
F	Letter from the <b>Bank</b> confirming banking details ( not older than 3 months)		

#### STAGE 2: NON-NEGOTIABLE REQUIREMENTS

Spec item No.	Non – negotiable specifications	Compliance Yes / No	Comment	Reference manufacturer documentation in brochures. Brochure No. & Page No	Yes / No
1	<b>SPECIFICATION</b>				
1.1	The service vendor must have established workshops which comply to all manufacturers prescripts.				
1.2	The service vendor must both collect and deliver equipment from Frere hospital at their own cost on a repair / PM request.				
1.3	The service vendor must comply with all hospital PFMA asset control documentation when delivering (GRN – Goods Return Note etc). or collecting equipment from Frere Hospital premises.				
1.4	A minimum guarantee of <b>three months</b> is required after each repair excluding user malicious damage.				
1.5	When equipment is collected from Frere Hospital the service vendor will ensure the safe return of the said equipment (have their own insurance once it leaves the premises of the Frere Hospital) during and after repairs.				
1.6	The repair turnaround time of equipment shall not exceed <b>two weeks</b> from collection date at Frere Hospital				

Spec item No.	Non – negotiable specifications	Compliance Yes / No	Comment	Reference in manufacturer documentation / brochures. Brochure No. & Page No	Yes / No
1.7	The complete Rates table attached Annexure must be completed				
2	<b>Payments</b>				
2.1	An invoice must be submitted to Clinical Engineering with all job cards and Work Order numbers reflected, for payment.				
2.2	The bidder must be registered on the Logis & provincial treasury supplier database with department of health and please supply the “Supplier number” in the comment column				
3	<b>SAFETY</b>				
3.1	The repaired equipment shall always comply with OEM safety standards with the necessary documentation attached on every job card.				
3.2	The bidder must supply the Manufacturer Certification, which allows them to service and repair their range of equipment.				
3.2.1	The ISO 9000 and IEC 601 certification must be complied to and also supplied to ensure repairs are maintained and sustained at these manufacturer requirements.				
	<b><u>CONTACT PERSONNEL:</u></b> Andre Howard 083 378 1594				

NB. FAILURE TO COMPLY WITH NON-NEGOTIABLES WILL RESULT IN DISQUALIFICATION AND WILL NOT BE EVALUATED FURTHER

	SIGNATURE	DATE
REVIEWED BY:	F.S	07 Sep 2022
APPROVED BY BSC COMMITTEE (CHAIRPERSON)	M.M.S	07 Sep 2022

<b>RETURNABLE SCHEDULE 3: SPECIFICATION/SCOPE OF WORK</b>
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### **SCOPE OF WORK**

Rendering of annual service & repairs of various medical equipment at frere hospital - rate based contract as per OEM requirements listed below:

	Class	Manufacturer	Model	Intervention Required	Accredited Y/N
1.1	PUMP SYRINGE	Fresenius Kabi	BASE PRIMEA		
1.2	PUMP SYRINGE	Fresenius Kabi	DPS+		
1.3	PUMP SYRINGE	Fresenius Kabi	INJECTOMAT		
1.4	Link 4+ Agillia int	Fresenius Kabi	LINK 4+ AGGILIA		
1.5	Link8+ agilin Docking Station	Fresenius Kabi	LINK8+ AGILINZA		
1.6	PUMP SYRINGE	Fresenius Kabi	PILOTE DELTA SA		
1.7	Agilia Volumat MC Infusion	Fresenius Kabi	VP MC		

	SIGNATURE	DATE
REVIEWED BY:	F.S	07 Sep 2022
APPROVED BY BSC COMMITTEE (CHAIRPERSON)	M.M.S	07 Sep 2022

### **STAGE 3: PRICE & B-BBEE POINTS**

3.1 The PPPFA point system will be used for this Quote i.e. 80/20 principle. The evaluation criteria will be as follows: Price = 80, B-BBEE status level of contribution 20

3.2 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a SUPPLIER for attaining the 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

#### **4. SPECIAL CONTRACT CONDITIONS**

4.1 The department reserves the right to accept or reject any Quote in response to the advertisement and to withdraw its decision to seek provision of these services at any time.

4.2 The department may conduct an inspection of premises without prior notice if necessary.

4.3 Price must be firm for the duration of this Quote from date of award until the \_value of the quoted\_ amount

4.4 Price must be market related in accordance with circular 49 of 2009 attached to the Quote document.

4.5 **EARLY WITHDRAWAL FROM THE CONTRACT MAY EXCLUDE SUPPLIERS FROM FUTURE QUOTATIONS.**

4.6 GCC) The General Conditions of Contract will form part of all Quote documents as approved by National Treasury and may not be amended

4.7 (GCC) The General Conditions of Contract will form part of all Quote documents as approved By National Treasury and may not be amended.

4.8 The Department reserves the right to split the Quote items among prospective SUPPLIERS in terms of the PPPFA point system, or award the complete Quote to one SUPPLIER.

4.9 Delivery of products must be made in accordance with the instructions appearing on the official order forms emanating from the institutions (Frere Hospital) placing the orders.

4.10 Successful SUPPLIERS are to ensure that products delivered during the contract period comply with the specifications in the Quote and samples submitted if there's any; failure to comply will result in the termination of contract for that particular item(s).



- 4.11 Suppliers should under no circumstances deviate from the orders issued by the departments.
- 4.12 The State also reserves the right to purchase its requirements elsewhere outside the contract if :
- The minimum packing or minimum order quantity specified by the contractor be more than that of an institution's requirements
  - The item(s) are urgently required and not immediately available
  - An emergency arises
- 4.13 SUPPLIERS must fully complete a pricing schedule attached to the Quote document where applicable or provide a written quote complying with the pricing schedule.
- 4.14 Delivery/ Service is NOT subject to supplier's payment by the department or any client, all is required is delivery/ service according to the requirements of this engagement

### **PART 3** **STRATEGY**

#### **THE QUOTE CALLS FOR ANNUAL SERVICE & REPAIRS OF VARIOUS MEDICAL EQUIPMENT AT FRERE HOSPITAL**

##### **SCOPE OF WORK**

The suppliers will be required to service and repair various medical equipment on rate based. Award will be as per medical equipment for repairs in the Hospital

##### **DECLARATION OF THE QUOTE ABILITY TO – ANNUAL SERVICE REPAIRS OF VARIOUS MEDICAL EQUIPMENT AT FRERE HOSPITAL**

- We hereby declare that we; \_\_\_\_\_ (name of the Supplier), have the capacity and capability to service and repair various medical equipment.

**SUPPLIER'S SIGNATURE OF COMPLIANCE.....**

**NAME: .....**

**DESIGNATION: .....**

## RETURNABLE SCHEDULE 4: PRICING SCHEDULE

QUOTATION VALIDITY PERIOD:    (minimum of 60 days)   

Company name: .....

Please complete the table below:

No	Requirement / Commodity		Qty	Price
1	PUMP SYRINGE	BASE PRIMEA	1	
2	PUMP SYRINGE	DPS+	1	
3	PUMP SYRINGE	INJECTOMAT	1	
4	Link 4+ Agilia int	LINK 4+ AGGILIA	1	
5	Link8+ agilin Docking Station	LINK8+ AGILINZA	1	
6	PUMP SYRINGE	PILOTE DELTA SA	1	
7	Agilia Volumat MC Infusion	VP MC	1	
8	Travel costs	N/A	N/A	
9	Accommodation	N/A	N/A	
10	Hourly Rate	N/A	N/A	
11	After Hours Rate	N/A	N/A	
			<b>SUBTOTAL</b>	
			<b>VAT</b>	
			<b>TOTAL INCL VAT</b>	

Signature			
Company Representative			
Company Director / Manager	Initial and surname	Signature	Date

Company official stamp

RETURNABLE SCHEDULE 5: DECLARATION OF INTEREST

SBD4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

- 2.2 Do

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

- 2.2.1 If so, furnish particulars:

.....  
.....

- 2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related

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

enterprise whether or not they are bidding for this contract?

**YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

### **3 DECLARATION**

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

**I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

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<sup>2</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.

## SCHEDULE 6: QUALIFICATIONS AND EXPERIENCE

1. Details of the extent of the Suppliers activities and business, e.g. branches etc:

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2. A list of existing /previous contracts relating to services which are similar to the Services:

Description of Contract	Period		Contract Value	Contact Person	Contact Number
	Start Date	End date			

3. The number of years that the Supplier has been in the business of providing services which are materially the same as the Services:

---

4. The name of the person who shall manage the Services:

---

5. Detail such person's qualifications and experience below :

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.....  
SIGNATURE OF (ON BEHALF OF) SUPPLIER

.....  
NAME IN CAPITALS

In the presence of :

1. ....:

2. ....:

## SCHEDULE 7: PREFERENCE POINTS CLAIM FORM

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:
- 1.2 The value of this quotation is estimated to not exceed R50 000 000.00 (all applicable taxes included) and therefore the 80/20 point system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contribution.
- 1.3.1 The maximum points for this bid are allocated as follows:
- |   | POINTS |
|---|--------|
| 1.3.1.1 PRICE                                     | .....  |
| 1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION       | .....  |
| Total points for Price and B-BBEE must not exceed | 100    |
- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

- 2.1 "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 "bid" means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 "comparative price" means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;

- 2.7 “consortium or joint venture” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 “contract” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 “EME” means any enterprise with an annual total revenue of R5 million or less .
- 2.10 “Firm price” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 “functionality” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 “non-firm prices” means all prices other than “firm” prices;
- 2.13 “person” includes a juristic person;
- 2.14 “rand value” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 “sub-contract” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 “total revenue” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 “trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “trustee” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### 3. **ADJUDICATION USING A POINT SYSTEM**

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

### 4. **POINTS AWARDED FOR PRICE**

#### 4.1 **THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

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

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

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.



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

## 6. BID DECLARATION

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

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

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

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

## 8 SUB-CONTRACTING

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

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted? .....%
- (ii) the name of the sub-contractor? .....
- (iii) the B-BBEE status level of the sub-contractor? .....
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

## 9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm .....

9.2 VAT registration number :

9.3 Company registration number .....

:

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

## 9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

## 9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution

WITNESSES:

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDER(S)

DATE:.....

ADDRESS:.....

.....  
.....

	SIGNATURE	DATE
REVIEWED BY:	F.S	07 Sep 2022
APPROVED BY BSC COMMITTEE (CHAIRPERSON)	M.M.S	07 Sep 2022