

TERMS OF REFERENCE

FOR

OPEN TENDER

A merSETA STAKEHOLDER EXPERIENCE MANAGEMENT PROGRAMME

MAR/2021/001

Closing Date: 23 APRIL 2021, 12:00 noon

Validity Period: 120 days

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1 ACRONYMS

merSETA - Manufacturing, Engineering and Related Services Education and Training Authority

2 BACKGROUND

The merSETA is the Manufacturing, Engineering and Related Services Education and Training Authority established to promote the Skills Development Act, (Act No. 97 of 1998). It facilitates skills development in the following sub-sectors: metal and engineering, automotive manufacturing, motor retail and component manufacturing, new tyre manufacturing and plastics industries.

3 OBJECTIVE

Maintaining good stakeholder relationships through the delivery of value-adding services and products is a priority for the merSETA, and as such, the organisation makes an effort to regularly solicit feedback from stakeholders on the quality of service rendered by the merSETA. This allows for the identification of areas of improvement as well as new stakeholder needs.

The merSETA has outsourced an annual Customer Satisfaction Survey in order to determine overall levels of satisfaction with its products and services. While this exercise has been useful in as far as identifying service problems, this information is yet to be converted into real business intelligence for the purposes of actual sustainable problem resolution.

The envisioned Stakeholder Experience Management Programme will make use of a biannual Stakeholder Satisfaction Survey as well as periodic "mini" survey information. The development and execution of these surveys will inform the development of the Strategic Plan Framework.

Aside from establishing stakeholder perceptions, the new Stakeholder Experience Management Programme has the broader aim of assisting the merSETA in implementing effective, efficient and economic change. It is with this particular focus in mind that this project will be carried out on a multi-year basis during the implementation of the National Skills Plan.

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4 PROJECT/ CONTRACT

The contract extends over two (2) years and incorporates four (4) surveys and multiple mini-surveys from date of signature.

5 SCOPE OF PROJECT

Phase 1:

This phase includes posing questions to various units, consolidating the responses and the responses received through the mini surveys

The bidder will be responsible for designing and conducting a bi-annual Stakeholder Satisfaction Survey as well as several interim "mini-surveys" which will provide additional information for the bi-annual surveys.

The mini-survey instruments will be designed by the service provider to collect seasonal information linked to specific merSETA processes e.g. mandatory grants, discretionary grants etc. The mini-survey instruments will be made available to the merSETA IT and Marketing & Communication staff that will be responsible for uploading the mini-surveys on to the merSETA Website.

Mini-Surveys

The ongoing mini-surveys will enable the merSETA to solicit feedback from

stakeholders on its services, at every interaction opportunity. The appointed service provider will be responsible for accessing the collected mini-survey data, downloading, cleaning and sending the results to the merSETA Performance Information Unit. It is envisioned that downloads are carried out on a

weekly basis in order to ensure that urgent stakeholder complaints are attended to andproblems resolved.

Stakeholder Satisfaction Survey

In addition, the appointed service provider will be expected to conduct two bi-annual Stakeholder Satisfaction Surveys and to combine the results of the interim survey with those obtained from ongoing mini-surveys in order to report a comprehensive stakeholder satisfaction index to the merSETA management. The overall results will inform the Stakeholder Experience Strategic Programme. All information obtained remains the property of the merSETA.

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The main objectives of the work are therefore to:

- Design mini-survey instruments for web-uploads by the merSETA;
- Monitor responses to mini-surveys and download survey results for regular reporting to the merSETA;
- · Conduct bi-annual Stakeholder Satisfaction Surveys; and
- Report the outcome of the bi-annual Stakeholder Satisfaction Survey incorporating data from mini-surveys.

The service provider must ensure that bi-annual surveys comply with the following requirements:

• Contain ratings of the level of stakeholder satisfaction;

• Reflect stakeholder satisfaction ratings throughout the provinces in which the merSETA is represented, including the two satellite offices;

• Reflect the views of a variety of the merSETA stakeholders and customers;

• Include qualitative data (real examples of service problems experienced by the merSETA stakeholders);

 Identify areas of customer and stakeholder experience with regards to the services provided by the merSETA;

• Determine the nature of the relationship that exists between the merSETA and its stakeholders;

• Measure the perceptions of stakeholders regarding the quality of the merSETA products and services;

• Determine the perceptions of constituencies regarding the accessibility of information related to developments within the merSETA and skills development issues;

• Determine stakeholder satisfaction with regards to the handling of queries and complaints by the merSETA;

• Determine stakeholder satisfaction with the responsiveness of the merSETA to the needs of constituencies;

• Determine stakeholder satisfaction with the degree of knowledge and competency of the merSETA staff; and

• Identify gaps and opportunities in service delivery.

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Phase 2:

<u>The phase includes a process to determine the effectiveness of interventions</u> <u>implemented in response to phase 1</u>

Development of a Stakeholder Experience Strategic Framework

The service provider will be expected to develop a suitable and comprehensive Stakeholder Experience Strategic Framework, based on the results of the merSETA's

previous Customer Satisfaction Surveys (2017/18 and 2018/19). The previous survey results will be made available to the successful bidder. This will require the service provider to understand the key service problems identified in these two surveys and to develop a strategic framework centred on stakeholder service. This framework must be accompanied by an implementation plan.

Phase 3:

Pilot the developed Stakeholder Experience Strategic Framework. The service provider will be responsible for the piloting of the programme within an agreed merSETA division as per the implementation plan. The main objectives of the work are therefore to:

• Develop a Stakeholder Experience Strategic Framework based on the two previous customer satisfaction surveys;

• Develop an implementation plan for the Stakeholder Strategic Framework; and

• Rollout a pilot project of the implementation to develop an implementation plan for the Stakeholder Strategic Framework.

Let it be noted that the above three phases will be repeated on a multi-year basis. Upon completion of Phase Three (3) of the project, the merSETA will take ownership of implementing the programme in other areas of the organisation.

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6 OUTCOMES AND DELIVERABLES

- 6.1 Produce a conceptual framework document to be approved by the merSETA;
- 6.2 A detailed project plan for approval by merSETA;
- 6.3 Design and develop a Stakeholder Satisfaction Survey report for approval by The merSETA;
- 6.4 Design and develop a Stakeholder Experience Strategic Framework for approval merSETA;
- 6.5 Progress reports at agreed intervals (negotiated with the merSETA Project Manager);
- 6.6 Produce three hard copies (in full colour) and one electronic copy of each biannual Stakeholder Satisfaction reports throughout the duration of the contract; and
- 6.7 Deliver presentation of key findings to the Accounting Authority and/or relevant merSETA committees (if required).

7 CONTENT OF SUBMISSIONS

- 7.1 Provide a proposal as per the scope of work above
- 7.2 Provide detailed pricing schedule and summarise same on SBD3.3 form. Failure to comply with submission disqualifies the submission
- 7.3 Any additional service offering relevant to the scope of work
- 7.4 Proof of registration on the Central Supplier Database hosted by National Treasury.
- 7.5 Fully completed and signed SBD 1; 4, 3.3, 6.1,7.2; 8 and 9 forms.
- 7.6 Bidders to indicate if there will be any subcontracting and also indicate the percentage (%) on the SBD 6.1 form.
- 7.7 Certified ID copies of all directors of the company;
- 7.8 Certified copy of valid BBBEE certificate, CIPC BBBEE certificate or affidavit. BBBEE Certificate issued by CIPC will be verified with CIPC.
- 7.9 In instances of a joint venture /consortium the Joint Venture Certificate must be included (indicating the percentage of duties for all companies in the joint venture). The consolidated joint venture B-BBEE Certificate must be submitted in order to claim points. However, for a subcontractor the B-BBEE certificate of both the contractor and subcontractor must be submitted.

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8 **REQUIREMENTS**

- 8.1 The company must have a minimum of three (3) years research experience in social research for public entities (parastatals) or government departments and previous experience with projects of this nature (experience must be shown by submission of three (3) reference letters and not only proof of the bidders' registration on the Central Supplier Database). The company must also provide at least three (3) references of clients where work of a similar nature was undertaken and must be prepared to take the merSETA representative on a site visit to such customer premises (reference letter from the merSETA is acceptable but must not be older than three (3) years);
- 8.2 Company must prove capacity to undertake a project of this nature and capacity to complete the project by the due date; (the members required to serve on the core project team to prove capacity e.g. a team lead and the qualifications and experience required for each team member is a minimum of three (3) years that must be reflected in the curriculum vitas).
 - Project Manager with Project Management Qualification or Certification (NQF level 9);
 - Technical Lead with Qualification or Certification (NQF level 8);
 - Account Manager with Account Management with three (3) years experience; and
 - Two key researchers with Qualification or Certification (NQF level 8).
- 8.3 The bidder must provide an understanding of the sector and sub-sector in terms of the South African skills development environment. Bidders must provide hard copy samples of similar assignments which must include the final report in respect of previous surveys conducted outlining critical components e.g. the type of survey format and time frames within which the surveys were conducted.

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9 SCORING GRID (TO BE LINKED WITH EVALUATION PROCESS UNDER 12)

No	Criteria		Score
1	Bidder must have three (3) years	Five (5) Years	10
	experience in designing and	and Above	
	implementing a Stakeholder Experience	3-4 years	5
	Programme survey. The reference letters	<3	0
	provided must reflect a minimum of three		
	(3) years experience.		
2	Bidder must prove capacity to undertake	Project Manager	10
	a project of this nature and capacity with	CV Provided with	
	a curriculum vitae reflecting experience in	Project	
	survey designing and implementation.	Management	
	The response must indicate the project	Qualification or	
	team including:	Certification (NQF	
	Project Manager with Project	Level 9) and three	
	Management Qualification or Certification	(3) years'	
	(NQF level 9) and three (3) years'	experience	
	experience	No CV provided	0
		and/or no	
		required	
		qualification	
		and/or experience	
		11 11	17



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3	Bidder must prove capacity to undertake	Technical Lead	10
	a project of this nature and capacity with	CV Provided	
	a curriculum vitae reflecting experience in	with	
	survey designing and implementation.	Qualification or	
	The response must indicate the project	Certification	
	team including:	(NQF8) and	
	Technical Lead with Qualification or	three (3) years'	
	Certification (NQF level 8) and three (3)	experience	
	years' experience	No CV provided	0
		and/or no	
		required	
		qualification	
		and/or	
		experience	
4	Bidder must prove capacity to undertake	Account	10
•	a project of this nature and capacity with	Manager CV	
	a curriculum vitae reflecting experience in	provided with	
	survey designing and implementation.	three (3) years'	
	The response must indicate the project	Experience	
	team including:	No CV provided	0
	Account Manager with three (3) years'	and/or no	
	experience.	required	
		experience	

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5	Intellectual capacity of key researchers	Two researchers	10
	(proven by a core team of two	with NQF level 8	
	researchers (NQF level 8)	each qualification	
		Two researchers,	5
		one with NQF7	
		level qualification	
		and another with	
		NQF8 level	
		qualification	
		No Reseacher	0
		and/ or they don't	
		have the required	
		NQF level	
		qualification	
6	Bidder must provide three (3) written,	3 Reference	10
	signed verifiable letters of reference from	Letters	
	clients not older than 6 months where	2 Reference	5
	work of a similar nature was undertaken	Letters	
		< 2 Reference	0
		Letters	
7	Bidders must provide a Project Plan for	Project Plan	10
	implementation of this solution. The plan	provided and	
	must clearly indicate the timelines of this	implementation is	
	project that cannot exceed three (3)	3 months or less.	
	months to complete. The plan must	No Project Plan	0
	outline how outcomes and deliverables	and/or	
	listed in Section 6 will be met.	implementation of	
		more than 3	
		months	

10 BUDGET (COST ESTIMATION)

The 80/20 evaluation criteria will be utilised. This evaluation criteria refers to 80% for Price and 20% for B-BBEE.

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11 CLOSING DATE

The closing date for submissions to be considered for this project shall be 23 April 2021, 12:00 noon.

12 PAYMENT TERMS

The merSETA undertakes to pay valid invoices in full within 30 (thirty) days from receipt of the correct invoice and for work done to its satisfaction upon presentation of a substantiated claim. The merSETA shall not pay for any unproductive or duplicated time spent by the Bidder on any assignment because of staff changes, inefficiencies, or rework.

13 EVALUATION PROCESS - COMPLIANCE WITH MINIMUM REQUIREMENTS

All bids duly lodged will be evaluated on functionality and price. The evaluation criteria and weighting for measuring functionality are shown below:

Criterion	Weighting	Minimum thresholds
Years Experience	25%	12.5%
Capacity to Deliver - Project Manager	15%	15%
Capacity to Deliver - Technical Lead	10%	10%
Capacity to Deliver - Account Manager	15%	15%
Capacity to Deliver – Key Researchers	15%	7.5%
Reference Letters	10%	5%
Project Plan	10%	10%
	100%	75%

The overall minimum threshold for functionality will be **75%** where all individual thresholds are adhered to.

The evaluation of submitted bids will be conducted as follows:

Firstly, the bids will be evaluated for functionality based on the evaluation criteria and the minimum threshold as shown in the table above. Any bid that fails to meet the overall minimum threshold or has not received the minimum score for any individual component thresholds will be disqualified.

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Thereafter, only the qualifying bids will be evaluated in terms of the **80/20** preference points system, where **80** points will be allocated to price only and **20** points will be allocated in line with the bidder's B-BBEE status level of contribution.

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

This will be carried out in accordance with the PPPF Act and as follows;

14 NOTES TO BIDDERS

This section outlines basic requirements that must be met. Failure to accept these conditions or part thereof will result in your proposal being excluded from the evaluation process.

- 14.1 Short listed Bidders may be invited to present and discuss details of their proposals.
- 14.2 Bidders should complete the merSETA tender documents; Vendor Application forms; SBD 1, 3.3, 4, 6.1,7.2,8 and 9 forms before their submissions will be considered.
- 14.3 Tender documents should be presented to merSETA marked "TENDER FOR STAKEHOLDER EXPERIENCE MANAGEMENT PROGRAM".
- 14.4 The merSETA will not be liable to reimburse any costs incurred by the bidder during the tender process
- 14.5 Bidders should identify any work they are currently carrying out or competing For which could cause a conflict of interest, and indicate how such a conflict would be avoided.

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15 GENERAL

15.1 Bidders should complete the submission register at the security then deposit their documents into the tender box available at Ground Floor Reception on or before 23 April 2021, **12:00noon** at the address below;

Tender Box merSETA Head Office 95, 7th Avenue Corner Rustenburg Road Melville Johannesburg 2109

- 15.2 Any tender document not deposited in the marked tender box will not be considered
- 15.3 Any tender document received after the closing date and time will not be considered.
- 15.4 Two (2) bound and one (1) unbound hard copies of the proposal must be submitted.
- 15.5 All correspondence to bidders will be in writing.
- 15.6 Bidders may attend the opening of the tender box on the closing date.
- 15.7 Late submissions will not be considered for this tender.

16 DISCLAIMER

The merSETA reserves the right not to appoint a bidder for this tender. The merSETA further reserves the right to split the tender with more than one bidder or award a portion of this tender to other bidders.

The merSETA shall rescind a bid award or contract should a bidder be found to have violated Supply Chain Practices.

The merSETA does not bind itself to accept the lowest tender.

Approved by:

Name:	
Designation:	

Mr Naphtaly Mokgotsane Chairpeson: Bid Specification Committee

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SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITE	D TO BID FOR RE		THE (N	AME OF DEPAI	
		CLOSING			CLOSING
BID NUMBER:		DATE:			TIME:
DESCRIPTION					
BID RESPONSE DOCOM	IENISMAT BEL	DEPUSITED IN TR		BOX SITUATI	ED AT (STREET ADDRESS)
BIDDING PROCEDURE EN	QUIRIES MAY BE	DIRECTED TO	TECH	NICAL ENQUIR	IES MAY BE DIRECTED TO:
CONTACT PERSON			CON	TACT PERSO	N
TELEPHONE NUMBER			TELE	PHONE NUME	BER
FACSIMILE NUMBER			FACS	SIMILE NUMBE	R
E-MAIL ADDRESS			E-MA	IL ADDRESS	
SUPPLIER INFORMATIC	N				
NAME OF BIDDER			9		
POSTAL ADDRESS					
STREET ADDRESS		1	1		
TELEPHONE NUMBER	CODE		NUM	BER	
CELLPHONE NUMBER		1	1		
FACSIMILE NUMBER	CODE		NUM	BER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER	TAX			CENTRAL	
COMPLIANCE STATUS	COMPLIANCE		OR	SUPPLIER	
	SYSTEM PIN:		•	DATABASE	ΜΑΑΑ
B-BBEE STATUS		CABLE BOX]	R-RR	No: EE STATUS	
LEVEL VERIFICATION				LSWORN	
CERTIFICATE	🗌 Yes	🗌 No		DAVIT	🗌 Yes 🔄 No
					(FOR EMES & QSEs) MUST
BE SUBMITTED IN ORD	ER TO QUALIFY	FOR PREFEREN	ICE PC	DINTS FOR B-	BBEE]

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Reviewed: Chief Financial Officer		Approved: Chief Executive Officer	
6 September 2019 *The docur	ment shall be revised at least 3 months before the	next revision date or as per n	nerSETA organisational and operational changes

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	□Yes [IF YES ENCLOSE	□No PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	□Yes [IF YES, ANSWER B:3]	□No PART
QUESTIONNAIRE TO BI	DDING FOREIGN SU	JPPLIERS			
IS THE ENTITY A RESID	ENT OF THE REPU	BLIC OF SOUT	TH AFRICA (RSA)?	T YES	□ NO
DOES THE ENTITY HAV	E A BRANCH IN THI	E RSA?		YES	□ NO
DOES THE ENTITY HAV	E A PERMANENT E	STABLISHME	NT IN THE RSA?	YES	□ NO
DOES THE ENTITY HAV	E ANY SOURCE OF	INCOME IN T	HE RSA?	☐ YES	□ NO
IS THE ENTITY LIABLE I	N THE RSA FOR AN	IY FORM OF T	AXATION?	🗌 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.					



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PART B TERMS AND CONDITIONS FOR BIDDING

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.
- 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."

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

SIGNATURE OF BIDDER:

DATE:

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SBD 3.3

<u> PRICING SCHEDULE</u>

(Professional Services)

NAME OF BIDDER:				BID NO.:				
CLOSING TIME			CI	-OSING DATE.				
OFFER TC	BE VALID FOR	DAYS F	ROM THE	CLOSING DAT	TE OF BID.			
ITEM NO	DE	ESCRIPTION			RICE IN RS APPLICAE	10.400		JDED)
1.	The accompanying info of proposals.	rmation must be us	sed for the t	formulation		()J		
2.	Bidders are required to estimated time for comp expenses inclusiv R	oletion of all phases re of all	s and includ	ling all applicable	taxes	for	the	project.
3.	PERSONS WHO WILL RATES APPLICABLE RENDERED IN TERM	CERTIFIED INVO						
4.	PERSON AND POSITI	ON		HOUR	RLY RATE	DA	NLY RA	ГЕ
				R			<u> </u>	
				R			//	
				R		<u> </u>	//	
				R			71/	//
5.	PHASES ACCORDING COMPLETED, COST F SPENT	G TO WHICH THE I	PROJECT					
				- R				days
				- R				days
				- R				days
Document	Title	Pricing Schedule (Pro	ofessional Sei	vices SBD 3.3)				

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Review: Senior Manager: Supply Chain				
and Contract Management		Approved: CEO		
7 July 2020 *The document shall be revised at least 3 months before next revision date or as per merSETA organizational and operational changes				

		R		days
1	Travel expenses (specify, for example rate/km and total ki of airtravel, etc). Only actual costs are recoverable. Proor expenses incurred must accompany certified invoices.			
	DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
				R
				R
				R
				R
		TOTAL: R		
	** "all applicable taxes" includes value- added tax, pay as you contributions and skills development levies.	earn, income tax,	unemployment	insurance fu
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproductior etc.). On basis of these particulars, certified invoices will l for correctness. Proof of the expenses must accompany i	n cost, be checked		
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproductior etc.). On basis of these particulars, certified invoices will b	n cost, be checked	QUANTITY	AMOUNT
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will l for correctness. Proof of the expenses must accompany i	n cost, be checked nvoices.	QUANTITY	AMOUNT R
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will l for correctness. Proof of the expenses must accompany i	n cost, be checked nvoices.	QUANTITY	
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will l for correctness. Proof of the expenses must accompany i	n cost, be checked nvoices. RATE 	QUANTITY	R R
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will l for correctness. Proof of the expenses must accompany i	n cost, be checked nvoices. RATE		R R R
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will I for correctness. Proof of the expenses must accompany i DESCRIPTION OF EXPENSE TO BE INCURRED	n cost, be checked nvoices. RATE		R R R R
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will I for correctness. Proof of the expenses must accompany i DESCRIPTION OF EXPENSE TO BE INCURRED	n cost, be checked nvoices. RATE TOTAL: R		R R R R
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will b for correctness. Proof of the expenses must accompany i DESCRIPTION OF EXPENSE TO BE INCURRED	n cost, be checked nvoices. RATE TOTAL: R		R R R
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will b for correctness. Proof of the expenses must accompany i DESCRIPTION OF EXPENSE TO BE INCURRED	n cost, be checked nvoices. RATE TOTAL: R		R R R
2	Other expenses, for example accommodation (specify, eg star hotel, bed and breakfast, telephone cost, reproduction etc.). On basis of these particulars, certified invoices will b for correctness. Proof of the expenses must accompany i DESCRIPTION OF EXPENSE TO BE INCURRED	n cost, be checked nvoices. RATE TOTAL: R		R R R *YES/NO

Bid No.:

Document Title	Pricing Schedule (Profess	Pricing Schedule (Professional Services SBD 3.3)				
Document Number	FIN-FM-032	FIN-FM-032 Revision Date 01 August 2018				
Page Number	Page 2 of 3	*Next Revision Date	01 August 2020			
Revision Number	Rev 01	Access	Controlled			
July 2020 *The document shall be revised at least 3 months before next revision date or as per merSETA organizational and operational changes						

Name of Bidder:

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the -

(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information -

(INSERT NAME OF CONTACT PERSON):

Tel:



Document Title	Pricing Schedule (Profes	Pricing Schedule (Professional Services SBD 3.3)			
Document Number FIN-FM-032 Revision Date 01 Augu			01 August 2018		
Page Number	Page 3 of 3	*Next Revision Date	01 August 2020		
Revision Number	Rev 01	Access	Controlled		
7 July 2020 *The document shall be revised at least 3 months before next revision date or as per merSETA organizational and operational changes					



DECLARATION OF INTEREST

SBD 4

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

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
- 2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:
2.2 Identity Number:

- 2.3 Position occupied in the Company (director, trustee, shareholder², member):
- 2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
- 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.

1"State" means -

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

Document Title	Declaration Of Interest	(SBD 4)	
Document Number	FIN-FM-025	Revision Date	01 April 2020
Page Number	Page 1 of 4	*Next Revision Date	01 April 2025
Revision Number	Rev 04	Access	Controlled
Reviewed by:		Approved by:	
Chief Financial Officer		Chief Executive Officer	

3 March 2021 *The document shall be revised at least 12 months before next revision date or as per merSETA organisational and operational changes

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

2.7 Are you or any person connected with the bidder 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: YES / NO 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? 2.7.2.1 If yes, did you attach proof of such authority to the bid YES / NO document? (Note: Failure to submit proof of such authority, where applicable, may result in the disgualification 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 / YES / NO trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? 2.8.1 If so, furnish particulars: 2.9 Do you, or any person connected with the bidder, have YES / NO 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? 2.9.1 If so, furnish particulars.

Document Title	Declaration Of Interest	(SBD 4)		
Document Number	FIN-FM-025	Revision Date	01 April 2020	
Page Number	Page 2 of 4	*Next Revision Date	01 April 2025	
Revision Number	Rev 04	Access	Controlled	
March 2021 *The document shall be revised at least 12 months before next revision date or as per merSETA organisational and operational changes				

.....

- 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?
- 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?
- 2.11.1 If so, furnish particulars:

.....

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

Full Name	Identity Number	Personal Income Tax Reference Number	
			4/00-

YES/NO

YES/NO

Document Title	Declaratio	n Of Interest (SBD 4)		
Document Number	FIN-FM-02	5 Re	evision Date	01 April 2020
Page Number	Page 3 of	4 *N	lext Revision Date	01 April 2025
Revision Number	Rev 04	Ac	ccess	Controlled
Arch 2021 *The document shall be revised at least 12 months before next revision date or as per merSETA organisational and operational changes				

12 months before next revision date or as per merSETA organis

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 SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signature	Date
Position	Name of bidder

Document Title	Declaration Of Interest	(SBD 4)		
Document Number	FIN-FM-025	Revision Date	01 April 2020	
Page Number	Page 4 of 4	*Next Revision Date	01 April 2025	
Revision Number Rev 04 Access Controlled				
March 2021 *The document shall be revised at least 12 months before next revision date or as per merSETA organisational and operational changes				



SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
 - b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).
- 1.3 Points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

Document Title	Standard Bidding For	Standard Bidding Forms (SBD 6.1)		
Document Number	FIN-FM-026	Revision Date	01 April 2020	
Page Number	Page 1 of 7	*Next Revision Date	01 April 2025	
Revision Number	Rev 05	Access	Controlled	
Reviewed by:		Approved by:		
Chief Financial Officer		Chief Executive Officer		

3 March 2021 *The document shall be revised at least 3 months before the next revision date or as per merSETA organisational and operational changes

- 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.

Document Title	Standard Bidding Forms (SBD 6.1)			
Document Number	FIN-FM-026 Revision Date 01 April 2020			
Page Number	Page 2 of 7 *Next Revision Date 01 April 2025			
Revision Number	Rev 05 Access Controlled			

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2. **DEFINITIONS**

- 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 means 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;
- 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.

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Document Number	FIN-FM-026 Revision Date 01 April 2020		
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³ March 2021 *The document shall be revised at least 3 months before the next revision date or as per merSETA organisational and operational changes

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

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$$
 or $Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$
Where
Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = 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

4. BID DECLARATION

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

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5. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

5.1 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.

6. SUB-CONTRACTING

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

(Tick applicable box)

YES	NO	

6.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted%
- ii) The name of the subcontractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE (Tick applicable box)

ick applicable box)				
YES		NO		

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

7. DECLARATION WITH REGARD TO COMPANY/FIRM

7.1 Name of company/firm:

7.2 VAT number:

7.3 Company registration number:

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7.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

7.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

7.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

- 7.7 Total number of years the company/firm has business: been in
- 7.8 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 paragraphs1.4 and 6.1 of the foregoing certificate, gualifies 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 paragraphs1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct:
 - If the B-BBEE status level of contributor has been claimed or obtained on a iv) 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
 - disqualify the person from the bidding process; (a)
 - recover costs, losses or damages it has incurred or suffered as a (b) result of that person's conduct;

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- (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.	SIGNATURE(S) OF BIDDERS(S) DATE:
	ADDRESS

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SBD 7.2

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 fulfillment of this contract.

Document Title	Contract Form Render	Contract Form Rendering of Services (SBD 7.2)		
Document Number	FIN-FM-033	FIN-FM-033 Revision Date 01 May 2019		
Page Number	Page 1 of 3	*Next Revision Date	01 May 2021	
Revision Number	Rev 01	Access	Controlled	
Reviewed: Chief Financial Officer		Approved: Chief		
		Executive Officer		

6 September 2019

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- 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.

1.

2.

3.

NAME (PRINT)		
CAPACITY		WITNESSES
SIGNATURE		1
SIGNATURE		2
NAME OF FIRM		DATE:
DATE		CDD 7.0
	CONTRACT FORM - RENDERIN	IG OF SERVICES SBD 7.2
	PART 2 (TO BE FILLED IN BY T	HE PURCHASER)
	,	
I	in my capacity as	
accept your bid under	r reference numberdat	edfor the rendering of services
indicated hereunder a	and/or further specified in the annexu	re(s).
An official order indica	ating service delivery instructions is f	orthcoming.
	payment for the services rendered i irty) days after receipt of an invoice.	n accordance with the terms and conditions of the

Document Title	Contract Form Rendering of	Contract Form Rendering of Services (SBD 7.2)		
Document Number	FIN-FM-033	FIN-FM-033 Revision Date 01 May 2019		
Page Number	Page 2 of 3	*Next Revision Date	01 May 2021	
Revision Number	Rev 01	Access	Controlled	
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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 t	o sign this contract.		
SIGNED AT		ON	2	
NAME (PRINT)				
SIGNATURE				
OFFICIAL STAMP			WITNESSES	
			1	
			2	
			DATE:	

Document Title	Contract Form Rendering	Contract Form Rendering of Services (SBD 7.2)		
Document Number	FIN-FM-033	FIN-FM-033 Revision Date 01 May 2019		
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Revision Number	Rev 01	Access	Controlled	
6 September 2019 *The document shall be revised at least 3 months before next revision date or as per merSETA organisational and operational changes				



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.

ltem	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's	Yes	No
	website(<u>www.treasury.gov.za</u>) and can be accessed by clicking on its link at the bottom of the home page.		
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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes	No D
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No

Document Title	Declaration Of Bidder'	Declaration Of Bidder's Past Supply Chain Management Practices (SBD 8)		
Document Number	FIN-FM-027	FIN-FM-027 Revision Date 01 April 2020		
Page Number	Page 1 of 2	*Next Revision Date	01 April 2025	
Revision Number	Rev 03	Access	Controlled	
Reviewed by:		Approved by:		
Chief Financial Officer		Chief Executive Officer		

3 March 2021 *The document shall be revised at least 12 months before next revision date or as per merSETA organisational and operational changes

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	No
4.4.1	If so, furnish particulars:		

CERTIFICATION

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

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

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

Signature	Date
Position	Name of Bidder

Document Title	Declaration Of Bidder's Pas	Declaration Of Bidder's Past Supply Chain Management Practices (SBD 8)			
Document Number	FIN-FM-027	Revision Date	01 April 2020		
Page Number	Page 2 of 2	*Next Revision Date	01 April 2025		
Revision Number	Rev 03	Access	Controlled		
3 March 2021 *The document shall be revised at least 12 months before next revision date or as per merSETA organisational and operational changes					

ocument shall be revised at least 12 months before next revision date or as per merSETA organisational and operational change



SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

Document Title	Certificate Of Indepen	Certificate Of Independent Bid Determination (SBD 9)		
Document Number	FIN-FM-028	Revision Date	01 April 2020	
Page Number	Page 1 of 3	*Next Revision Date	01 April 2025	
Revision Number	Rev 03	Access	Controlled	
Reviewed by:		Approved by:		
Chief Financial Officer		Chief Executive Officer		
3 March 2021	*The document shall be revised at least 12 mo	onths before next revision date or as per mer	SETA organisational and operational changes	

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

	(Bid Number and Description)
in resp	onse to the invitation for the bid made by:
	(Name of Institution)
do here	eby 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;
 - could potentially submit a bid in response to this bid invitation, based on their qualifications, (b) abilities or experience; and
 - provides the same goods and services as the bidder and/or is in the same line of business (C) as the bidder

The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

Document Title	Certificate Of Indepen	Certificate Of Independent Bid Determination (SBD 9)		
Document Number	FIN-FM-028	Revision Date	01 April 2020	
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Revision Number	Rev 03	Access	Controlled	
2 March 2021	*The desument shall be revised at least 12 me	ath a history want and also data an an annual	OFTA annual attend and an anti-	

- 6. 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.
- 7. 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.
- 8. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirect
- 9. ly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the 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

Signature

Dato

Position

Name of Bidder

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*The document shall be revised at least 12 months before next revision date or as per merSETA organisational and operational changes