



**PROVISION OF CATERING SERVICES TO
THE RTMC FOR A PERIOD OF THREE
YEARS**

RTMC BID NO:17/2016/17

SECTION: 1

CONDITIONS AND UNDERTAKINGS BY BIDDER IN RESPECT OF THIS BID

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1. **Proprietary Information**

Road Traffic Management Corporation (RTMC) considers this bid and all related information, either written or verbal which is provided to the bidder to be proprietary to RTMC. It shall be kept confidential by the bidder and its officers, employees, agents and representatives. The bidder shall not disclose, publish or advertise this specification or related information to any third party without the prior written consent of RTMC.

2. **Enquiries**

- 2.1 All communication and attempts to solicit information of any kind relative to this bid should be channeled to the email below, however such enquiries will be entertained until last ten days of publication on tender bulletin and National Treasury tender portal

Name	RTMC
Email Address	Bidadmin@rtmc.co.za

- 2.2 All the documentation submitted in response to this bid must be in English.
- 2.3 The RTMC may respond to any enquiry in its sole discretion and the bidder acknowledges that it will have no claim against the RTMC on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.

3. **Validity Period**

Responses to this bid received from bidders will be valid for a period of **120 days** counted from the closing date of the bid.

4. **Supplier Performance Management**

- 4.1 Supplier Performance Management is viewed by the RTMC as critical component in ensuring value for money acquisition and good supplier relations between the RTMC and all its suppliers.
- 4.2 The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the RTMC, which will form an integral part of the agreement. The SLA will serve as a tool to measure, monitor and assess the supplier's performance level and ensure effective delivery of service, quality and value-add to RTMC business.

5. **Instructions on submission of Bids**

- 5.1 Bids should be submitted in **Five (5) copies** and one all bound in a sealed envelope endorsed, **RTMC BID 17/2016/17: Provision of catering services to the RTMC for a period of three years.**
- 5.2 The sealed envelope must be placed in the bid box at the Main Reception area of the RTMC Building, Boardwalk Office Park, Boardwalk Boulevard, Phase 5, Faerie Glen, Pretoria East by no later than **11:00 AM on 16 March 2017.**
- 5.3 A valid tax clearance certificate must be included in the bid response, or proof of application endorsed by SARS in this regard.
- 5.4 The bidder's company name, closing date and the return address must also be endorsed on the envelope.
- 5.5 All bids submitted must be signed by a person or persons duly authorised thereto.
- 5.6 If a courier service company is being used for delivery of the bid document, the bid description must be endorsed on the delivery note/courier packaging to ensure that documents are delivered into the bid box. The RTMC will not be held responsible for any delays where documents are not placed in the bid box before closing time.
- 5.7 Bid received by telegram, telex, email, facsimile or similar medium will not be considered.
- 5.8 Where a bid document is not placed in the bid box at the time of the bid closing, such a bid document will be regarded as a late bid. **Late bids will not be considered.**
- 5.9 Amended bids may be sent in an envelope marked "**Amendment to Bid**" and should be placed in the bid box before the closing time.
- 5.10 Bidders should check the numbers of the pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by RTMC in regard to anything arising from the fact that pages are missing or duplicated.

6. **Undertakings by the Bidder**

- 6.1 The bidder accepts that all costs incurred in preparation, presentation and any demonstration in relation to this bid shall be for the account of the bidder.

- 6.2 The bidder hereby offer to render all or any of the services described in the attached documents to the RTMC on the terms and conditions and in accordance with the specifications stipulated in this bid documents (and which shall be taken as part of, and incorporated into, this proposal at the prices inserted therein).
- 6.3 The bidder shall prepare for a possible presentation should RTMC require such and the bidder shall be notified thereof no later than 4 (four) days before the actual presentation date. Such presentation may include demonstration of products or services as called for by the RTMC in relation to this bid.
- 6.4 The successful bidder hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under this agreement as the principal(s) liable for the due fulfilment of this contract.
- 6.5 The bidder furthermore confirm that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents and that the price(s) and rate(s) cover all his/her obligations under a resulting contract and that he/she accept that any mistakes regarding price(s) and calculations will be at his/her risk

7. RTMC's Rights

- 7.1 The RTMC reserves the right not to accept the lowest bid or any bid in part or in whole. RTMC normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is technically acceptable and/or financially advantageous to the RTMC.
- 7.2 The RTMC also reserves the right to award this bid as a whole or in part without furnishing reasons.
- 7.3 The RTMC reserves the right to conduct a site visit at the premises of the offices or at any client sites if so required.
- 7.4 The RTMC reserves a right to amend any bid conditions, validity period, specifications, or extend the closing date of bid prior to the initially stated closing date. Bidders will be advised in writing of such amendments in good time.

7.5 The RTMC reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the RTMC to conduct background checks on the bidding entity and any of its directors/trustees/shareholders/members.

8. Supplier Development and Promotion of Emerging Black Owned Service Provider

8.1 The RTMC promotes enterprise development In this regard, successful bidders are encouraged to mentor SMME's and/or Youth owned businesses. The implications of such arrangement will be subject to negotiations between the RTMC and the successful bidder.

8.2 It is also the objective of the RTMC to promote transformation of the South African economy and as such, bidders are encouraged to partner with a black owned entity (being 50%+1 black owned and controlled). Such partnership may include the formation of a Joint Venture and/ or subcontracting agreement etc., where a portion of the work under this bid would be undertaken by black owned entities.

8.3 To give effect to this requirement, bidders are required to submit a partnership/ subcontracting proposal detailing the portion of work to be outsourced, level of involvement of the black owned partner and where relevant, submit a consolidated B-BBEE scorecard in-line with the provisions of the PPPFA Regulations which will be considered as part of the B-BBEE scoring.

9. Bidders Details and Contact Person

DETAILS OF BIDDERS			
Name of your Company (in block letters)			
Signature(s) of the Bidder or assignee(s)		Date	
Name of person signing (in block letters)			

Capacity	
Are you duly authorized to sign this Bid?	
Company Registration Number	
VAT Registration Number	
Postal address (in block letters)	
Physical address (in block letters)	
Domicilium citandi et executandi in the RSA (full street address) (in block letters)	

DETAILS OF THE CONTACT PERSON	
Name of Contact Person	
Telephone Number	
Fax Number	
Cellphone Number	
E-Mail Address	

10. RESPONSE FORMAT

Bidders shall submit their responses in accordance with the response format specified below (each schedule must be clearly marked):

10.1 Cover Page:

10.1.1 The cover page must clearly indicate the bid reference number, bid description and the bidder's name

10.1.2 **Annexure 1** Invitation to Bid (SBD 1 - duly completed and signed)

10.2 Schedule 1:

10.2.1 Executive summary of the bidder's Company/Joint Venture/Partnership/Close Corporation.(Agreements/ supporting documentation must be attached and any amendments post award should be approved by RTMC)

10.2.2 **Annexure 2** of this bid document (Duly completed and Signed)

10.3 Schedule 2:

10.3.1 Original and Valid Tax clearance certificate(s); please refer to annexure below:

Annexure 3 Tax Clearance Certificate Requirements

10.3.2 Certified copies of your CIPC company registration documents listing all members with percentages, in case of a CC. Or latest certified copies of all share certificates in case of a company;

10.3.3 B-BBEE Certificate verified by a SANAS accredited verification agency or a letter from the supplier's auditor. In case where a Joint Venture/Consortium is formed a combined B-BBEE Certificate must be provided.

10.3.4 **Annexure 4** Declaration of Interest (SDB 4)

10.3.5 **Annexure 5** Declaration of Bidders Past SCM Practices (SBD 8)

10.3.6 **Annexure 6** Certificate of Independent Bid Determination (SBD 9)

10.3.7 **Annexure 7** Joint Venture/Consortium Agreement (In case of Consortium or Joint Venture)

Note: Where bidders form a Consortium or a Joint Venture, bidders must submit all documents as listed under Schedule 2 above for each party to the Consortium or Joint Venture.

10.4 Schedule 3:

10.4.1 Responses to **Section Two** of this document, in line with the format indicated in this bid document.

10.5 Schedule 4:

10.5.1 A detailed pricing schedule breakdown for the bid including any supporting schedules on price determination. **The price schedule must be submitted on a separate sealed envelope.**

10.5.2 **Annexure 7** Price Schedule Summary (SBD 3.3)

10.5.3 **Annexure 8** Preferential Point Claim (SBD 6.1) and B-BBEE Certificate

11. SPECIAL INSTRUCTIONS TO BIDDERS

11.1 Bidders shall provide full and accurate answers to the questions posed in this document.

11.2 Bidders **must** substantiate their response to all questions, including full details on how their proposal/solution will address specific functional/technical requirements. All documents as indicated must be supplied as part of the bid response.

11.3 RTMC reserves the right to appoint more than one service provider in order to ensure prompt delivery and efficiency of the service.

11.4 Should a need arise, RTMC reserves the right to negotiate a flat/ standard rate with appointed service providers.

11.5 Bidders must be registered on centralised supplier database(CSD).

12. EVALUATION CRITERIA

The bid will be evaluated on a three stage process.

- (a) Stage 1 will be on Mandatory Requirements. Bidders who fail to meet the mandatory requirement will be disqualified from further evaluation.
- (b) Stage 2 will be on Functionality and Technical Requirements. Only bidders that meet the minimum requirements for Stage 2 will be eligible for consideration in Stage 3.
- (c) Stage 3 will be on 90/10 Preference Point System (i.e. Price and B-BBEE).

12.1 STAGE 1 – MANDATORY REQUIREMENTS

MANDATORY REQUIREMENT (1)	Comply (Yes / No)
Compliance Certificate Bidder must have the required health certificate which certifies where the food is prepared is in compliance with all necessary health standards. Compliance Requirement A valid health certificate upon submission of the bid.	
Bidders must be registered on CSD	
Bidders must sign all SBD bidding forms attached	

NOTE: A BIDDER WHO FAILS TO MEET THE ABOVE MANDATORY REQUIREMENT WILL BE DISQUALIFIED FROM FURTHER EVALUATION

12.2 STAGE TWO – FUNCTIONALITY EVALUATION CRITERIA

Stage two will be based on written proposals and responses to functionality criteria requirements.

Functionality shall be evaluated based on the following parameters:

A. Compliance to outlined response format and quality of the proposal	5
A 1The section relates to responses received according to the specified format and the quality of the bid proposal content	5
B. Experience, Reference letters and Key personnel	20
B1 Bidders must provide previous reference in the form of either trade reference letter's or official company purchase order where previous catering services were provided. Such references should not be older than 12 months. Furthermore, the reference table should be completed with the following information provided for: contact person, company name, email address and contact numbers. The references should be contactable. The following evaluation will be evaluated as follows: (1) Five of more previous references (20 points)	

<p>(2) Four previous references (16 points)</p> <p>(3) Three previous references (12 points)</p> <p>(4) Two previous references (8 points)</p> <p>(5) One previous references (4 points)</p> <p>(6) No submission (0 Points)</p> <p>The references provided MUST be from different institutions</p> <p>NB: Bidders must attach proof of payment from the bank reflecting the payment of the amount being paid.</p>	
<p>B 2 Key Personnel</p> <p>Bidder must provide detailed CV of the following key personnel that should be in place for the delivery of this service:</p> <p>(1) Chef / Cook experience in preparing food (10 points)</p> <p style="padding-left: 40px;">a. Above years (10 points)</p> <p style="padding-left: 40px;">b. 3 – 5 years (5 points)</p> <p style="padding-left: 40px;">c. 1 – 3 years (3 points)</p> <p>(2) Waiter experience in servicing / customer engagement (5 points)</p> <p style="padding-left: 40px;">a. Above 5 years (10 points)</p> <p style="padding-left: 40px;">b. 3 – 5 years (5 points)</p> <p style="padding-left: 40px;">c. 1 – 2 years (1 points)</p>	20
C Financial Capacity	20
<p>C1 Bidders must demonstrate financial capacity to provide or deliver the items required.</p> <p>Bidders must provide the following as proof of Financial Capacity:</p> <ul style="list-style-type: none"> • A bank statement not older than 3 months showing at least a debit balance not less than R30 000. <p style="text-align: center;">Or</p> <ul style="list-style-type: none"> • Letter of commitment (specific to this bid) from a reputable financial service provider or any third party indicating commitment to fund the bidder should they be successful. 	

The purpose of this requirement is to assess financial capability to deliver this type of service.		
D. Logistical Plan		35
<p>Delivery Plan (in relation to the provision of catering services)</p> <p>Bidders must provide a detailed plan/methodology of how they will deliver catering services on time to RTMC which must include amongst others the following:</p> <p>a) Logistical support: The bidder must demonstrate ability to carry out the contract by outlining key variables that must be in place to ensure compliance to agreed delivery lead- times and quality of provision of food to RTMC (5 points.)</p> <p>b) Health and safety consideration: Bidder's must outline in detail all the health and safety consideration that is critical in the preparation of food. Bidder's must include an outline of all requirements that should be in place in ensuring that all health requirements are in place and ensure quality of service in the provision of catering services to RTMC. Bidder must outline all preventative measures in place to ensure the healthy and quality of the food preparation and delivery. (15 points)</p> <p>c) The bidder must outline their equipment on hand to deliver the required service. An inventory outline must be provided indicating all equipment at the suppliers disposal (5 points)</p> <p>d) The bidder must demonstrate the capacity/means of transportation to be used for providing catering to RTMC in a hygiene and safe manner. Bidder must indicate all transportation available to service this requirement (10 points)</p>		
TOTAL FOR FUNCTIONALITY:		100

NB : The minimum qualifying score for functionality is 70%. All bidders that fail to achieve the minimum qualifying score on functionality shall not be considered for further evaluation on Price and BEE

Functionality will be evaluated at the following scales:

VALUE	DESCRIPTION
5- Excellent	Meets and exceeds the functionality requirements
4- Very Good	Above average compliance to the requirements
3- Good	Satisfactory and should be adequate for stated element
2- Average	Compliance to the requirements
0- Non Compliant	Does not comply to the requirements

12.3 STAGE THREE – PRICE AND PREFERENCE POINTS EVALUATION

This stage will be evaluated on a 90/10 Preference Point System (i.e. 90 points on Price and 10 points on B-BBEE

CRITERIA	MAXIMUM POINTS
Price	90
B-BBEE Rating	10
Grand Total	100

SECTION: 2

SPECIFICATION DETAILS AND FUNCTIONALITY REQUIREMENTS

SECTION 2: TECHNICAL REQUIREMENTS/ SPECIFICATION

1. PURPOSE OF THE PROJECT

- 1.1 The Road Traffic Management Corporation ("RTMC") invites certain qualified companies / service providers ("Bidders") to submit proposals ("Tenders") in accordance with the rules set out in this RFB for the provision of catering services for a **period of three years**. The catering would be required at RTMC premises and in some instances within **Gauteng region**.

2. SCOPE OF WORK

- 2.1 The below table outlines the various menu options that RTMC would require. .
- 2.2 Successful service providers would be required to provide the required menu using their own catering equipment as and when required.
- 2.3 The catering services will be required in **Gauteng**.
- 2.4 Setup would be required at least 15 - 30mins before the required time to allow for full inspection.
- 2.5 Special requirements (e.g. dietary ,Halaal etc) will be priced upon request.

	DESCRIPTION
Breakfast options	
1	Breakfast – Option 1 Tea (Five Roses / Rooibos) with sugar / canderel and milk Coffee (Jacobs or similar) with sugar / canderel and milk 100% juice (1 litre box) Assorted sandwiches or croissants Assorted scones with condiments or muffins
2	Breakfast – Option 2 Tea (Five Roses / Rooibos) with sugar / canderel and milk Coffee (Jacobs or similar) with sugar / canderel and milk 100% juice (1 litre box) Assorted sandwiches or croissants Fruit salad with various yoghurt

3	Breakfast – Option 3 Tea (Five Roses / Rooibos) with sugar / canderel and milk Coffee (Jacobs or similar) with sugar / canderel and milk 100% juice (1 litre box) Fruit salad with various yoghurt English breakfast (Scrambled eggs, Bacon, Grilled Tomato, Pork /Beef sausage, baked beans, toast)
4	Breakfast – Option 4 Tea (Five Roses / Rooibos) with sugar / canderel and milk Coffee (Jacobs or similar) with sugar / canderel and milk 100% juice (1 litre box) English breakfast (Scrambled eggs, Bacon, Grilled Tomato, Pork /Beef sausage, baked beans, toast)
	Lunch options
	Lunch – Option 1 1 x starch 2 x veggies 1 x beef 1 x chicken 2 x salad Assorted drinks – Fizzy and juice (cans)
	Lunch – Option 2 1 x starch 2 x veggies 1 x roast beef or beef stew 1 x savoury chicken or Fish 2 x salad Assorted drinks – Fizzy and juice (cans)
	Lunch – Option 3 Lasagne or savoury Pasta Fish or grilled chicken 2 x salad Assorted drinks – Fizzy and juice (cans)
	Lunch – Option 4

	1 x starch 2 x veggies Pork chops or crumbed chicken Assorted drinks – Fizzy and juice (cans)
	Lunch – Option 5 Pap Rolls 2 x salads Boerewors Lamb chops Grilled chicken Assorted drinks – Fizzy and juice (cans)
Special meals	
	Special meal – option 1 Meat Platters Assorted meat (half white, half red) Assorted drinks – Fizzy and juice (cans)
	Special meal – option 2 Fish Platters Assorted fish Assorted drinks – Fizzy and juice (cans)
	Special meal – option 3 Sandwiches Assorted sandwiches or croissants Assorted drinks – Fizzy and juice (cans)
	Special meal – option 3 Mass meal Assorted sandwiches 2 x fruit 1 x quarter chicken Assorted drinks – Fizzy and juice (cans) Packaging included

	<p>Special meal – option 4 Mass meal</p> <p>Pap</p> <p>2 veggies</p> <p>Beef stew</p> <p>Assorted drinks – Fizzy and juice (cans)</p> <p>Bottled still water</p> <p>Packaging included</p>
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PRICING SCHEDULE

Bidders are required to complete the below pricing schedule

#	Description	Quantity	Rate per person
	Breakfast – Option 1	1	
	Breakfast – Option 2	1	
	Breakfast – Option 3	1	
	Breakfast – Option 4	1	
	Breakfast – Option 5	1	
	Lunch – option 1	1	
	Lunch – option 2	1	
	Lunch – option 3	1	
	Lunch – option 4	1	
	Lunch – option 5	1	
	Special meal – option 1 Meat Platters	1	
	Special meal – option 2 Fish Platters	1	
	Special meal – option 3 Sandwiches	1	
	Special meal – option 4 meal	1	
	Delivery	1	
Subtotal			
VAT (14%) Vat Registered only			
Total			

SECTION: 3

**ANNEXURE AND STANDARD
BIDDING DOCUMENTS**

ANNEXURE AND STANDARD BIDDING DOCUMENTS

DOCUMENT	DESCRIPTION
BDGI	Bid Documents General Information
Annexure 1	Invitation to Bid (SBD 1)
Annexure 2	Acceptance of Bid Conditions and Bidder's Structure
Annexure 3	Tax Clearance Requirements (SBD 2)
Annexure 4	Declaration of Interest (SBD 4)
Annexure 5	Declaration of Bidder's Past Supply Chain Management Practices (SBD 8)
Annexure 6	Certificate of Independent Bid Determination (SBD 9)
Annexure 7	Pricing Schedule (SBD 3.3)
Annexure 8	Preference Points Claim Forms (SBD 6)

BIDDING DOCUMENTS : GENERAL INFORMATION

1. The bidding forms are drawn up so that certain essential information is to be furnished in a specific manner. Any additional particulars shall be furnished in the enclosed questionnaire(s) or in a separate annexure.
2. The bidding forms should not be retyped or redrafted but photocopies may be prepared and used. Additional offers may be made for any item, but only on a photocopy of the page in question. Additional offers made in any other manner may be disregarded.
3. Bidding forms not filled in using a computer and printer shall be completed in black ink.
4. Bidders shall check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability shall be accepted in regard to claims arising from the fact that pages are missing or duplicated.
5. The forms in respect of Preference Points Claim, if attached, shall be completed and submitted with the completed Bid.
6. Firm bid prices and delivery periods are preferred. Consequently bidders shall clearly state whether prices and delivery periods will remain firm for the duration of the contract or not.
7. If non-firm prices are submitted, this fact should be clearly stated in the bidding documents.
8. Where items are specified in detail, the specifications from an integral part of the bidding document and bidders shall indicate in the space provided whether the items offered are to specification or not.
9. In respect of the paragraphs where the items offered are strictly to specification, bidders shall insert the words "as specified".

- 10.** In cases where the items are not to specification, the deviations from the specifications shall be indicated.
- 11.** The bid prices shall be given in the units shown.
- 12.** All prices shall be quoted in South African currency.

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ROAD TRAFFIC
MANAGEMENT CORPORATION**

BID NUMBER: **CLOSING DATE:** **CLOSING TIME:**
11:00

DESCRIPTION.....
.....
.....

The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

BID DOCUMENTS MAY BE POSTED

TO:.....
.....
.....

OR

DEPOSITED IN THE BID BOX SITUATED AT (*STREET ADDRESS*)

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

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it
will not be accepted for consideration.**

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)
THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK
ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL
CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL
CONDITIONS OF CONTRACT.

**THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY
RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER

.....

POSTAL ADDRESS

.....

.....

STREET ADDRESS

.....

.....

TELEPHONE NUMBER CODE.....

NUMBER.....

FASCIMILE NUMBER CODE.....

NUMBER.....

EMAIL ADDRESS

.....

VAT REGISTRATION NUMBER

.....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2)

YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1)

YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) ☐

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); ☐

OR

A REGISTERED AUDITOR ☐

[TICK APPLICABLE BOX]

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?

YES or NO

[IF YES ENCLOSE PROOF]

SIGNATURE OF
BIDDER.....

DATE.....
...

CAPACITY UNDER WHICH THIS BID IS
SIGNED.....

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**Department:****Contact Person:****Tel:****Fax:****E-mail address:**.....**ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:****Contact Person:****Tel:****Fax:****E-mail address:**.....

ACCEPTANCE OF BID CONDITIONS

BID REFERENCE NO.	
NAME OF BIDDER:	
AUTHORISED SIGNATORY:	
NAME OF AUTHORISED SIGNATORY:	
POSITION OF AUTHORISED SIGNATORY:	
<p>BY SIGNING ABOVE, THE BIDDER HEREBY ACCEPT FULL RESPONSIBILITY FOR THE PROPER EXECUTION AND FULLFILMENT OF ALL OBLIGATIONS AND CONDITIONS DEVOLVING ON HIM/HER UNDER THIS BID.</p>	

BIDDING STRUCTURE

Indicate the type of bidding structure by marking with “X”	
Individual Bidder	
Joint Venture/Consortium	
Company	
Other	

BIDDING STRUCTURE INFORMATION

Bidder Information:	
Name of Company	
Registration Number	
VAT Registration Number	
Contact Person	
Telephone Number	
Cellphone Number	

Fax Number	
Email Address	
Postal Address	
Physical Address	

If Partnership/Joint Venture/Consortium, bidders must provide bidder information for each partner/joint venture member/consortium member.

**APPLICATION FOR TAX CLEARANCE CERTIFICATE
(IN RESPECT OF BIDS)**

	IT IS A CONDITION OF BID THAT: –
1.	It is an absolute requirement that the taxes of the successful bidder must be in order or that suitable arrangements have been made with the Receiver of Revenue to satisfy them.
2.	The Application for Tax Clearance Certificate (in respect of bids), must be completed by the bidder in all respects and submitted to the Receiver of Revenue where the bidder is registered for income tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. This Tax Clearance Certificate must be submitted in the original with the bid under this section , that is before the closing time and date of the bid. Failure to submit an original and valid Tax Clearance Certificate may invalidate your bid.
3.	Each party to a Consortium/Sub-contractors must complete a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificate are available at any Receiver's Office.

APPLICATION FOR TAX CLEARANCE CERTIFICATE (IN RESPECT OF BIDDERS)

1 Name of taxpayer / bidder :

.....

2 Trade name:

3 Identification number

[illegible]

4 Company / Close Corporation registration number:

--	--	--	--	--	--	--	--	--

5 Income tax reference number:

[illegible]

6 VAT registration number (if applicable):

[illegible]

7 PAYE employer's registration number (if applicable):

[illegible]

Contact person requiring Tax Clearance Certificate:

Signature :

.....

Name :

1

Telephone number : Code: () Number :

Address :

.....
.

.....
.

.....
.

.....
.

Code :

.....

Date :
.

PLEASE NOTE

**THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS)
WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY
PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND/ OR ADDITIONAL
TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES
OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF
ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT**

DECLARATION OF INTEREST

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

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

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

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

1.2 Identity Number:

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

1.4 Company Registration Number
.....

1.5 Tax Reference Number:
.....

1.6 VAT Registration Number:
.....

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

¹“State” means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

.....

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

.....

Position occupied in the state institution:

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain
YES / NO

the appropriate authority to undertake remunerative
work outside employment in the public sector?

2.7.2.1 If yes, did you attached proof of such authority to the bid
YES / NO
 document?

(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 /
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.

.....

2.10 Are you, or any person connected with the bidder,
YES/NO

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
YES/NO

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 Tax Reference Number	State Number / Employee Peral 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

May 2011

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Declaration forms part of the bidding documents and must be completed and submitted by the bidder. Failure to do so may result in the bid being rejected.
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. (*Please circle the applicable Yes or No response below clearly)

- 4.1 ***Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector?***

***Yes /
No**

(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the *audi alteram partem* rule was applied).

- 4.1.1 If so, state the particulars:

.....

- 4.2 Is the bidder or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?

***Yes /
No**

To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Bid Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.

- 4.1.2 If so, state the particulars:

.....

.....
4.3 Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?

***Yes /
No**

4.3.1 If so, state the 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, state the particulars:

.....
.....

DECLARATION

I, THE UNDERSIGNED (FULL NAME)
 CERTIFY THAT THE INFORMATION FURNISHED IN SECTIONS 4.1, 4.2, 4.3 and 4.4 ABOVE
 IS TRUE AND CORRECT. I ACCEPT THAT, IN ADDITION TO MY/OUR BID BEING REJECTED
 AND/OR CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME,
 SHOULD THIS DECLARATION PROVE TO BE FALSE.

..... ... SIGNATURE OF DECLARANT BID NUMBER DATE
..... ... POSITION OF DECLARANT NAME OF COMPANY / ORGANISATION / ENTERPRISE / BIDDER	
Witness 1. :		Witness 2. :

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

- (a) has been requested to submit a bid in response to this bid invitation;

- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

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

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices;
- (b) geographical area where product or service will be rendered (market allocation)
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit, a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

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

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

ANNEXURE 6 CERTIFICATE OF INDEPENDENT BID DETERMINATION SBD 9 (Page 3)

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

PRICING SCHEDULE

FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

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

ITEM NO	QUANTITY (PER UNIT)	DESCRIPTION	BID PRICE PER UNIT IN RSA CURRENCY**

**** (ALL APPLICABLE TAXES INCLUDED)**

-
- Required by:
 - At:
 - Brand and model
 - Country of origin

- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
*Delivery: Firm/not firm
- Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

***Delete if not applicable**

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.

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 R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the.....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 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 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:

6)

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	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	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 an 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 subcontractor 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.

.....

SIGNATURE(S) OF BIDDER(S)

3
 DATE:.....
 ADDRESS:.....

.....

.....