



CONFIDENTIAL

SBD 1

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE  
DENEL VEHICLE SYSTEMS

RFP NUMBER:	DVS009- 2018/19
CLOSING DATE:	03 JULY 2018
CLOSING TIME:	11:30 AM
<b>COMPULSORY BRIEFING SESSION:</b>	<b>15 JUNE 2018</b>
BRIEFING TIME:	10:30 AM
BRIEFING VENUE:	WATERBOK BOARDROOM, 12 BARNSELY ROAD, BENONI INDUSTRIAL SITES, BENONI
BID VALIDITY PERIOD:	120 days (commencing from the RFP Closing Date)
DESCRIPTION OF BID:	APPOINTMENT OF A SERVICE PROVIDER FOR SUPPLY DELIVERY OF VEHICLE BINS
BID DOCUMENTS DELIVERY ADDRESS	DENEL VEHICLE SYSTEM ;12 BARNSELY ROAD, BENONI INDUSTRIAL SITES, BENONI,  OR  PRIVATE BAG X049 BENONI,1500, SOUTH AFRICA
ENQUIRIES	<a href="mailto:DVS.Tenders@lssa.co.za">DVS.Tenders@lssa.co.za</a>
For Attention:	THE SCM MANAGER
<b>NB: Bidders must ensure that they sign the register at the reception when submitting the bids.</b>  <b>NB:</b> <b>1. Bidders must ensure that they sign the register at the reception when submitting the bids.</b> <b>2. Supplier interested in responding to this bid, will be required to sign a non-disclosure agreement at the briefing session before they can be handed the CD containing confidential information.</b>	



CONFIDENTIAL

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DENEL GEAR RATIO

**BID NUMBER:** DVS009- 2018/19  
**CLOSING DATE:** 03 JULY 2018  
**TIME:** 11:00 AM

**DESCRIPTION:** REQUEST FOR PROPOSAL (RFP) FOR APPOINTMENT OF A SERVICE PROVIDER FOR SUPPLY AND DELIVERY OF VEHICLE BINS

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

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BID DOCUMENTS MAY BE DEPOSITED IN A SEALED ENVELOPE, CLEARLY INDICATING THE BID NUMBER AND SUBJECT TO,

**ATT: SCM MANAGER  
12 BARNSELY ROAD, BENONI INDUSTRIAL SITES, BENONI**

It should be noted that the tender box is situated in the Security Gate of the main building 08H00 - 16H00 on Mon -Thurs & 08H00 – 12H00 on Friday.

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

COMPLETED SEALED BID DOCUMENTS, CLEARLY MARKED WITH THE SPECIFIC BID NUMBER MUST BE SUBMITTED AT THE ABOVE-MENTIONED ADDRESS, NO LATER THAN THE CLOSING DATE AS STIPULATED ABOVE. (1) ORIGINAL AND ONE (1) COPY OF THE BID DOCUMENT MUST BE SUBMITTED.

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 5 OF 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

**Department:** Denel Vehicle System  
**Contact Person:** Nokuthula Blose  
**Tel:** 011 747 3449  
**E-mail address:** [DVS.Tenders@lssa.co.za](mailto:DVS.Tenders@lssa.co.za)



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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 .....  
CELLPHONE NUMBER .....  
FACSIMILE NUMBER .....  
E-MAIL ADDRESS .....  
VAT REGISTRATION NUMBER .....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? Y/N  
HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1) Y/N  
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

[TICK APPLICABLE BOX]

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)   
A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)   
A REGISTERED AUDITOR

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

SIGNATURE OF BIDDER .....  
DATE .....  
CAPACITY UNDER WHICH THIS BID IS SIGNED .....

## INSTRUCTIONS TO BIDDER

### 1 Confidential information disclosure notice

- 1.1 This document may contain confidential information that is the property of Denel Vehicle Systems (DVS).
- 1.2 No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this Bid, without prior written permission from DVS.
- 1.3 All copyright and Intellectual Property herein vests with DVS.

### 2 Introduction

#### 2.1 Purpose

- 2.1.1 The purpose of this Request for Bid (RFP) is an invitation to potential suppliers (hereinafter referred to as "Bidders") to submit Bids for the items/products/solutions as detailed under Annex A: Technical/solution specification.

#### 2.2 Objectives

- 2.2.1 The following objectives must be achieved with the implementation of the above required solution:
  - 2.2.1.1 Based on the Bids submitted and the outcome of the evaluation process according to the set evaluation criteria, DVS intends to select a preferred bidder/s with the view of concluding a service level agreement (SLA) where applicable with such successful bidder. The Bid shall be evaluated in terms of the PPPFA (80/20).

#### 2.3 Queries

- 2.3.1 Should it be necessary for a bidder to obtain clarity on any matter arising from or referred to in this RFP document, please refer queries, in writing, to the contact person(s) listed below. Under no circumstances may any other employee within DVS be approached for any information. Any such action may result to disqualification of a response submitted in response to the RFP. DVS reserves the right to place responses to such queries on the website.

Name	Type of Query	Email address
SCM Manager	Bid Queries	<a href="mailto:DVS.Tenders@lssa.co.za">DVS.Tenders@lssa.co.za</a>

Enquiries should reference specific paragraph numbers, where appropriate.

All questions/ enquiries must be forwarded in writing not later than **27 June 2018 at 11h00**.

Questions/enquiries received after 11h00 on **27 June 2018** will not be considered.

***Bidders are not allowed to contact any other DVS staff in the context of this tender other than the indicated official under 2.3.1.***

## 2.4 Bid Documents

Bids must be **hand delivered or (if couriered) reach to DVS** by no later than **11h00 on 03 July 2018**.

- 2.4.1 Bid documents must contain **one original document, initialled on each page, and signed where required**. (Two separate envelopes: one for financials (Pricing) and the other for Technical document).
- 2.4.2 Proof of Registration on the National Treasury Central Supplier Database (CSD) – Full CSD Report to be attached. Accessible at <https://secure.csd.gov.za/> (Local Suppliers ONLY)
- 2.4.3 Valid Tax Clearance certificate and SARS Tax Pin.
- 2.4.4 Foreign supplier: submit confirmation that your company has no tax obligation in RSA (SARS Application Form accessible at <http://www.sars.gov.za>).

## 3 General rules and instructions

### 3.1 Confidentiality

- 3.1.1 The information contained in this document is of a confidential nature, and must only be used for purposes of responding to this RFP. This confidentiality clause extends to Bidder partners and/or implementation agents, whom the Bidder may decide to involve in preparing a response to this RFP.
- 3.1.2 For purposes of this process, the term "Confidential Information" shall include all technical and business information, including, without limiting the generality of the foregoing, all secret knowledge and information (including any and all financial, commercial, market, technical, functional and scientific information, and information relating to a party's strategic objectives and planning and its past, present and future research and development), technical, functional and scientific requirements and specifications, data concerning business relationships, demonstrations, processes, machinery, know-how, architectural information, information contained in a party's software and associated material and documentation, plans, designs and drawings and all material of whatever description, whether subject to or protected by copyright, patent or trademark, registered or un-registered, or otherwise disclosed or communicated before or after the date of this process.
- 3.1.3 The receiving party shall not, during the period of validity of this process, or at any time thereafter, use or disclose, directly or indirectly, the confidential information of DVS (even if received before the date of this process) to any person whether in the employment of the receiving party or not, who does not take part in the performance of this process.
- 3.1.4 The receiving party shall take all such steps as may be reasonably necessary to prevent DVS's confidential information coming into the possession of unauthorised third parties. In protecting the receiving party's confidential information, DVS shall use the same degree of care, which does not amount to less than a reasonable degree of care, to prevent the unauthorised use or disclosure of the confidential information as the receiving party uses to protect its own confidential information.
- 3.1.5 Any documentation, software or records relating to confidential information of DVS, which comes into the possession of the receiving party during the period of validity of this process or at any time thereafter or which has so come into its possession before the period of validity of

this process:

- 3.1.5.1 Shall be deemed to form part of the confidential information of DVS;
- 3.1.5.2 Shall be deemed to be the property of DVS;
- 3.1.5.3 shall not be copied, reproduced, published or circulated by the receiving party unless and to the extent that such copying is necessary for the performance of this process and all other processes as contemplated in; and
- 3.1.5.4 Shall be surrendered to DVS on demand, and in any event on the termination of the investigations and negotiations, and the receiving party shall not retain any extracts.

### 3.2 **News and press releases**

- 3.2.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with DVS.

### 3.3 **Precedence of documents**

- 3.3.1 This RFP consists of a number of sections (see list). Where there is a contradiction in terms between the clauses, phrases, words, stipulations or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
- 3.3.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter and which appears in the PPPFA shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that DVS may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by DVS.
- 3.3.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFP. It however remains the exclusive domain and election of DVS as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the DVS in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the vendor(s). The vendor(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

### 3.4 **Preferential Procurement Reform**

- 3.4.1 DVS supports Black Economic Empowerment as an essential ingredient of its business. In accordance with government policy, DVS insists that the private sector demonstrates its commitment and track record to Black Economic Empowerment in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.
- 3.4.2 DVS shall apply the principles of the Preferential Procurement Policy Framework Act, (Act No. 5 of 2000) with its Preferential Procurement Regulation 2011 to this proposal.

3.4.3 Bidders shall complete the preference certificate attached to this proposal. In the case of a consortium and subcontractors, the preference certificate must be completed for each legal entity (Annex C).

### 3.5 **Security clearances**

3.5.1 Employees and subcontractors of the Bidders **may** be required to be in possession of valid security clearances to the level determined by NIA or/or DVS commensurate with the nature of the project activities they are involved in. The cost of obtaining suitable clearances is for the account of the bidders. The Bidders shall supply and maintain a list of personnel involved on the project indicating their clearance status.

### 3.6 **Occupational Injuries and Diseases Act 13 of 1993**

3.6.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 ("COIDA") and that the cover shall remain in force for the duration of the adjudication of this bid and/ or subsequent agreement. DVS reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to DVS.

### 3.7 **Instructions for submitting a proposal**

- 3.7.1 One (1) original, One (1) hard copy of the Bid shall be submitted on the date of closure of the Bid.
- 3.7.1.1 The original copy must be signed in black ink by an authorised employee, agent or representative of the bidder and each and every page of the proposal shall contain the initials of same signatories.
- 3.7.2 Bidders shall submit proposal responses in accordance with the prescribed manner of submissions as specified above.
- 3.7.3 Bid must be submitted in a prescribed response format herewith reflected as **Response Format**, and be sealed in an envelope. The envelope must be marked clearly (on the outside) with the Bid Number and be addressed to **The SCM Manager**.
- 3.7.4 Bid must be submitted on or before **03 July 2018 not later than 11h00**. The bids must be dropped in the tender box at the **DVS Offices; 12 Barnsley Street, Benoni Industrial Site, Benoni**, DVS receives a lot of correspondence on a daily basis. Bidders are therefore urged to ensure that they clearly mark their bids with the Bid Number; register their bids and sign the register that will be provided at the reception. Failure to sign the register will lead to the bid being disqualified. Failure to submitted sealed bids could result to disqualification of bids. The onus is on the bidder to ensure that their bids get registered in the bids received register. Bidders must advise their courier companies of this instruction.
- 3.7.5 All Bids in this regard shall only be accepted if they have been registered on the bids received register before or on the closing date and stipulated time.
- 3.7.6 Bids received after the time stipulated shall not be considered.
- 3.7.7 Bid responses sent by courier must reach this office at least **36 hours** before the closing date to be registered on the bids received register. Failure to comply with this requirement shall

result in your proposal being treated as a "late proposal" and shall not be entertained. Such proposal shall be returned to the respective Bidders.

- 3.7.8 **No proposal shall be accepted by DVS if submitted in any manner other than as prescribed above.**

#### **4 Reasons for disqualification**

- 4.1 DVS reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder shall be notified in writing of such disqualification:
- 4.1.2 Bidders who do not submit a valid and original Tax Clearance Certificate on the closing date and time of the bid;
- 4.1.3 Bidders who submitted incomplete information and documentation according to the requirements of this RFP;
- 4.1.4 Bidders who submitted information that is fraudulent, factually untrue or inaccurate, for example memberships that do not exist, BEE credentials, experience, etc.;
- 4.1.5 Bidders who received information not available to other bidders through fraudulent means;
- 4.1.6 Bidders who do not comply with *mandatory requirements* as stipulated in this RFP.
- 4.1.7 Bidders who made false declarations on the Standard Bidding Documents, or misrepresent facts; and/or
- 4.1.8 Bidders who are listed on the National Treasury's database of restricted suppliers

#### **5 Closing of Bid**

- 5.1 There shall be **no public opening** of the Bid received. There shall be no discussions with any enterprise until evaluation of the proposal has been complete. Any subsequent discussions shall be at the discretion of DVS. Unless specifically provided for in the proposal document, bids submitted by means of telegram, telex, facsimile or similar means shall not be considered.
- 5.2 No Bids from any bidder with offices within the RSA shall be accepted if sent via the Internet or e-mail. However Bids from international bidders with no office or representation in the RSA shall be accepted if received via the Internet or e-mail before the closing date and time.
- 5.2.1 Such Bids shall not be made available for evaluation until the original signed documentation is received within three (3) working days after the closing date, otherwise the proposal shall be disqualified. International bidders must submit proof that they do not have any offices or representation in South Africa.

#### **6 Bid preparation**

- 6.1 All additions to the proposal documents i.e. annexes, supporting documentation pamphlets, photographs, technical specifications and other support documentation covering the solution offered etc. shall be neatly bound as part of the schedule concerned.
- 6.2 All responses regarding questions posed in the annexes attached herewith shall be answered in accordance with the prescribed **RFP Response Format**.



## 7 Oral presentations and briefing sessions

- 7.1 Bidders who submit Bids in response to this RFP may be required to give an oral presentation, which may include, but is not limited to, an equipment/service demonstration of their proposal to DVS. This provides an opportunity for the vendor to clarify or elaborate on the proposal. This is a fact finding and explanation session only and does not include negotiation. DVS shall schedule the time and location of these presentations. Oral presentations are an option of DVS and may or may not be conducted.

## 8 Evaluation Criteria for BEE

- 8.1 Points awarded for B-BBEE Status Level of Contribution
- 8.2 The value of this bid is estimated to exceed R 500 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.
- 8.3 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:
- 8.4 Preference points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contribution.

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

- 8.5 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.

- 8.6 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.
- 8.7 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.
- 8.8 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.
- 8.9 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.
- 8.10 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 8.11 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.

## **9 Evaluation criteria and methodology**

### **9.1 Functional evaluation criteria**

“Functionality” means the measurement according to predetermined norms of a service or commodity designed to be practical and useful, working or operating, taking into account quality, reliability, viability and durability of a service or commodity.

The need to invite and evaluate bids on the basis of functionality depends on the nature of the required commodity or service.

When inviting bids, DVS indicates: -

- (i) Whether the bids will be evaluated on functionality;
- (ii) The evaluation criteria for measuring functionality;
- (iii) The weight of each criterion; and
- (iv) The applicable values as well as the minimum threshold for functionality

## TERMS OF REFERENCE (TOR) FOR APPOINTMENT OF A SERVICE PROVIDER FOR SUPPLY OF VEHICLE BINS FOR SPARES SUPPLY

### 1. PURPOSE

Denel Vehicle Systems (DVS) has 3 business units namely: OMC, Gear Ratio and Mechatronics. OMC is primarily a manufacturer of armoured vehicles but it also provides maintenance, upgrades and retrofits of military vehicles. Gear Ratio manufactures components for transmissions and drivelines. Mechatronics designs and manufactures weapons systems, surveillance equipment, as well as sighting and fire control systems.

### 2. BACKGROUND

DVS requirement is to place purchase orders on suitable suppliers for the procurement and manufacturing of Vehicle bins required for the supply of spares to Local and International Customers.

### 3. SCOPE OF SERVICES

The selected supplier is expected to supply the material as per the table in Annexure B in accordance with the specifications and quality assurance requirements as indicated on the applicable drawings specifications, DXF files (refer Annexure A), as well as applicable workmanship standards as specified. The requirement will be to select a supplier that will be fixed for a period of 3 years. The 3 year period is subject to superseded by a Denel Group Transversal tender, which will take precedence over this tender.

### 4. ABBREVIATIONS

DVS - Denel Vehicle Systems  
 CFI - Customer free issue  
 COC - Certificate of conformance  
 DXF - Drawing exchange Format  
 SEIFSA - Steel and Engineering Industries Federation of South Africa  
 QTY - Quantity  
 ZAR - South African Rand

### 5. DELIVERY SCHEDULE

As a result of the erratic nature of spares ordering, the quantities forecasted in Annexure B, are indicative quantities and subject to change on an annual basis depending on customer requirements. Based on the volume breaks provided below, suppliers to quote accordingly.

Volume break Quantity :	Lead-Time (Work Days)	Comply	Do Not Comply
Qty 1-24	<b>45</b>		
<b>Substantiate :</b>			
Qty 25-50	<b>60</b>		
<b>Substantiate :</b>			
Qty 51-99	<b>75</b>		
<b>Substantiate :</b>			
Qty > 100	<b>90</b>		
<b>Substantiate :</b>			

**NB: Suppliers must confirm in their quotations that they can comply with the above volume break delivery schedule – note lead time in the functionality evaluation criteria, paragraph 9.**

**6. SPECIFIC TERMS AND CONDITIONS**

- a. Quotations must be for the full scope of supply as per specification sheet data (refer Annexure A) for the vehicle bins.
- b. Quotations must include the price of a vehicle bin painted (according to the paint specification requested on the excel document) and the price of the bin unpainted. Note that the paint specification may vary depending on Denel OMC’s requirement.
- c. Quotations submitted, must include the total cost of supply of a vehicle bin, including Denel OMC’s standard packaging requirements that must be adhered to. Special packaging, namely clip-lok boxes, will be supplied by CFI Denel OMC as and when required. There will be no CFI paint issued by Denel OMC and the total cost of supply must be included as part of your cost in the cost breakdown sheet provided in Annexure C.
- d. Quotations must be returned in the excel format attached with your official company letterhead/logo. No additional changes must be made to this spread sheet.
  - BINS – Annexure C. (Cost Breakdown Template)
- e. Orders will be subject to the Government Procurement General Conditions of Contract published as Annexure A of the Supply Chain Management Guide for Accounting Officers by the National Treasury of the Republic of South Africa dated February 2004 and DVS Special Conditions of Contract (2017 Edition) dated 10 August 2017.
- f. Prices and delivery dates for 2018 should be fixed until 31 March 2019.
- g. Prices and delivery dates for financial year 2019/2020 and 2020/2021 should be firm as per below conditions:
  - i. Price adjustments for the new financial year shall be submitted by no later than 01 February and will be finalised by 01 March, effective 01 April of the new financial year.

**Example: (Adjustment for financial year 2019/2020)**

<b>Submission Date:</b>	<b>Approval Date by Denel</b>	<b>Effective Date</b>
01 Feb 2019	01 Mar 2019	01 Apr 2019 to 31 Mar 2020

- ii. The firm price shall be in ZAR, and the exchange rate (where applicable) at the time of the offer shall be stated.
- iii. Price variations will be allowed based on the exchange rate and SEIFSA movements, accompanied with the relevant supporting documentation to motivate the price adjustment.
- iv. The percentage of product affected by the exchange rate will be stated in the proposal.
- v. The escalation formula with explanation is listed in (Annexure D).
- vi. Clarification of the price escalation will be required with every invoice.
- h. The Certificate of Conformance (COC) will be required per batch sample of items supplied to Denel OMC. This requirement may vary depending on the quantity ordered by Denel OMC and also subject to the Denel Quality Inspectors requirement. An inspection report must be submitted to the Denel Quality Inspector upon presentation of goods for inspection or upon request by the Denel Quality Inspector.
- i. Penalties will be levied on late deliveries as stipulated in the General Conditions of Contract and Special Conditions of Contract.

- j. An omission to disclose material information, a factual inaccuracy, and/or a misrepresentation of fact may result in the disqualification of a tender, or cancellation of any subsequent contract.
- k. Failure to comply with any of the terms and conditions as set out in this document will invalidate the proposal.

DVS OMC's business hours are Monday to Thursday from 08h00 to 17h00, and Friday 08h00 to 13:00.

**7. PREFERENTIAL PROCUREMENT POINTS**

The tender will be evaluated in accordance with the PPPFA 80/20 principle.

**8. MANDATORY REQUIREMENTS**

MANDATORY REQUIREMENT	COMPLY	DO NOT COMPLY
Certificate of Conformance (COC) is required with all items supplied to DVS OMC <b>Substantiate</b>		
Certified copy of ISO 9001 or Equivalent <b>Substantiate</b>		

**9. FUNCTIONALITY EVALUATION CRITERIA**

The tender will be evaluated in accordance with Preferential Procurement Policy Framework Act and in line with the following functional criteria.

VALUE	DESCRIPTION
<b>5 – Excellent/Exceptional</b>	Meets and exceeds the functionality requirements
<b>4 – Very good</b>	Above average compliance to requirements
<b>3 - Good</b>	Satisfactory should be adequate for stated elements
<b>2 - Average</b>	Compliance to the requirements
<b>1 – Poor</b>	Unacceptable, does not meet set criteria

EVALUATION CRITERIA	WEIGHT
<p><b>Technical and Process Capability</b></p> <p>Bidders must provide proof substantiating their capability and technical experience in the following area :</p> <p>Performance measures used for vehicle bin manufacturing capability or similar commodities (including how many lines or machines are available, what throughput can be achieved, etc.)</p> <p>Performance measures of Inspection capability (including type of Inspection</p>	30

<p>equipment)</p> <p>Performance measures of Rework capability (including type of Rework process)</p> <p>Performance measures of Testing capability (including type of Testing equipment)</p> <p><b>(Scoring is in the sliding scale of 1 to 5)</b></p>	
<p><b>Experience of the service provider in the manufacturing of vehicle Bins</b></p> <p>Bidders must provide a company profile or substantiating document which reflects their knowledge and years of experience in the manufacturing of vehicle bins or similar requirements</p> <p><b>(Scoring is in the sliding scale of 1 to 5)</b></p>	30
<p><b>Staff Capability</b></p> <p>Bidders must provide a detailed skills matrix of their in-house staff across the following and applicable areas: Cutting, bending and welding, inspection and testing, rework capabilities, engineering capability and design, as well as project management. Also include certified copies of certificates/qualifications (For welders include welding certification from SAIW or equivalent). <b>(*** Note – A minimum of 1 employee per category or skill level ***)</b></p> <p><b>(Scoring is in the sliding scale of 1 to 5)</b></p>	20
<p><b>References</b></p> <p>The bidder must provide a list of current customers and contactable references, that will be able to confirm the successful completion of a contract in supplying of vehicle bins or similar.</p> <p><b>(Scoring is in the sliding scale of 1 to 5)</b></p>	20
<b>Total</b>	<b>100</b>

**NB:** Suppliers are expected to meet a minimum of **80%** average threshold on the above requirements.

**10. PRICING SCHEDULE**

- a) Pricing should be supplied in the excel format as supplied in Annexure C.
- b) No changes must be made to the spread sheet.
- c) Annexure E: STANDARD ORDER INSTRUCTIONS
- d) Volume break pricing must be considered and the percentage discount offered per volume break as indicated in the table below.

**11. Technical Queries or Information Required**

For additional information or queries, please use below email address:  
DVS.Tenders@lssa.co.za

**Denel Vehicle Services is fully committed to transformation and as such seeks to further enhance and achieve its transformation mandate.**

**In such, companies as described in the B-BBEE Act would be given preference as per their designated categories, I.E Black Owned (51% and above), Black Woman Owned, Black Person Living with Disabilities and Black Youth Owned and Military Veterans.**

**Annexure A – Bin Specification**

All vehicle bin fabrication to be manufactured according to the specification noted on the drawings supplied.

The supplier of any armour plate steel products or parts shall ensure that they are fully compliant with the provisions contained in the following documents:

1. LSSA-19-214
2. LSSA-21-433
3. LSSA-21-483
4. LSSA -19-133
5. LSSA-21-601
6. LSSA-21-390
7. LSSA-21-393
8. LSSA-21-400
9. LSSA-24-317

**Note:**

1. These documents are proprietary and business-confidential therefore will be sent through a CD together with drawings (for detailed information regards to these documents, refer to Annexure E).
2. CD's must be collected from Denel OMC, 12 Barnsley Road, Benoni.
3. Upon collection of the CD, bidders will be required to submit a signed Non-Disclosure Application (NDA) form. Failure to submit the NDA, will result in the CD' not being issued.

**Annexure B – Parts required and delivery:**

LINE	ITEM	DESCRIPTION	Revision Level	FORECAST PER ANNUM
1	3136-881002	BIN ASSY LH	1	1
2	R0016033	BIN LH REAR ASSY	2	1
3	R0016034	BIN RH REAR ASSY	1	2
4	R0075405	SIDE BIN LOUVRE W/AS	7	40
5	R0075406	SIDE BIN LOUVRE W/AS	8	60
6	R0080443	BIN FRONT LH SIDE W/	7	2
7	R0080445	BIN FRONT RH SIDE W/ASSY	6	163
8	R0082081	SIDE BIN W/ASSY	4	4
9	R0082261	BIN REAR LH SIDE ASSEMBLY	H	139
10	R0082263	AUX BIN LH SIDE W/ASSY	5	18
11	R0082264	BIN AUXILIARY REAR W/ASSY	B	5
12	R0082267	DOOR SIDE BIN AUX AS	4	600
13	R0082273	BIN AUXILIARY REAR	1	93
14	R0082275	BIN AUXILIARY REAR W/ASSY	3	24
15	R0082278	DOOR SIDE BIN AUX AS	2	150
16	R0089626	BIN AUXILIARY REAR W/ASSY	2	2
17	R0090683	BIN AUXILIARY SIDE	3	2
18	R0092011	BIN REAR RH SIDE W/ASSY	8	58
19	R0092082	BIN AUXILIARY REAR W/ASSY	4	25
20	R0092094	BIN AUXILIARY REAR W/ASSY	4	15
21	R0092506	BRKT MNTG AUX BIN OU	3	1
22	R0092527	BIN AUXILIARY REAR W/ASSY	4	108
23	R0092528	BIN AUXILIARY REAR W/ASSY	4	13
24	R0093330	SIDE BIN W/ASSY	9	1
25	R0093402	SIDE BIN W/ASSY	7	18
26	R0118820	BIN FRONT LH SIDE ASSY	5	30
27	R0118821	BIN FRONT RH SIDE AS	6	86
28	R0119573	STEP BOTTOM BIN RH W	2	45
29	R0119610	BIN AUXILIARY REAR LHS ASSY	4	2
30	R0119611	BIN AUXILIARY REAR RHS ASSY	4	2
31	R0139773	BIN NOSE RH MMP	4	1
32	R0161618	BIN RIGHT FRONT	1	2
33	R0168537	BIN FRONT LH SIDE W/	1	286
34	R0168554	SIDE BIN LH ASSY	2	26
35	R0168650	BIN FRONT RH SIDE W/ASSY	1	1
36	R0168689	SIDE BIN RH W/ASSY	1	53
37	R0168778	AUX BIN LH SIDE W/AS	1	16
38	R0168796	AUX BIN RH SIDE W/AS	1	32





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**Annexure C: Cost Breakdown Template**

UNIT PRICE										VOLUME BREAK LEADTIME (Working days)				COST BREAKDOWN (Incl. HA7)						
Line No.	Part Number	Description	Drawing No.	UOM	EUC (Yes/No)	Unit Price excl. paint	Incl paint HA7	Incl paint H24	1-25 units	26-50 units	51-100 units	>100 units	Raw Material		Machine Rate	Labour	Scrap	Overheads	Pa	
													Local	Imported						
1	3136-881002	BIN ASSY LH	1																	
2	R0016033	BIN LH REAR ASSY	2																	
3	R0016034	BIN RH REAR ASSY	1																	
4	R0075405	SIDE BIN LOUVRE W/AS	7																	
5	R0075406	SIDE BIN LOUVRE W/AS	8																	
6	R0080443	BIN FRONT LH SIDE W/	7																	
7	R0080445	BIN FRONT RH SIDE W/ASSY	6																	
8	R0082081	SIDE BIN W/ASSY	4																	
9	R0082261	BIN REAR LH SIDE ASSEMBLY	H																	
10	R0082263	AUX BIN LH SIDE W/ASSY	5																	
11	R0082264	BIN AUXILIARY REAR W/ASSY	B																	
12	R0082267	DOOR SIDE BIN AUX AS	4																	

**Note:**

All fields in the excel template must be completed, as this is a mandatory requirement.

**Annexure D: Escalation formula**

$$P_I = P_O (a^{R1/R_o} + b^{M1/M_o} + c^{LI/L_o})$$

Where:

P <sub>I</sub>	Order price (tariff) after adjustment, i.e. P <sub>O</sub> + escalation, shown in parenthesis.
P <sub>O</sub>	Order price (tariff) before adjustment as per order
R <sub>1</sub>	Exchange Rate of (ZAR/imported) currency on the actual or contractual delivery date, whichever is the soonest. If delivery is sooner than the contractual date, use the date of invoice.
R <sub>o</sub>	(ZAR / imported currency) exchange rate at the base date (date of quotation)
M <sub>1</sub>	The SEIFSA Table G (materials for Mechanical Engineering Index) published three months prior to the actual or contractual delivery date, whichever is the soonest.
M <sub>o</sub>	The SEIFSA Table G (materials for Mechanical Engineering Index), published the three months prior to the base month)
LI	SEIFSA Table C-3 (actual labour cost for hourly paid employees), published for three months prior to the actual or contractual delivery date, whichever is the soonest.)
Lo	SEIFSA Table C-3 (actual labour cost for hourly paid employees), published for three months prior to the base month)

- a = The rate of exchange portion of the P<sub>O</sub> amount that is subject to escalation.
- b = The material portion of the P<sub>O</sub> amount which is subject to escalation.
- c = The labour portion of the P<sub>O</sub> amount which is subject to escalation.

where, a+b+ c= 100%.

The base month is the date of quotation.

References for Escalation

Exchange rates: [www.oanda.com/currency/historical-rates/](http://www.oanda.com/currency/historical-rates/)

Steel and Engineering Industries Federation of South Africa ([www.seifsa.co.za](http://www.seifsa.co.za))

**Annexure E - STANDARD ORDER INSTRUCTIONS**

1. This order is subjected to the Government Procurement General Conditions of Contract published as Annexure A of the Supply Chain Management Guide for Accounting Officers by the National Treasury of the Republic of South Africa dated February 2004 and DVS Special Conditions of Contract (2017 Edition) dated 10 August 2017.
2. The Supplier is requested to supply and deliver the Supplies as detailed in this Order
3. This Order shall constitute the contract between the Supplier and DVS in accordance to Clause 2 of the DVS Special Conditions of Contract.
4. The Prices contained herein are fixed in accordance with Clause 14 of the DVS Special Conditions of Contract.
5. The following Specific Conditions will be relevant to this Order
6. **Quality Requirements:-**
  - 6.1 A Certificate of Conformance (C.o.C) confirming the Supplies conform to the specifications as stipulated in this Order must accompany all deliveries.
  - 6.2 A FAI (First Article Inspection) must be conducted and a detail dimensional report is required (where applicable).
  - 6.3 Material Certificates are required for all specialised materials.
  - 6.4 The Supplier must observe and adhere to all Quality Gates/Hold points/In-process inspection points imposed by DVS.
  - 6.5 The supplier of any armour plate steel products or parts shall ensure that it is fully compliant with the provisions contained in the following documents:-
    - 6.5.1 Works Instruction for the Handling of 2D Electronic Data Packs for the NC Manufacturing Process; LSSA-19-214.
    - 6.5.2 Procedure for Product Identification and Traceability, LSSA-21-433.
    - 6.5.3 Welding Procedure, LSSA-21-483.and Work instructions, LSSA -19-133
  - 6.6 The failure to comply with the traceability requirements imposed will be deemed as a material breach by the Supplier and will be grounds for immediate cancellation of the order should DVS so elects.
  - 6.7 For Harness assembly instructions, refer to Instruction R0015099.
  - 6.8 All items with a curing date and/or shelf life, shall comply with the Procedure, Identification, Handling and Control of Shelf life items, LSSA-21-601.
  - 6.9 All Suppliers will adhere to the painting requirement referred to in Procedure, LSSA-21-390 as applicable.
  - 6.10 For Surface treatment/plating, all suppliers must adhere to the Procedures for Fasteners and Coating LSSA-21-393, and Electroplated Coatings (excluding fasteners and hydraulic fittings) LSSA-21-400. These two documents override all Zinc plating specifications on the drawings.
  - 6.11 All non- shelf items will be presented to the SCQA for inspection on the supplier's site on request for inspection, by completing, LSSA-24-317, the form and send it to the applicable SCQA or otherwise arranged in writing.
7. DVS is committed to ethical behaviour in all aspects of business and adheres to a code of conduct which encompasses the principles of integrity, excellence, innovation, caring and accountability. The Supplier confirms that it will uphold these principles and engage in ethical business conduct whilst dealing with DVS and third parties.
8. The Denel Group has implemented a system of control to prevent, detect and investigate fraud and corruption. Should you become aware of any suspected fraud and corruption kindly use any of the following mechanisms to report same:
  - 8.2 Management structures depending on the matter and person involved; or
  - 8.3 Local Tel: 0800 20 4880; or
  - 8.4 International Tel +27 12 543 5418; or
  - 8.5 Unique e-mail address which is [fraud@kpmg.co.za](mailto:fraud@kpmg.co.za)
  - 8.6 Generic Free Post Address: BNT 371, P O Box 14671, Sinoville, 0129; or
  - 8.7 Generic Free Facsimile: 0800 200 796; or
  - 8.8 Generic Denel Anti-fraud Hotline website which is <http://www.thornhill.co.za/kpmgethicslinereport>

All Bid received shall be evaluated by a panel using the preference points system as stipulated in the Preferential Procurement Regulations. Bidders to provide a VAT inclusive pricing.

## 9. Submission Of Bids

Bidders are required to submit **One (01)** original bid document.

DVS may request clarification or further information regarding any aspect of the bid. The bidder must supply the requested information within 12 hours or unless otherwise indicated after the request has been made; otherwise the bidder may be disqualified.

## 10. Evaluation Phases

**The received bid proposals will be evaluated in different phases in order to arrive to the final phase of bid award, and the phases will be as follows:**

## 11. Phase One (01): Mandatory / Minimum Requirements

### Screening/admin compliance:

*In this phase All bids received will be verified for **compliance** and **completeness** of the submitted proposal per the below set of mandatory requirements. Bidders who fails to comply with the below requirements WILL be eliminated and bidders who comply with the below progresses to the next phase of technical evaluation.*

- Bid forms must be properly received on the bid closing date and time specified on the invitation, fully completed, dated and signed in ink.
- Bid forms must be properly fully completed, dated, signed in ink and initial every page of the bid.
- Submission of the bid document must be binded and is without tearing any pages off.
- Invitation to Bid (SBD 1) must be fully completed,
- Submission of a Valid Tax Clearance Certificate (SBD 2) – Bidders whom their Tax matters are not in order and no proper arrangements have been made with SARS to meet their tax obligations will not be considered for this bid. *7 days from the bid closing date is afforded to any bidder who already made necessary arrangements with SARS (attached proof as obtained from SARS Branch) of when the necessary arrangements have been made to meet your Tax obligation and be issued with Tax certificate. Failure to submit a valid and original Tax Clearance within 7 days after the bid closing date, your submitted bid proposal will be considered non-responsive and shall be invalidated or disqualified and not considered for further evaluation.*
- Submission of fully completed Pricing Schedule (Purchases – Goods - SBD 3.1),. In case of purchases of goods other than services, bidders should complete and sign SBD 3.1 of the Firm price only. In case of professional services, bidders should complete and Submission of fully completed SBD 4 (Declaration of Interest),
- Submission of fully completed SBD 6.1 (Preference Claim Certificate), accompanied by the original or certified B-BBEE Status Level Verification Certificate as issued by SANAS accredited service providers, Accredited Registers Auditors – IRBA and Procurement Regulation 2011 compliant letter issued by the Accounting Officer. Any copies submitted in this case should be certified.
- Submission of fully completed Contract Form (Purchases – Goods/Works - SBD 7.1),. In case of purchases of goods other than services, bidders should complete and sign SBD 7.1 of the Firm price only. In case of rendering of services, bidders should complete and Submission of fully completed SBD8 (Declaration of Bidders Past SCM Practice),
- Submission of fully completed SBD9 (Certificate of Independent Bid Determination),
- Business Registration Certificate e.g. CK 1, certificate of incorporation
- Familiarise yourself and Initial every page of the General Condition of Contract

**NB: Any bidders who did not sign and submit any of the requested documents may be disqualified.**

## TAX CLEARANCE CERTIFICATE REQUIREMENTS

**It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.**

1. In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
6. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za).

**DECLARATION OF INTEREST**

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

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

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

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

2.2 Identity Number:.....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):.....

2.4 Company Registration Number:.....

2.5 Tax Reference Number:.....

2.6 VAT Registration Number: .....

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

<sup>1</sup>"State" means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

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



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Position occupied in the state institution:.....

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

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

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

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:  
.....  
.....  
.....

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

2.8.1 If so, furnish particulars:  
.....  
.....  
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1If so, furnish particulars.  
.....  
.....  
.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.10.1 If so, furnish particulars.  
.....  
.....  
.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:  
.....  
.....  
.....



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

<b>Full Name</b>	<b>Identity Number</b>	<b>Personal Reference Number</b>	<b>Tax</b>	<b>State Employee Number / Pearsal Number</b>

**4 DECLARATION**

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder



**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 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 the bid:  
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included);

1.2 Preference points for this bid shall be awarded for:  
 (c) Price; and  
 (d) B-BBEE Status Level of Contribution.

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

	<b>POINTS</b>
<b>1.3.1.1 PRICE</b>	80
<b>1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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 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 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 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;.
- 3.2 Points scored must be rounded off to the nearest 2 decimal places.
- 3.3 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.
- 3.4 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.
- 3.5 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 PREFERENCE POINT SYSTEMS

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

**80/20**

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

Where:

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

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

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

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

7	4
8	2
Non-compliant contributor	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA’s approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as 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 enterprises that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

**6. BID DECLARATION**

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

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

7.1 B-BBEE Status Level of Contribution: ..... = ..... (Maximum of 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?.....%



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- (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;



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- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  - (c) Cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution

**WITNESSES:**

- 1. ....
- 2. ....

.....

SIGNATURE(S) OF BIDDER(S)

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

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p><b>(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).</b></p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		



**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE  
AND CORRECT.**

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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



**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

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

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

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

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

I certify, on behalf of \_\_\_\_\_ that:  
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) Has been requested to submit a bid in response to this bid invitation;
  - (b) Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) Provides the same goods and services as the bidder and/or is in the same line of business as the bidder

The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.

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.
6. 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.
  7. 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



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bid opening or of the awarding of the contract.

- 8. 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.
- 9. 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	DESCRIPTION	BID PRICE 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

**PRICING SCHEDULE – ANNEXURE B**

ITEM DESCRIPTION	UNIT COST	PRICE EXCL VAT
<b>ADDITIONAL COST</b>		
<b>TOTAL EXCL VAT</b>		
<b>VAT</b>		
<b>TOTAL INCL VAT</b>		

**ANNEX C: GENERAL CONDITIONS OF CONTRACT**

---

**PLEASE INITIAL EACH PAGE OF THE GENERAL CONDITIONS OF CONTRACT**

**General conditions of bid and conditions of contract**

Bidders shall provide full and accurate answers to all (including mandatory) questions posed in this document, and, are required to explicitly state "Comply/Accept" or "Do not comply/Do not accept" (with a  $\checkmark$  or an X) regarding compliance with the requirements. Where necessary, the bidders shall substantiate their response to a specific question.

**NOTE: It is mandatory for bidders to complete or answer this part fully; failure to do so result to their bid to be treated as incomplete and shall be disqualified. Refer to paragraph 4 of this document (reasons for disqualification).**

1.

This bid is subject to the General Conditions of Contract stipulated below.	<b>Accept</b>	<b>Do not accept</b>

2.

The laws of the Republic of South Africa shall govern this RFP and the bidders hereby accept that the courts of the Republic of South Africa shall have the jurisdiction.	<b>Accept</b>	<b>Do not accept</b>

3.

DVS shall not be liable for any costs incurred by the bidder in the preparation of response to this RFP. The preparation of response shall be made without obligation to acquire any of the items included in any bidder's proposal or to select any proposal, or to discuss the reasons why such vendor's or any other proposal was accepted or rejected.	<b>Accept</b>	<b>Do not accept</b>

4.

DVS may request written clarification or further information regarding any aspect of this proposal. The bidders must supply the requested information in writing within twenty four <b>(24) hours</b> after the request has been made, otherwise the proposal may be disqualified.	<b>Accept</b>	<b>Do not accept</b>

5.

In the case of Consortium, Joint Venture or subcontractors, bidders are required to provide copies of signed agreements stipulating the work split and Rand value.	<b>Accept</b>	<b>Do not accept</b>

6

In the case of Consortium, Joint Venture or subcontractors, all bidders are required to provide mandatory documents as stipulated in schedule 1 of the Response format.	<b>Accept</b>	<b>Do not accept</b>

7

DVS reserves the right to; cancel or reject any proposal and not to award the proposal to the lowest bidder or award parts of the proposal to different bidders, or not to award the proposal at all.	<b>Accept</b>	<b>Do not accept</b>

8

Where applicable, bidders who are distributors, resellers and installers of network equipment are required to submit back-to-back agreements and service level agreements with their principals.	<b>Accept</b>	<b>Do not accept</b>

9

By submitting a proposal in response to this RFP, the bidders accept the evaluation criteria as it stands.	<b>Accept</b>	<b>Do not accept</b>

10

Where applicable, DVS reserves the right to run benchmarks on the requirements equipment during the evaluation and after the evaluation.	<b>Accept</b>	<b>Do not accept</b>

11

DVS reserves the right to conduct a pre-award survey during the source selection process to evaluate contractors' capabilities to meet the requirements specified in the RFP and supporting documents.	<b>Accept</b>	<b>Do not accept</b>

12

Only the solution commercially available at the proposal closing date shall be considered. No Bids for future solutions shall be accepted.	<b>Accept</b>	<b>Do not accept</b>

13

The bidder should not qualify the proposal with own conditions. <b>Caution:</b> If the bidder does not specifically withdraw its own conditions of proposal when called upon to do so, the proposal response shall be declared invalid.	<b>Accept</b>	<b>Do not accept</b>

14

Should the bidder withdraw the proposal before the proposal validity period expires, DVS reserves the right to recover any additional expense incurred by DVS having to accept any less favourable proposal or the additional expenditure incurred by DVS in the preparation of a new RFP and by the subsequent acceptance of any less favourable proposal.	<b>Accept</b>	<b>Do not accept</b>

15

Delivery of and acceptance of correspondence between the DVS and the bidder sent by prepaid registered post (by air mail if appropriate) in a correctly addressed envelope to either party's postal address or address for service of legal documents shall be deemed to have been received and accepted after (2) two days from the date of postage to the South African Post Office Ltd.	<b>Accept</b>	<b>Do not accept</b>



16

<p>Should the parties at any time before and/or after the award of the proposal and prior to, and-or after conclusion of the contract fail to agree on any significant product price or service price adjustments, change in technical specification, change in services, etc. DVS shall be entitled within 14 (fourteen) days of such failure to agree, to recall the letter of award and cancel the proposal by giving the bidder not less than 90 (ninety) days written notice of such cancellation, in which event all fees on which the parties failed to agree increases or decreases shall, for the duration of such notice period, remain fixed on those fee/price applicable prior to the negotiations.</p> <p>Such cancellation shall mean that DVS reserves the right to award the same proposal to next best bidders as it deems fit.</p>	<b>Accept</b>	<b>Do not accept</b>

17

<p>In the case of a consortium or JV, each of the authorised enterprise's members and/or partners of the different enterprises must co-sign this document.</p>	<b>Accept</b>	<b>Do not accept</b>

18

<p>Any amendment or change of any nature made to this RFP shall only be of force and effect if it is in writing, signed by DVS signatory and added to this RFP as an addendum.</p>	<b>Accept</b>	<b>Do not accept</b>

19

<p>Failure or neglect by either party to (at any time) enforce any of the provisions of this proposal shall not, in any manner, be construed to be a waiver of any of that party's right in that regard and in terms of this proposal. Such failure or neglect shall not, in any manner, affect the continued, unaltered validity of this proposal, or prejudice the right of that party to institute subsequent action.</p>	<b>Accept</b>	<b>Do not accept</b>

20

<p>Bidders who make use of subcontractors.</p> <p><b>The proposal shall however be awarded to the Vendor as a primary contractor who shall be responsible for the management of the awarded proposal. A vendor which was awarded the contract after scoring HDI / RDP goals is not allowed to subcontract more than 25% of the contract to a non-HDI entity. No separate contract shall be entered into between DVS and any such subcontractors. Copies of the signed agreements between the relevant parties must be attached to the proposal responses.</b></p>	<b>Accept</b>	<b>Do not accept</b>

21

<p>All services supplied in accordance with this proposal must be certified to all legal requirements as per the South African law.</p>	<b>Accept</b>	<b>Do not accept</b>

22

<p>No interest shall be payable on accounts due to the successful vendor in an event of a dispute arising on any stipulation in the contract.</p>	<b>Accept</b>	<b>Do not accept</b>

23

<p>Evaluation of Bids shall be performed by an evaluation panel established by DVS.</p> <p>Bids shall be evaluated on the basis of conformance to the required specifications as outlined in the RFP. Points shall be allocated to each bidder, on the basis that the maximum number of points that may be scored for price is <b>90</b>, and the maximum number of preference points that may be claimed for BBBEE (according to the PPPFA) is <b>10</b>.</p>	<b>Accept</b>	<b>Do not accept</b>

24

<p>If the successful bidder disregards contractual specifications, this action may result in the termination of the contract.</p>	<b>Accept</b>	<b>Do not accept</b>

25

The bidders' response to this Bid, or parts of the response, shall be included as a whole or by reference in the final contract.	<b>Accept</b>	<b>Do not accept</b>

26

Should the evaluation of this bid not be completed within the validity period of the bid, DVS has discretion to extend the validity period.	<b>Accept</b>	<b>Do not accept</b>

27

Upon receipt of the request to extend the validity period of the bid, the bidder must respond within the required time frames and in writing on whether or not he agrees to hold his original bid response valid under the same terms and conditions for a further period.	<b>Accept</b>	<b>Do not accept</b>

28

Should the bidder change any wording or phrase in this document, the bid shall be evaluated as though no change has been effected and the original wording or phrasing shall be used.	<b>Accept</b>	<b>Do not accept</b>

**ANNEX D: RESOLUTION OF BOARD OF DIRECTORS / MEMBERS / SOLE PROPRIETOR / PARTNERS OF PARTNERSHIP**

This returnable schedule needs to be completed if the tenderer is a joint venture. This form must be completed by each partner of the joint venture. The name of the principal partner must be stated under Point 2.

Resolution of Board of Directors / Members / Sole Proprietor/ Partners of Partnership (i.e. of each legal person to comprise the Joint Venture Partnership)

**RESOLUTION** of a meeting of the Board of \*Directors / Members / Sole Proprietor/ Partners of:

\_\_\_\_\_  
\_\_\_\_\_

*(Legally correct full name and registration number, if applicable, of the Enterprise)*

Held at \_\_\_\_\_ *(place)*

On \_\_\_\_\_ *(date)*

**RESOLVED that:**

1. The Enterprise submits a Tender, in Joint Venture with the following Enterprises:

\_\_\_\_\_  
\_\_\_\_\_

*(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the Joint Venture)*

To the Water Research Commission in respect of the following project:

\_\_\_\_\_  
\_\_\_\_\_

*(Project description as per Tender Document)*

Tender Number: \_\_\_\_\_ *(Tender Number as per Tender Document)*

2. The Principal Partner of the Joint Venture will be

\_\_\_\_\_  
\_\_\_\_\_

*(Legally correct full name and registration number, if applicable, of the Principal Partner of Joint Venture)*

3. \*Mr/Mrs/Ms:

\_\_\_\_\_ in



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\*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows:

\_\_\_\_\_ be, and is hereby, authorised to sign a joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the joint venture, in respect of the project described under item 1 above.

4. The Enterprise accepts joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Water Research Commission in respect of the project described under item 1 above.
5. The Enterprise chooses as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Water Research Commission in respect of the project under item 1 above:

Physical address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (code)

Postal Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (code)

Telephone number: \_\_\_\_\_ (code)

Fax number: \_\_\_\_\_ (code)

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Note:

1. \* Delete which is not applicable
2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Bidding Enterprise
3. Should the number of Directors / Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**ENTERPRISE STAMP**

--

**ANNEX E: JOINT VENTURE AGREEMENT**

---

- To provide Joint Venture Agreement signed under Commissioner of Oath.
- To provide above documentation for both companies that form the JV.

**NB: Joint venture agreement and performing the work**

The primary bidder needs to have major responsibilities in this project and both parties need to state their percentage interest in this joint venture. Joint venture is encouraged mainly for developmental purposes.



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## **ANNEX F: COMPANY PROFILE**

---

NB: Bidder (s) are requested to attached their company profile on this annexure



**ANNEX G: COMPANY REGISTRATION DOCUMENTS (CIPC/CIPRO)**

- Certified copies (**copy with original stamp**) of your CIPC (CIPRO) company registration documents listing all members with percentages, in case of close corporation
- Certified copies (**copy with original stamp**) of all latest share certificates, in case of a company



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## **ANNEX H: BBEE CERTIFICATES**

NB: Bidder (s) is requested to attach their valid and original or certified B-BBEE Preferential point claim certificate to be eligible for points claimed. Certificate must be issued by SANAS Accredited agency.