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INDUSTRIAL DEVELOPMENT CORPORATION

REQUEST FOR QUOTATION

YOU ARE HEREBY INVITED TO SUBMIT A QUOTATION FOR THE REQUIREMENTS OF THE INDUSTRIAL DEVELOPMENT CORPORATION

RFQ NUMBER:	RFQ 19/04/69
RFQ ISSUE DATE:	23/04/19
CLOSING DATE AND TIME:	07/05/19
RFQ VALIDITY PERIOD	120 days (COMMENCING FROM THE RFQ CLOSING DATE)
DESCRIPTION:	PROVISION OF EXTRA MURAL ACTIVITIES AT IDC CHILD DEVELOPMENT CENTRE
RESPONSES TO THIS RFQ SHOULD <u>ONLY</u> BE FORWARDED TO:	quotations@idc.co.za
ENQUIRIES	Can be addressed to: johns@idc.co.za
NB: All responses must be sent to quotations@idc.co.za the late response will not be considered.	

NB: All enquiries regarding this RFQ must be forwarded to the procurement officer within a day after the RFQ has been issued. No enquiries from bidders will be entertained after the closing date of this RFQ and during the subsequent evaluation processes. IDC however reserves the right to clarify any information with any bidder regarding their response to this RFQ.

SECTION 1: TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. IDC's standard terms and conditions of purchase shall apply to any subsequent purchase order. To view the IDC's standard terms and conditions of purchase, please visit our website on www.idc.co.za under "tenders" page.
2. No services must be rendered or goods delivered before an official IDC Purchase Order form has been received.
3. Late and incomplete submissions will not be accepted.
4. Completion and signing of this RFQ template and input sheet.
5. **Tax clearance requirements:**
 - a) A valid tax clearance certificate must be included in the RFQ response or proof of application and endorsement by SARS in this regard.
 - b) It is the responsibility of the bidder to ensure that IDC is in possession of the bidder's valid Tax Clearance certificate. It is therefore not necessary to submit a tax clearance certificate with every new RFQ response if the bidder has submitted a tax clearance for any RFQ/B before at IDC, provided that such tax clearance certificate is still valid at the time of responding to this RFQ. It should also be further noted that the onus is on the bidder to ensure that IDC receives a valid Tax Clearance Certificate as soon as the validity of the said certificate expires, as this may invalidate the bidder's response to this RFQ if such tax clearance certificate expires during the evaluation and subsequent RFQ award process.

6. **B-BBEE Requirements:**

Bidders must submit a B-BBEE verification certificate indicating the contribution level of the bidding entity. An Exempted Micro Enterprises (EME) with an annual turnover less than R10 million, is only required to obtain a sworn affidavit confirming the annual total revenue and level of black ownership. An EME that has at least 100% black beneficiaries qualifies for elevation to "Level One Contributor" and an EME that has at least 51% black beneficiaries qualifies for elevation to "Level Two Contributor". Any misrepresentation in terms of the declaration constitutes a criminal offence as set out in the B-BBEE Act as amended.

Note: If a bidder is a Consortium, Joint Venture or Prime Contractor with Subcontractor(s), the documents listed above must be submitted for each Consortium/ JV member or Prime Contractor and Subcontractor(s).

7. **B-BBEE Improvement Plan**

The IDC encourages existing vendors and prospective bidders to support the objectives of B-BBEE and as far as possible strive to improve their B-BBEE contribution status. For bid evaluation purposes, bidders are allocated points in terms of a preference point system based on the B-BBEE Contribution Level status that is in accordance with a valid B-BBEE certificate.

Bidders are therefore required to submit a B-BBEE improvement plan in view of the new B-BBEE Codes of Good Practice. Bidders must indicate the extent to which their ownership, management control, employment equity, preferential procurement and enterprise development will be maintained or improved over the contract period in the event that they are successful in this bid process

8. Price

All prices must be quoted in South African Rand (ZAR) and MUST be firm for the RFQ validity period. Period of price validity must be explicitly stated.

9. Reasons for disqualification

IDC reserves the right to disqualify any bidder which does any one or more of the following:

- a) bidder who does not submit a valid and original Tax Clearance Certificate on the closing date and time of the bid;
- b) bidder who submitted incomplete information and documentation as per the requirements of this RFQ;
- c) bidder who submitted information that is fraudulent, factually untrue or inaccurate, for example memberships that do not exist, BEE credentials, experience, etc.;
- d) bidder who received information not available to other vendors through fraudulent means; and/or
- e) bidder who does not comply with any other *requirements* as stipulated in this RFQ document.
- f) bidder who submit the quotation/ proposal to any email other than quotations@idc.co.za.

10. IDC reserves the right to cancel or reject any quote and not to award the RFQ to the lowest bidder or award parts of the RFQ to different bidders, or not to award the RFQ at all.

11. This RFQ is restricted to the intended recipients / bidders as invited by the IDC and should not be transferred to or shared with any other bidder or party. The IDC reserves the right to reject any response received from any bidder which was not invited by the IDC to participate in this process.

12. The IDC reserves the right to award this bid as a whole or in part.

13. The bidder hereby accepts 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.

Name of your Company (in block letters)

Signature(s) of the Tenderer or assignee(s) Date

Name of person signing (in block letters)

Capacity

Are you duly authorised 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)

Contact person: _____

Telephone Number: _____ Fax Number: _____

Cell phone Number: _____

e-mail: _____

Important Note: Bidders are required to be registered on the Central Supplier Database (CSD) of National Treasury. Bidders are therefore required to submit as part of this proposal both their CSD supplier number and CSD unique registration reference numbers on the lines below. Failure to submit the requested information may lead to disqualification.

Supplier Number: _____

Unique registration reference nr: _____

14. EVALUATION CRITERIA

Bidders shall be evaluated in terms of the following parameters:

14.1 Technical

Bids will be evaluated in accordance with the following technical criteria:

ELEMENT	WEIGHT
Bidder's relevant experience	40%
Bidder's proposed methodology	20%
Qualifications and skills of key personnel	40%
TOTAL	100%

Note: 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.

14.2 Preference Point System

All bidders that will achieve the minimum qualifying score (acceptable bids) will be evaluated further in terms of the preference point system as follows:

CRITERIA	POINTS
Price	80
BEE	20
TOTAL	100 points

SECTION 2: TECHNICAL REQUIREMENTS AND EVALUATION CRITERIA

1. SPECIAL INSTRUCTIONS TO BIDDERS

- 1.1 Should a vendor have reasons to believe that the requirement Specification is not open and/or is written for a brand or product or service provider; the bidder shall notify IDC Procurement within five (5) days after publication of the bid.
- 1.2 Bidders shall provide full and accurate answers to the questions posed in this document, and, where required explicitly state either “Comply/Not Comply” regarding compliance with the requirements. 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.
- 1.3 The IDC will conduct vetting on the recommended service provider/s prior to formal appointment.

2. PROJECT BACKGROUND AND OBJECTIVES

The IDC Childcare Development Centre (CDC) recognizes that the early years are a critical time for children to establish preventative behaviours. Teachers, families and health care providers can exploit on these qualities and help children to develop practices that will foster a healthy, safe, and productive lifetime. Thus, IDC CDC requires the accredited service provider who can partner up to contribute toward a shared responsibility for addressing social and environmental issues that affect the quality of the children’s well-being. The reasons for requesting this service is to ensure that the CDC fulfils its mandate in line with other similar Child Care facilities and that the purpose of extra skills and development is achieved in this process.

3. SCOPE OF WORK

The IDC Childcare Development Centre (CDC) is seeking to appoint a credible qualified service provider/s who have the capability and experience to provide the following extra-mural activities:

- Drama & Music (instrumental and vocal)
- Dance (ballet and modern dance)
- Computer lessons
- Soccer
- Karate

The successful service provider will be expected to provide all the necessary equipment for the following activities:

- Drama & Music (instrumental and vocal)
- Computer lessons
- Soccer
- Karate

4. PROJECT TIMELINES

The appointed service provider(s) will be required to start immediately after signing the contract and provide the services for a period of 36 month's subject to six (6) monthly performance reviews.

5. EVALUATION CRITERIA

5.1 Mandatory Technical Requirements

The service provider must indicate their compliance/ non-compliance to the following requirements and to substantiate as required. The bidder must respond in the format below, where additional information is provided/ attached somewhere else; such information must be clearly referenced.

5.1.1 COMPLIANCE TO SOCIAL DEVELOPMENT	Comply	Partially Comply	Not Comply
The bidder must be registered with the Department of Social Development.			
Substantiate / Comments			

5.2 Other Technical Requirements

The service provider must indicate their compliance/ non-compliance to the following requirements and to substantiate as required. The bidder must respond in the format below, where additional information is provided/ attached somewhere else; such information must be clearly referenced.

5.2.1 BIDDER'S EXPERIENCE	Comply	Partially Comply	Not Comply
The bidder must demonstrate relevant experience in overseeing and managing extra mural activities mentioned in the scope of work above.			
The bidder must provide three (3) relevant contactable references of similar work done in the past 5 (five) years. Please refer to Table (a) of Annexure 3 of this document for the format in which the required information must be provided.			
Substantiate / Comments			

5.2.2 BIDDER'S PROPOSED METHODOLOGY	Comply	Partially Comply	Not Comply
<p>The bidder must demonstrate thorough understanding of the objectives and deliverables of this project.</p> <p>The bidder must provide a detailed proposal of the methodology/ approach to be used to carry out the scope of work outlined above.</p> <p>Please provide a sample of the timetable to be used for these activities.</p>			
Substantiate / Comments			

5.2.3 QUALIFICATIONS AND SKILLS OF KEY PERSONNEL	Comply	Partially Comply	Not Comply
<p>The bidder's key personnel of the proposed team must have relevant qualifications, skills and experience.</p> <p>The bidders must submit, as part of its proposal, the following:</p> <ul style="list-style-type: none"> • The structure and composition of the proposed team, clearly outlining the main disciplines/ specialties of this project and the key personnel responsible for each specialty. Please refer to Table (c) Annexure 3 of this document for the format in which the required information must be provided. • CVs of the key personnel; and the CVs must clearly highlight qualifications, areas of experience/ competence relevant to the tasks and objectives of this project as outlined above. 			
Substantiate / Comments			

SECTION 3: Cost Proposal

1 Please indicate your total bid price here: R.....
(Excluding VAT)

2 **NOTE: All prices must be VAT exclusive and must be quoted in South African Rand (ZAR).**

3 Are the rates quoted firm for the full period of the contract?

YES	NO
-----	----

Important: If not firm for the full period, provide details of the basis on which price adjustments shall be applied e.g. CPI etc.

4 All additional (other) costs associated the bidder's offer must be clearly specified and included in the total bid price.

5

Is the proposed bid price linked to the exchange rate?	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
<i>If yes, the bidder must indicate CLEARLY which portion of the bid price is linked to the exchange rate:</i>		

6

Payments will be linked to specified deliverables after such deliverables have been approved by the IDC. Payments will be made within 30 days.	Comply	Not Comply
	<input type="checkbox"/>	<input type="checkbox"/>

7

The IDC reserves the right to consider the guidelines on consultancy rates as set out in the National Treasury Instruction 01 of 2013/2014: Cost Containment Measures which took effect from 01 January 2014, where relevant.	Comply	Not Comply
The bidder must indicate if their proposed rates are in line with the provisions of the referenced National Treasury Instruction: Cost Containment Measures.	<input type="checkbox"/>	<input type="checkbox"/>
Substantiate / Comments		

8 **COSTING MODEL**

Description	Quantity – activity per month	Age group	Number of children	Total cost per month per child
Drama & Music (instrumental and vocal)	4	2-5 years	10	
Dance (ballet and modern dance)	4	3-5 years	15	
Computer lessons	4	3-5 years	5	
Soccer	4	2-5 years	20	
Karate	4	4-5 years	10	
Disbursements				
Total Price (VAT Exclusive)				

Description		Fixed Monthly Fee (VAT Excl.)	Total Cost Per Annum (VAT Excl.)
Extra mural activities at IDC crèche	Year 1		
	Year 2		
	Year 3		
Total Bid Price (VAT Excl.)			

Note: Disbursements and any other (additional) costs must be clearly defined (outlining all assumptions) and a detailed breakdown thereof must be provided.

9 **SUMMARY OF THE PROPOSAL**

DESCRIPTION	BIDDER'S PROPOSAL
Number of resources (personnel)	
Project duration (in hours)	
Project duration (in months)	
Commencement Date	

Price Declaration Form

Dear Sir,

Having read through and examined the Request for Quotation (RFQ) Document, **RFQ19/04/69** the General Conditions, The Requirement and all other Annexures to the RFQ Document, we offer to provide **Extra mural activities at IDC crèche** at a total amount of:

R..... (Excluding VAT)

In words

R.....(Excluding VAT)

We confirm that this price covers all activities associated with the project management and consulting service, as called for in the Tender document. We confirm that IDC will incur no additional costs whatsoever over and above this amount in connection with the provision of this service.

We undertake to hold this offer open for acceptance for a period of 120 days from the date of submission of offers. We further undertake that upon final acceptance of our offer, we will commence with the provision of service when required to do so by the IDC.

We understand that you are not bound to accept the lowest or any offer and that we must bear all costs which we have incurred in connection with preparing and submitting this tender.

We hereby undertake for the period during which this tender remains open for acceptance not to divulge to any persons, other than the persons to which the tender is submitted, any information relating to the submission of this tender or the details therein except where such is necessary for the submission of this tender.

SIGNED _____ **DATE** _____

(Print name of signatory)

Designation _____

FOR AND ON BEHALF OF:	COMPANY NAME	_____
	Tel No	_____
	Fax No	_____
	Cell No	_____

Annexure 1 - Supply chain management practices questionnaire

Request for Proposal

No: _____

Name of Respondent: _____

Authorised signatory: _____

[Note to the Respondent: the Respondent must complete the information set out below. If the Respondent requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with Returnable Schedule 2.]

The Respondent must complete the following questionnaire.

Respondent's past supply chain management practices:

Item	Question	Yes	No
3.1	Is the Respondent or any of its directors listed on the South African National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the South African National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If so, provide particulars:		
3.2	Is the Respondent or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the <i>Prevention and Combating of Corrupt Activities Act</i> No 12 of 2004? 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 +27123265445.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If so, provide particulars:		
3.3	Was the Respondent or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If so, provide particulars:		
3.4	Does the Respondent relate to any IDC employee or part of IDC current or past staff (employee) establishment?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Item	Question	Yes	No
	If so, provide particulars:		
3.5	Was any contract between the Respondent and any organ of state (within the Republic of South Africa or within any foreign territory) terminated during the past five years on account of failure to perform on or comply with the contract?		
	If so, provide particulars:		

I, _____ (print name) hereby certify that the information, facts and representations are correct and that I am duly authorized to sign on behalf of the company.

Name of Company:

Company Registration Number:

Company VAT Registration Number:

Signature

Date

Annexure 2 – 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.

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

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

2.2 Identity Number.....

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

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.

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.

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

2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institutions:.....

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
of this bid?

2.10.1 If so, furnish particulars.

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

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:

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

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

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

4. DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE IDC MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

Annexure 3 – Shareholders’ Information

[Note to the bidder: the bidder must complete the information set out below. If the bidder requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with Returnable Schedule 2.]

3.1 Current Shareholders/ Members

Name of the shareholder	ID Number	Race	Gender	% shares

Note: The bidder must also attach the detailed Company/ Group Structure where relevant.

3.2 Black Shareholders/ Members as per the B-BBEE Certificate

Name of the shareholder	ID Number	Race	Gender	% shares
Total Black Shareholding % as per the current and valid B-BBEE Certificate				

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

CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

Annexure 4: Declaration Certificate for Local Production and Content for Designated Sectors

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8. (2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?
(**Tick applicable box**)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information are accessible on www.resbank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY
--

(CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in

paragraph 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

WITNESS No:1 _____

DATE: _____

WITNESS No:2 _____

DATE: _____

Annexure 5: Certificate of Independent Bid Determination

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

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

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

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. 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.

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.**

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.
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

Annexure 6 – BEE COMMITMENT PLAN

The IDC encourages existing vendors and prospective bidders to support the objectives of B-BBEE and as far as possible strive to improve their B-BBEE contribution status. For bid evaluation purposes, bidders are allocated points in terms of a preference point system based on the B-BBEE Contribution Level status that is in accordance with a valid B-BBEE certificate. Bidders are therefore required to submit a B-BBEE improvement plan in view of the new B-BBEE Codes of Good Practice. Bidders must indicate the extent to which their ownership, management control, employment equity, preferential procurement and enterprise development will be maintained or improved over the contract period in the event that they are successful in this bid process.

Note: Bidders must attach the BEE commitment plan as annexure 6 of this document.