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REQUEST FOR PROPOSAL (RFP)

BID NO: MGSLG/2024/ERM-001

CLOSING DATE: MONDAY, 22 APRIL 2024 AT 12:00

TENDER NAME:

**INVITATION TO BID: APPOINTMENT OF SERVICE PROVIDERS TO
CONDUCT ENTERPRISE WIDE RISK MANAGEMENT AND
ADVOCACY OF SCHOOL SAFETY ASSESSMENTS FOR MATHEW
GONIWE SCHOOL OF LEADERSHIP AND GOVERNANCE
(MGSLG) FOR A PERIOD OF TWENTY FOUR (24) MONTHS**

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1. INTRODUCTION

- 1.1 The Mathew Goniwe School of Leadership and Governance (MGSLG) as part of the Gauteng Department of Education was established in 2001 as a strategic entity to implement various operational programmes within the Gauteng Province to improve education. Over the years the institution focused on deliverables as per the Memorandum of Understanding with the GDE, as growth and expansion emerges it became a duty of management to proactively measures the challenges through the development an Enterprise-wide Risk Management to address challenges on risks identified over the years. The process is to systematically identify, analyze, and mitigate risk across the MGSLG and the areas of responsibility , by ensuring that the assets, stakeholders, and strategic objectives are secured. The institution manages two campuses (Vrededorp-Head Office and Benoni) and also responsible for 15 District with 245 schools across the Gauteng Province.
- 1.2 Enterprise Wide Risk Management for this RFP require the process that evaluates the likelihood that adverse health and safety effects may occur, due to exposure to one or more risks. The process will be used to systematically evaluate and organize data, information, assumptions and uncertainties to assist understanding and predict the relationships between risks on health and safety effects. This is in a way that is useful for management decision making. An assessment may involve health and safety of stakeholders, premises, employees and communities, the risks associated with safety may interlinked to internal and external effects.
- 1.3 Enterprise Wide Risk Assessments should be developed within a risk management context to evaluate human-induced changes that are considered undesirable. As a results risks and adverse effects generated or influenced by workplace activity should be assessed and analyzed. Unavailability of information on the risks that emanate from workplace can result in conditions that might lead to illnesses/ diseases/ robberies/ injuries and operational ineffectiveness which may affect the MGSLG and its stakeholders. In turn this could lead to high absenteeism, business fragmentation and employee turnover, which obstructs effective service delivery. This RFP is in terms of Preferential Procurement Policy Framework Act of 2000 and its 2022 regulations and is issued on basis of 80/20 preferential point system.

2. PURPOSE

- 2.1 The MGSLG invites bidders to participate and submit bids/proposals for the appointment of a service provider/s to conduct Enterprise Wide Risk Assessment in MGSLG premises for a period of twenty four (24) months.
- 2.2 Bidders are requested to complete the tender documents and submit them in accordance with the stipulations terms and conditions.
- 2.3 Bidders must be cognizant of that failure to submit and complete required information will lead to unsuccessful and or, disqualification during the evaluation process.

3. OBJECTIVES

- 3.1 To identify risks existing in the MGSLG premises including training centers.
- 3.2 To identify risks existing in the Gauteng District (school) premises.
- 3.3 To assess and measure the exposure rate levels of the risks to all critical stakeholders.
- 3.4 To characterize the risk identified in terms of strategic, tactical and operational.
- 3.5 To make recommendations in relation to mitigating and controlling the risks to the MGSLG.
- 3.6 The MGSLG will appoint the service provider(s) with the vast experience in the education industry, who scored the highest points in technical and specific goals.

4. SCOPE OF WORK

- 4.1 Conduct a comprehensive review of MGSLG's current risk management practices, policies and procedures.
- 4.2 Engage stakeholders at all levels to gather input and insights regarding potential risks and mitigating strategies.
- 4.3 Utilize industry best practice and methodologies to identify and assess risks associated with operations, projects/programmes and strategic objectives.
- 4.4 Develop a detailed risk register, prioritizing identified risks based on their likelihood of occurrence and potential impact.
- 4.5 Recommend tailored risk treatment and mitigation strategies for each identified risk, including risk avoidance, reduction, transfer or acceptance.
- 4.6 Design and implement a robust monitoring and review framework to track the effectiveness of risk mitigation measures over time.
- 4.7 Provide training and capacity sessions for key personnel to enhance risk awareness and management capabilities within the MGSLG.
 - 4.7.1 Mathew Goniwe School of Leadership and Governance, 40 Hull street, Vrededorp, Johannesburg, 2092.
 - 4.7.2 Mathew Goniwe School of Leadership and Governance, 55 Elston Avenue, 55 Alleston Street Benoni , 1501.
 - 4.7.3 Assessment of schools safety and security of the following districts:

No.	District	Number of Schools
1	Ekurhuleni North	11
2	Ekurhuleni South	12
3	Gauteng East	26

4	Gauteng North	16
5	Gauteng West	17
6	Johannesburg Central	30
7	Johannesburg East	15
8	Johannesburg North	20
9	Johannesburg South	15
10	Johannesburg West	11
11	Sedibeng East	16
12	Sedibeng West	10
13	Tshwane North	14
14	Tshwane South	14
15	Tshwane West	15
TOTAL		245

4.8 Programme Management

4.8.1 Be available for all meetings.

4.8.2 Be available for all management meetings for the duration of the project

4.8.3 Submit reports as per Service Level Agreement

4.9 Formative research

4.9.1 Conduct rapid situational analysis with respect to stakeholder profiles, MGSLG staff i.e., demographics, geographical distribution, risk areas and conditions of the MGSLG to be well vast with the areas.

4.10 Safety risk assessment

4.10.1 Develop the plan.

4.10.2 Design an assessment tool in consultation with the relevant business units

- 4.10.3 Establish a programme of implementation
- 4.10.4 Risk evaluation (Consequence, frequency, and probability)
- 4.10.5 Evaluations of controls and effectiveness
- 4.10.6 Development of safe work procedures in response to risk identified
- 4.10.7 Development of checklists
- 4.10.8 Development of toolbox talks
- 4.10.9 Development of accident investigation templates
- 4.10.10 Development of incident reporting templates
- 4.10.11 Writing of the preliminary report
- 4.10.12 Completion of the project

4.11 OUTPUT AND DELIVERABLES

No.#	Description	Items
4.5.1	Document all aspects of the programme. Deliver the following reports in hard and soft copy	<ul style="list-style-type: none"> ▪ The risk assessment matrix (soft copy in excel and hard copy) ▪ Safety work procedures ▪ Checklists ▪ Toolbox talk ▪ Incident investigation templates ▪ Incident reporting templates ▪ A situational analysis reports (overview) ▪ Monthly hard and electronic copies of reports of risk assessment progress ▪ A preliminary overall risk assessment report ▪ A final report
4.12 ALL MATERIAL DEVELOPED WILL REMAIN THE PROPERTY OF THE MGSLG		
4.6.1	All material must include the letterhead of the MGSLG	
4.6.2	The MGSLG must have an unlimited license to use, adapt and reproduce the documents/materials	
4.6.3	Service providers may not claim intellectual/copy right to material produced and used for purpose of this project	
4.7 ROLE AND RESPONSIBILITIES OF THE MGSLG		
4.7.1	Provide the service provider reasonable access to all information required for the planning and execution of the consultancy.	
4.7.2	Ensure that the environment is enabling officers / consultants to function in all premises during the assessment period.	
4.7.3	Manage and support the service provider.	
4.7.4	Identification of participants/ stakeholders	
4.7.5	Participate in identifying suitable dates for the plan	
4.8 TIMEFRAMES		
4.8.1	The project is expected to commence as soon as a suitable service provider (s) has been appointed.	

5. EVALUATION AND SELECTION PROCESS

5.1 The MGSLG will evaluate all proposals in terms of the Preferential Procurement Policy Framework Act No.5 of 2000 (PPPFA) and its regulations 2023. In accordance with the PPPFA, submissions will be adjudicated on 80/20 points system and the evaluation criteria. This bid will be evaluated in three (3) phases, namely: Administrative and Mandatory Compliance, Functionality, Food Presentation/ Due Diligence and Price & Specific goals.

5.2 Bidders must attach the following mandatory returnable documents in order to be considered for this bid:

- 5.2.1 Original and valid tax clearance or Printed copy tax clearance certificate accompanied by a pin for further verification.
- 5.2.2 Certified ID(s) copies of company director(s). Certified Proof of company registration.
- 5.2.3 Proof of registration on National Treasury Central Supplier Database (CSD) not older than one month.
- 5.2.4 Company municipal rates, electricity or water account not older than three months, proof of Residential lease or rental or sworn affidavit if the business operates at a place of residence.
- 5.2.5 Completed and signed Standard Bidding Document (SDB) attached in the tender document.
- 5.2.6 Proof of company banking details e.g., bank letter with bank stamp, Company bank statement, code rating letter from the bank or any physical proof from the bank, the evidence must not be older than three months.

5.3 Preference Point Claim Form

- 5.3.1 Non-submission of the Preference Point Claim Form will lead to a zero (0) score on specific goals.
- 5.3.2 Proof of Specific goals Ownership and verification will be confirmed using the following documents namely:
 - 5.3.2.1 CIPC documents,
 - 5.3.2.2 valid copy of B-BBEE certificate,
 - 5.3.2.3 copy of Identity document, or
- 5.3.3 Company profile with a minimum of 5 years' experience in working in the relevant field.
- 5.3.4 Failure to submit all the above-mentioned document will result to the disqualification of the bid.

5.4 This RFP will follow three (3) stage evaluation procedure:

- 5.4.1 Stage 1: Mandatory Requirements verification
- 5.4.2 Stage 2: Technical/Functionality Evaluation.

5.4.3 Stage 3: Tender pricing and specification goals.

NB: the MGSLG reserves the right to request the lease agreement document annually.

5.4.4 Bids will be evaluated strictly according to the bid evaluation criteria stipulated in this section of the Terms of Reference (TOR). During this stage, bidders' responses will be evaluated for functionality based on achieving a minimum score of seventy percent (70%). Bidders who obtain less than 70% in the functionality points will be regarded as non-responsive and will be eliminated from the evaluation process.

5.4.5 Bidders must, as part of their bid documents, submit supportive documentation for all technical requirements as indicated in this document. The panel responsible for scoring the respective bids will evaluate and score all bids based on their submissions and the information provided.

5.4.6 Bidders will not rate themselves but need to ensure that all information is supplied as required. The Bid Evaluation Committee (BEC) will evaluate and score all responsive bids and will verify all documents submitted by the bidders.

5.4.7 The panel members will individually evaluate the responses received against the following criteria as set out below:

NO.	CRITERIA	POINTS	WEIGHTS
	DESCRIPTION		
1	<p>A minimum of two (2) reference letters from the previous clients where risk assessment services were rendered. The reference letters must be on client letterhead and contain the following:</p> <ul style="list-style-type: none"> • Nature of service, dated, name, and surname of contact person • including contact details (telephone, and e-mail address) • Allocated points: <ul style="list-style-type: none"> ○ no reference letter ○ 1 reference letter ○ 2 reference letters ○ 3 reference letters <p>PLEASE NOTE: Reference letters from one (1) company will be counted as 1 reference letter (These reference letters will be confirmed with the referee for authenticity) The signature date of the reference letters will be used to determine the validity of the three (3) years.</p>	<p>0</p> <p>15</p> <p>20</p> <p>25</p>	25

<p>2.</p>	<p>METHODOLOGY, TIMELINES AND PROJECT PLAN:</p> <p>The service provide must provide a detailed methodology explaining project execution process that will cover all project scope of work and project milestones. The methodology must show timeline throughout the project lifecycle. The bidder must provide a methodology and framework for risk assessment. The methodology must discuss in detailed the following:</p> <ul style="list-style-type: none"> ➤ Shows clear understanding of the scope and deliverables in the TOR's by providing a clear articulation of the project scope and deliverables. ➤ Highlight various theories that will be used in the project and how each theory will be applied in the project. ➤ Outline an approach that will be undertaken sample units of analysis of the above identified risks and mitigating factors. ➤ Outline various methods to be used to access the MGSLG dashboard for various types of risks. ➤ Provide a clear outline of skills transfer to MGSLG staff ➤ Provide a program management framework and communication plan. <p>Points will be allocated based on the relevance of the project methodology which is structured as follows:</p> <p>Exceptionally defined methodology indicating all the above elements and articulating a clear understanding of the scope, design activities, deliverable, programme beneficiaries and reporting schedules with realistic and reliable timelines</p> <p>Moderately defined methodology with four (4) of the above elements articulated.</p> <p>Poorly defined methodology with 2 elements articulated</p> <p>None</p>	<p>35</p> <p>35</p> <p>25</p> <p>15</p> <p>0</p>	<p>35</p>
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3.	<p>Qualification and experience of the proposed team members in security, risk, finance and legal including any relevant certifications or specialized training. Furthermore, have an association or research fellowship with a University. Alignment with the MGSLG and District's needs and objectives, as demonstrated through a thorough understanding of the scope of work</p> <p>PHD in related studies security, risk, finance and legal including any relevant certifications or specialized training. Furthermore, have an association or research fellowship with a University.</p> <p>Masters in related studies finance / risk / legal/ security/ and relevant qualification with experience in conducting and developing risk assessment services.</p> <p>Bachelor's Degree in related studies finance / risk / legal/ security/ and relevant qualification with experience in conducting and developing risk assessment services.</p> <p>National Diploma in related studies finance / risk / legal/ security/ and relevant qualification with experience in conducting and developing risk assessment services.</p> <p>None</p>	<p>20</p> <p>15</p> <p>10</p> <p>5</p> <p>0</p>	20
4	<p>The service provide must provide a detailed project plan articulating project deliverables, miles stones, and timelines. The project plan must show resources to be used throughout the project lifecycle. The project must discuss in detailed the following:</p> <ul style="list-style-type: none"> ➤ Exceptional: Detailed project plan, deliverables, and milestones. ➤ Moderate: Project with limited details of plans, deliverables, and milestones ➤ Poorly drafted project plan with unrealistic deliverables and no resources allocated. ➤ No project plan 	<p>20</p> <p>15</p> <p>10</p> <p>0</p>	20
Total			100%
Minimum Qualifying Score			70%

5.4.8 Each panel member will rate each individual criterion as per the above point allocation scales:

5.4.8.1 The value scored for each criterion will be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for each criterion. These marks will be added and expressed as a fraction of the best possible score for all criteria.

5.4.8.2 This score will be converted to a percentage and only bidders that have met or exceeded the minimum threshold of 70% for functionality will be evaluated and scored in terms of pricing and socio-economic goals as indicated hereunder.

5.4.8.3 Any proposal not meeting a minimum score of 70 percent technical proposal will be regarded as non-responsive and it will not be evaluated further.

6. STAGE 3: EVALUATION ON PRICE AND SPECIFIC GOALS

6.1 Price Calculations

6.1.1 The following formula must be used to calculate points out of 80 for price in respect of an invitation for a tender with a rand value from R 2000.00 to or below R50 millions inclusive of all applicable taxes:

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration, inclusive of VAT

P_{\min} = Comparative price of lowest acceptable bid, inclusive of VAT

6.1.2 Allocation of Preference Points Based on Specific Goals

6.1.3 The MGSLG tenders will be evaluated on the following specific goals premised on addressing the legacy of apartheid's historical injustices, with a consideration on the following categories (of Historically Disadvantaged People - HDP) race, gender, youth, and people with disability. A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

6.1.4 Preferential points will be allocated as per tables below:

6.1.4.1 Black ownership points will be awarded to a Tenderer who has 30% or more black ownership. Black ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

Black Ownership	(80/20) Preference Point System
100% Black Ownership	8
51% to 99% Black Ownership	5
Less than 51% Black Ownership	0

6.1.4.2 Black youth ownership points will be awarded to a Tenderer who has 30% or more black youth ownership. Black youth ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

Black Youth Ownership	(80/20) Preference Point System
100% Black Youth Ownership	4
30% to 99% Black Youth Ownership	2
Less than 30% Black Youth Ownership	0

6.1.4.3 Black women ownership points will be awarded to a Tenderer who has 30% or more black women ownership. Black women ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

Black Women Ownership	(80/20) Preference Point System
100% Black Women Ownership	4
30% to 99% Black Women Ownership	2
Less than 30% Black Women Ownership	0

6.1.4.4 Township Ownership points will be awarded to a Tenderer who has a 20% or more township ownership owners. Township ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

Business in Township	(80/20) Preference Point System
100% Business in Township	4
51% to 99% Business in Township	2
Less than 51% Business in Township	0

1.1.1 Points scored will be rounded off to the nearest 2 decimals.

1.1.2 In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for specific goals. Should two or more bids be equal in all respects, the award shall be awarded to the bidder who scored a highest functionality points, should two or more bids be equal after this, the award shall be decided by drawing of lots.

1.1.3 A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

1.1.4 MGSLG reserves the right to arrange contracts with more than one contractor.

1.1.5 MGSLG reserves a right to withdraw, cancel or not to award this tender.

1.2 Failure to submit all of the above-mentioned documents will result to the disqualification of the bid.

1.2.1 The bidder should apply for registration on the MGSLG Supplier Database. Application forms for registration are available on the MGSLG Website www.mgslg.co.za . The duly completed application form should be submitted together with the proposal.

7. VALIDITY PERIOD

1.3 Bid is valid for 30 days, the validity of this bid may be extended in the event that it is not finalized within the validity period.

8. COMMUNICATION

1.4 Supply Chain Management (SCM) Unit will communicate with bidders for, among others, where bid clarity is sought, to obtain information or to extend the validity period. Any communication either by facsimile, letter or electronic mail or any other form of correspondence to any official or representative of MGSLG in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

9. PROHIBITION OF RESTRICTIVE PRACTICES

- 1.5 In terms of section 4(1) of the Competition Act No. 89 of 1998, as amended, an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a bidder(s) is (are) or a contractor(s) was/were involved in:
- 1.5.1 Directly or indirectly fixing a purchase or selling price or any other trading condition;
 - 1.5.2 Dividing markets by allocating customers, suppliers, territories or specific types of goods or services; or
 - 1.5.3 Collusive bidding.
- 1.6 If a bidder(s) or contractor(s), in the judgement of the purchaser, has/have engaged in any of the restrictive practices referred to above, the purchaser may, without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered or terminate the contract in whole or in part and refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998.

10. FRONTING

- 1.7 MGSLG, in compliance with regulations, supports the spirit of Previously Disadvantage Individual on Economic Empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the MGSLG condemns any form of fronting.
- 1.8 MGSLG, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine that accuracy of the representation made in bid documents.
- 1.9 Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry (DTI), be established during such enquiry/investigation, the onus will be on the bidder/contractor to prove that fronting does not exist.
- 1.10 Failure to do so within 14 days from date of notification may invalidate the bid/contract and may also result in restriction of the bidder/contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies MGSLG may have against the bidder/contractor concerned.
- 1.11 The awarded bidder cannot sub-contract more than 25% of the total project value to the company that is non-compliant with B-BBEE companies.

11. BRIEFING SESSION

1.12 There will be no briefing session for these requirements, any queries or inquiries should be directed to procurement@mgsi.co.za. The email serves as a means for bidders to seek clarification on specific aspects outlined in this document and address any significant issues they may encounter.

12. PACKAGING OF BID

1.13 The bidder shall place both the sealed Technical Proposal and Price/Financial Proposal envelopes into an outer sealed envelope or package, and must be clearly marked as follows:

1.13.1 Envelop Number 1: Bid Name and Number Technical Proposal;

Bid No
Description
Bid Closing date and Time
Name and Address of Bidder
In this envelope, the bidder shall only address the technical aspects of the bid.

1.13.2 Envelope Number 2: Bid Name and Number Price proposal

Bid No
Description
Bid Closing date and Time
Name and Address of Bidder
In this envelope, the bidder shall only provide the price/financial proposal.
The Technical Proposal envelope and Financial Proposal envelope shall contain one original hard copy document, clearly marked "Original" and One (1) hard copies, clearly marked "Copy".

13. TIMEFRAMES AND FORMAL CONTRACT

Successful bidder(s) will be required to enter into formal contract with MGSLG for the duration of the project.

14. PRESENTATION

MGSLG may require presentation/interviews from shortlisted bidders as part of the bid process.

15. CONTACT DETAILS

<p>MGSLG Supply Chain Management Private Bag X9, Melville, 2109</p>	<p>Postnet Suite 161, Melville, 2109</p>
<p>Physical Address: 40 Hull Street, Vrededorp For general enquiries: procurement@mgsi.co.za For technical enquiries: procurement@mgsi.co.za. The bidder is instructed to submit their proposals together with the following documents. Failure to submit complete documentation will render the bidder's proposal null and void.</p>	

16. PART "A" : INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF MGSLG					
BID NUMBER:		CLOSING DATE:		TIME:	
DESCRIPTION	APPOINTMENT OF SERVICE PROVIDERS TO CONDUCT ENTERPRISE WIDE RISK MANAGEMENT AND SCHOOL SAFETY FOR MATHEW GONIWE SCHOOL OF LEADERSHIP AND GOVERNANCE (MGSLG) FOR A PERIOD OF TWENTY FOUR (24) MONTHS				
BID DOCUMENTS MUST BE DEPOSITED AT MGSLG IN THE BID BOX SITUATED AT					
40 HULL STREET, VREDEDORP, 2029					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER:			TELEPHONE NUMBER:		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE	CODE		NUMBER		
E-MAIL					
VAT REGISTRATION NUMBER:					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN		OR	CENTRAL SUPPLIER DATABASE NO.	MAAA
ARE YOU ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERD?	<input type="checkbox"/> YES <input type="checkbox"/> NO [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIR FOR THE GOODS /SERVICES /WORKS OFFERD?		<input type="checkbox"/> YES <input type="checkbox"/> NO [IF YES ANSWER THE QUSTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE BRANCH IN RSA?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT AV REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

1.14 PART “B” : TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION

- 1.1 Bids must be delivered by the stipulated time to the correct address.
- 1.2 Late bids will not be accepted for consideration.
- 1.3 All bids must be submitted on the official forms provided- (Not to be re-typed) or in the manner prescribed in the bid document.
- 1.4 This bid is subject to Preferential Procurement Policy Framework Act, 2000 and the Preferential Regulation Act, 2022, The General Condition of Contract (GCC) and, if applicable, any other Special Conditions of Contract.
- 1.5 The successful bidder will be required to fill in and sign a written contract form (SBD7)

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 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.
- 2.2 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.
- 2.3 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.
- 2.4 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.
- 2.5 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 2.6 Copies of the TCC 001 “Application for a Tax Clearance Certificate” form are available from any SARS
- 2.7 Branch office nationally or on the website www.sars.gov.za.
- 2.8 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.

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

SIGNATURE OF BIDDER

CAPACITY UNDER WHICH THIS BID IS

(Proof of authority must be submitted e.g. company resolution)

DATE:

**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

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

ITEM QUANTITY DESCRIPTION BID PRICE IN RSA CURRENCY
NO. ** (ALL APPLICABLE TAXES INCLUDED)

Name of bidder.....	Bid number.....
Closing Time 12:00	Closing date.....

No#	Description	Items	Quantity	Year 1	Year 2
001	Assessments	Vrededorp	Per Scope	R	
		Benoni	Per Scope	R	
		Districts	Per Scope	R	
002	Execution	Vrededorp	Per Scope	R	R
		Benoni	Per Scope	R	R
			Per Scope	R	R
003	Deliverables	Vrededorp	Per Scope	R	R
		Benoni	Per Scope	R	R
004	Final Report/Close-out Report	Vrededorp	Per Scope	R	R
			Per Scope	R	R

FROM OF OFFER

Please provide bid price below in figures and in words:

BID PRICE IN FIGURES R.....

BID PRICE IN WORDS

.....

.....

.....

The bidder must attached separate price breakdown schedule that demonstrate each line item that makes up the grand total above

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

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

17. DECLARATION OF INTEREST

1.1 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-

1.1.1 the bidder is employed by the state; and/or

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

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

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

2. Identity Number:

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

4. Company Registration Number:

5. Tax Reference Number:

6. VAT Registration Number:

7. 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.

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

8.1 If so, furnish the following particulars:

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

Name of state institution at which you or the person

connected to the bidder is employed :

Position occupied in the state institution:

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

8.2 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**

8.2.1 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.

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

8.3 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**

8.3.1 If so, furnish particulars:
.....
.....
.....

8.4 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**

8.4.1 If so, furnish particulars.
.....
.....
.....

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

8.6.1 If so, furnish particulars.

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

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

8.8.1 If so, furnish particulars:

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

Full details of directors / trustees / members / shareholders.

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

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

18. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

1.1.1 the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1.2 To be completed by the organ of state
(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- a) Price; and
- b) Specific Goals.

1.4 The maximum points for this tender are allocated as follows

Description	Points
Price	80
Specific Goals	20
Total points for Price and Specific Goals	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation

to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

- b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1 POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

1.1 Price Calculations

- 1.1.1 The following formula must be used to calculate points out of 80 for price in respect of an invitation for a tender with a rand value from R 2000.00 to or below R50 millions inclusive of all applicable taxes:

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration, inclusive of VAT

P_{\min} = Comparative price of lowest acceptable bid, inclusive of VAT

1.1.2 Allocation of Preference Points Based on Specific Goals

1.1.3 The MGSLG tenders will be evaluated on the following specific goals premised on addressing the legacy of apartheid's historical injustices, with a consideration on the following categories (of Historically Disadvantaged People - HDP) race, gender, youth, and people with disability. A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.
- c) Specific goals for the tender and points claimed are indicated per the table below. (Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)
- d) Preferential points will be allocated as per table below

No#	Specific Goals	(80/20) Preference Point System
Target Goal 1	Black Ownership	8
Target Goal 2	Black Youth Ownership	4
Target Goal 3	Black Women Ownership	4
Target Goal 4	Business in Township	4

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1 Name of company/firm :

5.2 VAT registration number :

5.3 Company registration number :

5.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

5.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

5.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter,
etc. [TICK APPLICABLE BOX]

5.7 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 Specific Goals 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 paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv. If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state 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 conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and

- (e) forward the matter for criminal prosecution

WITNESSES:

- 1.

- 2.

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

DATE:.....

ADDRESS:.....

.....

.....

19. 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, 2011, 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, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids 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) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6 A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;

2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);

2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;

2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the 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).

2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;

2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;

2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and

2.9. **“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.

3. 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>
_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content?
(Tick applicable box)

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

- 4.1 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 at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.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.

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?
(Tick applicable box)

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

- 5.1. If yes, provide the following particulars:

- (a) Full name of auditor:.....
 (b) Practice number:
 (c) Telephone and cell number:.....
 (d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

6. 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.thdti.gov.za/industrialdevelopment/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
- (ii) the declaration templates have been audited and certified to be correct.

(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 4.1 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 4.1 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 of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

20. CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .

2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder’s past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
2

21. CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity
as.....
accept your bid under reference numberdated.....for the rendering
of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and
conditions of the contract, within 30 (thirty) days after receipt of an invoice.

<i>DESCRIPTION OF SERVICE</i>	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES	
1
2
DATE:	

22. 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>(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).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	If so, furnish particulars:		

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <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

23. CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

24. CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

BID No. MGSLG/2024

in response to the invitation for the bid made by:

MATTHEW GONIWE SCHOOL OF LEADERSHIP AND GOVERNANCE

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)

- (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
 9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
 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

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.

TENDER REFERENCE REQUEST FORM

Please may we request that this reference is completed and returned electronically to procurement@mgsi.co.za, please return by latest, DATE at 12:00.

Tender Name: MGSLG/2024/
Reference: 04/2024/

Reference in respect of (name of the company the reference is being provided for):

Details of the person completing the reference:

NAME : _____

JOB TITLE : _____

COMPANY : _____

TELEPHONE NUMBER : _____

EMAIL ADDRESS : _____

Please provide a description of services/products/works successfully delivered /completed by this organisation for your business, during the last 3 years (for goods/services) or 5 years (for works). Please note, this is *for information only*.

Date period	Value (R)	Description of services/products/works delivered/provided

Reference Questions

Please answer all of the following questions using the scoring method detailed below:

- 4 = Excellent
- 3 = Good
- 2 = Satisfactory
- 0 = Unsatisfactory

Question No	Question	Satisfaction Score
1	How do you rate the quality of the services delivered by this organisation?	
2	How well does/did this organisation manage the delivery of the services?	
3	For those involved in the delivery of services, how do you rate the organisation's staff in terms of competency and experience?	
4	How well does/did the organisation work in partnership with you and other stakeholders?	
5	How well the organisation does/did communicate with and involve service users and/or customers? (Did they provide regular updates over the course of the project)	
6	How effective and timely are/were they at responding to requests for information?	
7	How well do you consider the organisation met/meets the needs of your service users and/or customers? (Did they understand your business as a the client)	
8	How well does/did the organisation deliver the services to the agreed timescales?	
9	How well does/did the organisation deliver the services within the agreed budget?	
10	Would you recommend this organisation as a supplier to other organisations/businesses?	

Date:

Signature:

Company Stamp