

**REQUEST FOR PROPOSALS FROM SERVICE PROVIDERS
FOR THE RENDERING OF CATERING SERVICES AT THE TRADE AND INVESTMENT
KWAZULU-NATAL OFFICE IN DURBAN FOR 24 MONTHS**

REFERENCE NUMBER: 3130/2015/05

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1. INTRODUCTION

Trade & Investment KwaZulu-Natal (TIKZN) is a provincial trade and investment promotion public entity, mandated by the KwaZulu-Natal Department of Economic Development Tourism and Environmental Affairs (KZN EDTEA) to promote the province as an investment destination and to promote trade by assisting KwaZulu-Natal (KZN) based companies to identify local and international markets to export their products.

1.1. PROJECT PURPOSE

The purpose of this project is to appoint three (3) suitable service providers who will render catering services on a rotational basis to TIKZN at their premises in the Kingsmead office park in Durban for a period of 24 months.

1.2. SERVICE PROVIDER'S TERMS OF REFERENCE

It is the intention of TIKZN to enter into a formal Service Level Agreement with the successful Service Provider to provide the services described hereunder.

The Terms of Reference (TOR) would serve to guide the process of selecting and appointing a qualified service provider by ensuring a match between TIKZN's requirements and the knowledge and experience of the service provider.

These TORs and the consultant's proposal will form the basis of the service level agreement to be entered into between the parties.

1.3. BACKGROUND

TIKZN requires an experienced service provider that will be able to render catering services at the TIKZN premises within the Kingsmead office park in Durban.

1.4. SCOPE OF SERVICES

TIKZN wishes to enter into contracts with three (3) service providers to provide catering services on a rotational basis for a period of 24 months.

- The preferred service provider/s must be prepared to cater for all dietary preferences, including but not limited to religions, culture, vegetarian, kosher and halaal with valid certification from respective bodies where applicable.
- The quality of food prepared must adhere to acceptable food industry standards and must be prepared in a clean and hygienic manner in accordance with all health and safety regulations.
- The preferred service provider/s should provide adequate catering equipment, cutlery and crockery when required.
- The preferred service providers should be able to respond within 12 hours.
- Service providers must price each category and indicate the price per category from the below.
- Service provider must be able to deliver services within 12 hours of placing the order
- Shortlisted candidates will be subjected to hosting, food tasting coupled with site visit.
- Variety of menus to be provided
- The Key Account Manager will be responsible for the implementation and co-ordination of the agreement.
- Proposed rates must be valid for 24 months after the date of submission.
- The menu for all the categories is listed below and must be completed by service providers:

Morning Tea

Description	Price Incl. Of Vat
Filter coffee and a variety of teas served with cocktail muffins, scones , sandwiches and croissants and fruit and yoghurt	R..... per person per day

Lunch Menu

Description	Price Incl. Of Vat
Lunch Buffet: 2 Meat 2 Starch 2 Salads 2 Vegetables Dessert Fruit juice or Soft drinks	R..... per person per day

Afternoon Tea

Description	Price Incl. Of Vat
Filter coffee and a variety of teas served with light afternoon treats	R..... per person per day

Platters Menu

Description	Price Incl. Of Vat
1) Vegetarian platter	R..... per platter for 10 people.
2) Assorted pastry platter	R..... per platter for 10 people.
3) Assorted sandwich platter	R..... per platter for 10 people.
4) Assorted fish and chicken platter	R..... per platter for 10 people.
5) Assorted meats platter	R..... per platter for 10 people.
6) Assorted sweet pastry platter	R..... per platter for 10 people.
7) Health Platter Yoghurt , Fruit and Nuts	R..... per platter for 10 people.

Décor

- To arrange décor on tables including table cloths and floral arrangements
- Food warmers and all appliances necessary for catering
- Waiter and waitresses to be dressed appropriately when serving.

Critical Deliverables

- Delivery of equipment and setting up of food must be completed at least 45 minutes before food is served.

- The service provider may not provide a duplicate lunch buffet when booked for consecutive days.

1.5. METHODOLOGY

The Service Providers proposal must outline the methodology they intend adopting to meet the deliverables specified in paragraph 1.4 above. This outline should cover the following:

- Indicate how the project will be carried out.
- Provide a project charter with timelines.
- Provide a detailed budget for the project which must also outline a sign off and payment schedule.
- The Service Provider is expected to put clearly defined targets in line with the scope of work. The budget breakdown would therefore be linked to the target and outputs, milestones and timing thereof and the schedule of costs and payments.

2. INSTRUCTION TO SERVICE PROVIDERS

The services required by Trade & Investment KwaZulu-Natal are described in these Terms of Reference and therefore all applicable annexures which are listed as mandatory must be comprehensively covered in your proposal.

2.1. ALTERATIONS OR WITHDRAWAL OF PROPOSALS

Service Providers may withdraw their proposals by written notification on or before the closing date.

2.2. COMPULSORY PRESENTATION

All short-listed bidders may be required to present their methodology to the bid evaluation committee.

2.3. COSTS FOR PREPARATION OF RFP / RFQ PROPOSAL

The costs incurred by the Service Provider in respect of the attendance of any briefing or presentation meetings or costs incurred in preparing any proposal will be borne by the Service Provider and Trade & Investment KwaZulu-Natal shall in no way be liable to reimburse the Service Provider for such costs incurred.

2.4. OWNERSHIP OF RFP / RFQ AND PRESENTATIONS

Trade & Investment KwaZulu-Natal shall on receipt of any proposal relating to this RFP / RFQ and submitted in accordance with this RFP / RFQ procedure, become the owner thereof and Trade & Investment KwaZulu-Natal shall not be obliged to return any proposals to Service Providers who request such a return.

2.5. CONFIDENTIALITY

The entire process of calling for proposals as initiated by Trade & Investment KwaZulu-Natal in terms of its procurement policy is confidential. All deliberations in respect of the acceptability or otherwise of the proposals shall be conducted in closed sessions and members of the Evaluation, Bid Adjudication and Procurement Committee is bound by confidentiality.

2.6. ETHICS

Any attempt by a Service Provider to obtain confidential information, or enter into unlawful agreements with competitors or influence the Evaluation and / or the Bid Adjudication and / or Procurement Committee of Trade & Investment KwaZulu-Natal during the process of examining, evaluating and comparing proposals will lead to the rejection of its proposal in its entirety. The Service Provider must declare any business or other interests it has with Trade & Investment KwaZulu-Natal or any employee of Trade & Investment KwaZulu-Natal, failing which the Service Provider shall be automatically disqualified from further participation in the RFP / RFQ.

2.7. CANCELLATION OF BID PROCEDURE

Trade & Investment KwaZulu-Natal shall be entitled, within its sole and entire discretion, to cancel this RFP / RFQ at any time and shall notify the Service Providers accordingly. Trade & Investment KwaZulu-Natal shall in no way be liable for any damages whatsoever, including, without limitation, damages for loss of profit, in any way connected with the cancellation of this RFP / RFQ procedure. The publication of an invitation to call for proposals does not commit Trade & Investment KwaZulu-Natal to appoint any of the qualifying Service Providers.

3. REQUIRED EXPERTISE AND COMPETENCIES

Basic competencies and expertise which may be required include, inter alia: Three (3) years' experience is required and a proof that the service provider has performed similar services.

- Experience in the food and beverage industry.
- Valid certification from health and food authorities
- Valid certification from religious respective bodies where applicable

KINDLY NOTE THAT A FAILURE TO FULLY COVER THIS IN YOUR PROPOSAL MAY RESULT IN YOUR PROPOSAL BEING REJECTED WITHOUT FURTHER CONSIDERATION.

4. SUPPORTING DOCUMENTATION

Service Providers are required to submit the following documents:

- a) An original valid Tax Clearance Certificate must be submitted with the bid proposal. (Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid proposal. Certified copies of the Tax Clearance Certificate will not be acceptable). In bids where Consortia /Joint Ventures/Sub-contractors are involved each party must submit a separate valid Tax Clearance Certificate.
- b) Verifiable references.
- c) B-BBEE Verification Certificate (would be an advantage).
- d) Annexure A: STANDARD BID DOCUMENT FORM (SBD 1).
- e) Annexure B: DECLARATION OF INTEREST FORM. (SBD 4).
- f) Annexure C: PREFERENTIAL POINTS CLAIM FORM. (SBD 6.1).
- g) Annexure E: PRICING SCHEDULE FOR PROFESSIONAL SERVICES FORM. (SBD 3.1).
- h) Annexure G: CERTIFICATE OF INDEPENDANT BID DETERMINATION FORM. (SBD 9).
- i) Annexure H: AUTHORITY TO SIGN A BID FORM.
- j) Annexure I: DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES.
- k) Annexure K: SCHEDULE OF ALTERNATIVE BIDS. (SBD 8).
- l) Annexure L : PRICING SCHEDULE FOR CLEANING SERVICES

KINDLY NOTE THAT A FAILURE TO SUBMIT THE MANDATORY DOCUMENTS LISTED IN ANNEXURES (A, B, E, G, H, I AND K) WITH THE PROPOSAL WILL RESULT IN YOUR PROPOSAL BEING REJECTED WITHOUT FURTHER CONSIDERATION.

5. PREFERENTIAL PROCUREMENT

In compliance with the preferential public procurement laws applicable to Trade & Investment KwaZulu-Natal and in terms of Trade & Investment KwaZulu-Natal's procurement policy, preferential points will be awarded to Service Providers who demonstrate BEE in its management and ownership structures. In this regard Service Providers are required to expressly cover this in their proposals and state their BEE management and ownership status. Service providers should also include specific accreditation information where applicable.

KINDLY NOTE THAT FAILURE TO EXPRESSLY DEAL WITH YOUR BEE STATUS IN YOUR PROPOSAL, WILL RESULT IN NO PREFERENTIAL POINTS BEING AWARDED FOR YOUR BEE STATUS.

6. SERVICE LEVEL AGREEMENT

- a) The acceptance of any proposal shall only be confirmed with the conclusion of a written service level agreement between Trade & Investment KwaZulu-Natal and the Successful Service Provider, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between Trade & Investment KwaZulu-Natal and the Successful Service Provider.
- b) Until such time that an appropriate service level agreement has been concluded between Trade & Investment KwaZulu-Natal and successful Service Provider, no rights shall be conferred nor shall any legitimate expectations be conferred to the successful Service Provider to carry out the works or services provided for in this call for proposals.

7. FEE STRUCTURE

- a) Trade & Investment KwaZulu-Natal reserve the right to negotiate any aspect of the proposed fees and disbursements with the preferred Service Provider and shall not to bind to the fees and disbursements submitted by any Service Provider.

8. EVALUATION CRITERIA

Evaluation will be carried out on the Functionality and the Preferential Point System (B-BBEE Status Level of Contribution and Price). The following preference point systems are applicable to all bids:

- a) The 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included).

b) The 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

8.1. VALUE OF BID

The value of this bid is estimated not to exceed R1 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

8.2. PREFERENCE POINTS

The preference points awarded for this bid shall be for:

- a) Price and B-BBEE status level of contribution.
- b) The maximum 100 points which includes the Price and the B-BBEE status level of contribution.

8.3. ADJUDICATION USING A POINT SYSTEM

- a) The bidder obtaining the highest number of total points will be awarded the contract.
- b) Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- c) Points scored must be rounded off to the nearest 2 decimal places.
- d) In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- e) However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- f) Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

9. THE AWARDING OF POINTS

For the 80/20 or the 90/10 preference point systems, the awarding of points will be done for Price, Functionality and B-BBEE status level of contribution.

9.1. POINTS AWARDED FOR PRICE

For the 80/20 or the 90/10 preference point systems, a maximum of 80 or 90 points is allocated for price on the following basis:

80/20	90/10
$Ps = 80 - 1 \frac{Pt - P_{min}}{P_{min}}$	$Ps = 90 - 1 \frac{Pt - P_{min}}{P_{min}}$

Ps	=	Points scored for comparative price of bid under consideration
Pt	=	Comparative price of bid under consideration
P_{min}	=	Comparative price of lowest acceptable bid

9.2. FUNCTIONALITY

The below mentioned criteria will guide the evaluation of functionality / technical phase and bidders who score less than 60% in this phase will be disqualified for the next phase of evaluation.

FUNCTIONALITY ASSESSMENT SCORING CRITERIA		Weight	Score	Total
1. Key Personnel (30/100):				
<ul style="list-style-type: none"> Demonstrated ability of the Individual/Team to render the service and the expertise of key staff members. This must be supported with a submission of an organogram and CV's of team members i.e. Contract Manager and the team of experienced catering staff etc. 		30		
(Rating score values for key personnel is allocated as follows : Over 3 year to 4 years = 1; Over 5 years to 6 year = 2; Over 6 years to 7 years = 3; Over 7 years to 8 years = 4 and 8 years and above = 5. The score value will be allocated per number of year's experience of the company. The Evaluation Committee may, at its own discretion, consider the total years of experience of the combined team who will be working on the project. The maximum score value which can be awarded is 5).				

2. Successful completion of similar projects in the last five years (40/100): <ul style="list-style-type: none"> This must be supported by the submission of a list of all projects successfully completed, as well as letters of completion and/or references from current/previous clients. 	40		
(Rating score values for similar projects is allocated as follows: No similar projects = 0; One similar project completed = 1; Two similar projects = 2; Three similar projects = 3; Four similar projects = 4 and Five and more similar projects completed = 5. The maximum score value which can be awarded is 5).			
3. Work Plan (30/100): <ul style="list-style-type: none"> The quality and reasonableness of the project work plan will be assessed / evaluated and therefore a detailed work program outlining the various work flow items/tasks required for this project must be submitted. 	30		
(Rating score values for the work program is allocated as follows: No program = 0; Poor program (insufficient information provided) = 1; Adequate program (work items shown) = 2; Good program (all necessary work items shown) = 3; Very good program (all necessary and major work items shown) = 4 and Excellent program (all necessary work items shown, including links between tasks and additional information) = 5. The maximum score value which can be awarded is 5).			
TOTAL	100		

9.3. B-BBEE STATUS LEVEL OF CONTRIBUTION

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

B-BEE status level of contribution	Number of points (90/10) system	Number of points (80/20) system
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
<i>Non-compliant contributor</i>	0	0

9.3.1. Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

9.3.2. Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

9.3.3. A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

9.3.4. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

9.3.5. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

9.3.6. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not

qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

- 9.3.7. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprises that does not have equal or higher B-BBEE status level than the person concerned unless the contract is subcontracted to an EME that has the capability and ability execute the sub-contract.

10. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete Annexure C: Preferential Points Claim Form. (Points claimed must be in accordance with the table reflected in paragraph 9.3. and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

11. CONTRACTUAL OBLIGATIONS

The acceptance of any proposal shall only be confirmed with the conclusion of a written service level agreement between Trade & Investment KwaZulu-Natal and the Successful Service Provider, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between the Trade & Investment KwaZulu-Natal and the Successful Service Provider.

Until such time that an appropriate service level agreement has been concluded between Trade & Investment KwaZulu-Natal and successful Service Provider, no rights shall be conferred nor shall any legitimate expectations be conferred to the successful Service Provider to carry out the works or services provided for in this call for proposals.

12. INTELLECTUAL PROPERTY RIGHTS

Copyright, patent rights and other similar rights in any works or products created as a result of the performance of this tender and its assignments shall vest in and are hereby transferred to TIKZN, unless specifically agreed otherwise, in the form of individual written Agreement signed by both parties.

For this purpose only, all works created in terms of this tender and the assignments thereof shall be deemed to have been created under the control and direction of TIKZN. All information documents, records and books provided by TIKZN to any service provider in connection with the proposal or otherwise are strictly private and confidential. Any proposer to any third party shall not disclose them, except with the express consent of TIKZN, which shall be granted in writing prior to such disclosure. TIKZN however reserves the right to disclose any information provided by any service provider to any of the members of TIKZN.

13. TERMINATION OF CONTRACT

TIKZN reserves the right to terminate the award of any tender to any party if there are reasonable grounds for considering that there is non-performance by the contractor in terms of the contract. TIKZN also reserves the right to curtail the scope of any tender awarded or to curtail any aspect of any tender. In the event of any such cancellation or curtailment, the tenderer shall have no claim or recourse against TIKZN, of whatsoever nature, save the recoupment of the tenderer's actual and reasonable costs already expended on the project.

14. SUBMISSION OF PROPOSALS

The sealed envelope must be placed in the tender box at the Reception of the ***Trade and Investment House, Kingsmead Office Park, 1 Arundel Close, Durban by no later than Friday 3RD March 2017 before 12 noon.*** Any proposal not in the tender box at the time of the proposal closing, such a proposal will be regarded as a late proposal. Late proposal will not be considered. No proposal received by telegram, telex, e-mail, facsimile or similar medium will be considered. Bids may be addressed to the following:

**The Procurement Officer
Trade and Investment House
1 Arundel Close
Kingsmead Office Park
Durban
4000
South Africa**

LIST OF OPTIONAL OR MANDATORY ANNEXURES

ANNEXURES	ANNEXURE DESCRIPTION	OPTIONAL OR MANDATORY
ANNEXURE A	STANDARD BID DOCUMENTATION FORM (SBD1)	MANDATORY
ANNEXURE B	DECLARATION OF INTEREST FORM (SBD 4)	MANDATORY
ANNEXURE C	PREFERENTIAL POINTS CLAIM FORM (SBD 6.1)	OPTIONAL
ANNEXURE E	PRICING SCHEDULE FOR PROFESSIONAL SERVICES FORM (SBD 3.1)	MANDATORY
ANNEXURE G	CERTIFICATE OF INDEPENDANT BID DETERMINATION FORM (SBD 9)	MANDATORY
ANNEXURE H	AUTHORITY TO SIGN A BID FORM	MANDATORY
ANNEXURE I	DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)	MANDATORY
ANNEXURE K	SCHEDULE OF ALTERNATIVE BIDS	OPTIONAL

ANNEXURE A: STANDARD BID DOCUMENTATION FORM (SBD 1)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

SECTION A: TIKZN BID INFORMATION

BID NUMBER: CLOSING DATE: CLOSING TIME: 12:00

DESCRIPTION:.....

CONTRACT PERIOD:.....

VALIDITY PERIOD:.....

CENTRAL SUPPLIER DATABASE REGISTRATION NO:.....

Please note the successful bidder will be required to fill in and sign a written Contract Form (SBD 13).

SECTION B: BIDDER INFORMATION

NAME OF BIDDER:.....

POSTAL ADDRESS:.....

STREET ADDRESS:.....

TELEPHONE NUMBER: CODE..... NUMBER..... CELLPHONE NUMBER:.....

FACSIMILE NUMBER: CODE..... NUMBER..... EMAIL ADDRESS:.....

VAT REGISTRATION NUMBER:.....

SECTION C: BIDDER SUPPORTING INFORMATION

1. HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? **YES or NO**
2. HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? **YES or NO**
3. IF YES FOR QUESTION 2, WAS THE B-BBEE CERTIFICATE ISSUED BY AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA), A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); OR A REGISTERED AUDITOR? **YES or NO**
4. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS OR SERVICES OFFERED?
YES or NO
5. IF YES FOR QUESTION 4, PLEASE ENSURE YOU ENCLOSE PROOF OF THE ABOVE IN YOUR APPLICATION.

SECTION C: SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF BIDDING FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999, THE KWAZULU-NATAL SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK AND THE GENERAL CONDITIONS OF CONTRACT.

1. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
2. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
3. Any alteration made by the bidder must be initialled.
4. Bidding documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Bids submitted must be complete in all respects.
7. Bids will be opened in public as soon as practicable after the closing time of bid.
8. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
9. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.
10. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
11. No bid submitted by telefax, telegraphic or other electronic means will be considered.
12. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
13. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
14. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and visa versa and with words importing the masculine gender shall include the feminine and the neuter.
15. Use of correcting fluid is prohibited.
16. Where practical, prices are made public at the time of opening bids.

ANNEXURE B: DECLARATION OF INTEREST FORM (SBD 4)

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

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

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, shareholder, member):.....
4. Registration number of company, enterprise, close corporation, partnership agreement or trust:
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 the paragraph below.
"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 Entities; or
(e) Parliament.
"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**
If so, furnish the following particulars:
(a) Name of person / director / trustee/shareholder/ member:
(b) Name of state institution to which the person is connected:
(c) Position occupied in the state institution:
(d) Any other particulars:
9. 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**
If yes, did you attach 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)
if no, furnish reasons for non submissions of such proof:
10. Did you or your spouse, or any of the company's directors/ trustees/shareholders / members of their spouses conduct business with the stat in the previous twelve months? **YES/NO**
If so, furnish
particulars:

11. 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
If so, furnish particulars:
12. Are you, or any person connected with the bidder, aware of any relationship, family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**
If so, furnish particulars:
13. 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**
If so, furnish details of directors /trustees /members /shareholders:

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Perusal Number

DECLARATION

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

.....
Name of Bidder

.....
Signature of Bidder

.....
Position

.....
Date

ANNEXURE C: PREFERENTIAL POINTS CLAIM FORM (SBD 6.1)

This Preference Points Claim Form contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution.

Points claimed in respect of paragraph..... must be in accordance with the table reflected in paragraph..... and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA.

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

1. Name of company / firm:.....
2. VAT Registration Number:.....
3. Company Registration Number:.....
4. Type of company (Firm Partnership / Joint Venture / Consortium / One person business / Sole propriety / Close corporation / Company Pty Limited):
5. Describe the principal business activities of the company:
6. Company Classification (Manufacturer / Supplier / Professional service provider / Other service providers e.g. transporters etc.:
7. Has a B-BBEE certificate been issued to your company by a Verification Agency which is accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA.
YES / NO
8. Will any portion of the contract be sub-contracted? **YES / NO**
 - a) If yes, indicate what percentage of the contract will be subcontracted?.....
 - b) The name of the sub-contractor?.....
 - c) Whether the sub-contractor is an EME? **YES / NO**
 - d) The B-BBEE status level of the sub-contractor?.....
9. Total number of years the company/firm has been in business?.....
10. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE 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:

The information furnished is true and correct.

- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have —

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) restrict the bidder or contractor ,its shareholders and directors 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)

ANNEXURE E: PRICING SCHEDULE FOR PROFESSIONAL SERVICES FORM (SBD 3.1)

SECTION A: BIDDER INFORMATION

1. NAME OF BIDDER:
2. BID NUMBER:
3. OFFER TO BE VALID FOR..... DAYS FROM THE CLOSING DATE OF BID.
4. PERIOD REQUIRED FOR COMMENCEMENT WITH PROJECT AFTER ACCEPTANCE OF BID:
5. ESTIMATED MAN-DAYS FOR COMPLETION OF WORK:
6. ARE THE RATES QUOTED FIRM FOR THE FULL PERIOD OF CONTRACT?
YES/NO
IF NOT FIRM FOR THE FULL PERIOD, PROVIDE DETAILS OF THE BASIS ON WHICH ADJUSTMENTS
WILL BE APPLIED FOR, FOR EXAMPLE CONSUMER PRICE INDEX:
.....

1. ITEM NUMBER:
 2. DESCRIPTION:
 3. BID PRICE IN RSA CURRENCY:
- If more than one item, please use the same format as stated above for the various other items.

SECTION B: PRICING SCHEDULE FOR SERVICES

PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF) PERSON AND POSITION:

1. HOURLY RATE:
 2. DAILY RATE:
- If more than one person, please use the same format as stated above for the various other persons.

THE VARIOUS PHASES OF THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

1. NAME OF PHASE:
 2. COST PER PHASE:
 3. NUMBER OF DAYS OF PHASE:
- If more than one phase, please use the same format as stated above for the various other phases.

THE VARIOUS DISBURSEMENTS FOR THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

1. DESCRIPTION OF EXPENSE TO BE:

.....

2. RATE PER KM:

.....

3. TOTAL KM:

.....

4. TOTAL COST:

.....

- If more than one disbursement type of expense, please use the same format as stated above for the various other disbursements. E.g. For travel expenses (specify, for example rate / km and total km, class of air-travel etc). Other expenses, for example accommodation (specify whether three star hotel, bed and breakfast, telephone cost, reproduction costs etc). On the basis of these particulars certified invoices will be checked for correctness. Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoice.

The above information must be used for the formulation of proposals. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. R.....

Witnesses:

1.

2.

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

ANNEXURE G: CERTIFICATE OF INDEPENDENT BID DETERMINATION FORM (SBD 9)

1. This Standard Bidding Document (SBD) must form part of all bids' 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.
 - a) In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:
 - Includes price quotations, advertised competitive bids, limited bids and proposals.
 - 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.

I, the undersigned, in submitting the accompany bid (Bid number and Description):

In response to the invitation for the bid made by Trade and Investment KwaZulu-Natal, do hereby make the following statements that certify to be true and complete in every respect. I certify, on behalf (Name of Bidder):that:

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 consortium' 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.

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.

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 H: AUTHORITY TO SIGN A BID FORM

1. If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid in the following format:

AUTHORITY BY BOARD OF DIRECTORS by resolution passed by the Board of Directors
on2015

Mr/Mrs..... (whose signature appears below) has been duly authorised to sign all
documents in connection with this bid on behalf of (Name of Company):

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY (PRINT NAME):

SIGNATURE OF SIGNATORY:

DATE:

WITNESSES:

1.

2.

2. If a Bidder is a sole proprietor (One-Person Business) the person who signs the bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the sole proprietor must be submitted with this bid, that is before the closing time and date of the bid in the following format:

I, the undersignedhereby
confirm that I am the sole owner of the business trading as

SIGNATURE OF SIGNATORY:

DATE:

WITNESSES:

1.

2.

3. If a Bidder is a partnership, the following particulars in respect of every partner must be furnished and signed by every partner:

Name of Partner	Residential Address	Signature

We, the undersigned partners in the business trading as.....hereby authorise..... to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and / or contract on behalf of

.....
SIGNATURE

.....
DATE

4. In the case of a close corporation submitting a bid, a certified copy of the Founding Statement of such corporation shall be included with the bid, together with the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on20....at.....Mr/Ms, whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation).....

SIGNED ON BEHALF OF CLOSE CORPORATION: (PRINT NAME)

IN HIS/HER CAPACITY AS.....

DATE:.....

SIGNATURE OF SIGNATORY:

WITNESSES:

1.

2.

5. If the Bidder is a Co-operative, A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on..... 20..... at.....Mr/Ms.....
whose signature appears below, has been authorised to sign all documents in connection with this bid on
behalf of (Name of cooperative):

SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

IN HIS/HER CAPACITY AS:

DATE:.....

SIGNED ON BEHALF OF CO-OPERATIVE:

NAME IN BLOCK LETTERS:

WITNESSES:

1.

2.

6. If a bidder is a joint venture, a certified copy of the resolution/agreement passed/reached signed by the duly authorised representatives of the enterprises, authorising the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the joint venture must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE

By resolution / agreement passed / reached by the joint venture partners on:20.....

Mr/Mrs,.....

Mr/Mrs.....

Mr/Mr.....and

Mr/Mrs.....

(whose signatures appear below) have been duly authorised to sign all documents in connection with this bid on behalf of: (Name of Joint Venture):

IN HIS/HER CAPACITY AS:.....

SIGNED ON BEHALF OF (COMPANY NAME):

SIGNATURE:.....**DATE:**.....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):

SIGNATURE:.....**DATE:**.....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):

SIGNATURE:.....**DATE:**.....

7. If a bidder is a consortium, a certified copy of the resolution/agreement passed/reached signed by the duly authorised representatives of concerned enterprises, authorising the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the consortium must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE CONSORTIUM

By resolution/agreement passed/reached by the consortium:

on:20..... Mr/Mrs

(whose signature appear below) have been duly authorised to sign all documents in connection with this bid on behalf of: (Name of Consortium)

IN HIS/HER CAPACITY AS:

SIGNATURE: **DATE:**

ANNEXURE I: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)

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.	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <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

ANNEXURE K: SCHEDULE OF ALTERNATIVE BIDS

(This form is to be used whenever it is applicable)

Consideration will be given to alternative offers which the bidder may wish to submit. Such offers shall be described, measured and priced in sufficient detail to enable Trade and Investment KwaZulu-Natal to evaluate the alternative. He/she shall set out his/her proposal clearly hereunder or alternatively make photocopies of the original bid documentation.

SECTION	PAGE	ITEM

SIGNATURE: DATE:

NB: Trade and Investment KwaZulu-Natal reserve the right to accept or reject alternative bids in line with the bid requirements.