



NATIONAL LIBRARY OF SOUTH AFRICA

228 Johannes Ramakhoase Street
Private Bag X397
Pretoria
0001

5 Queen Victoria Street
Cape Town
8001

TERMS OF REFERENCE FOR THE PROCUREMENT OF AN ELECTRONIC MAIL AND COLLABORATION SYSTEM FOR THE NATIONAL LIBRARY OF SOUTH AFRICA (NLSA).

CLOSING DATE: 19 November 2020

TIME: 11H00

Bid No: NLSA.EMAIL 10/2020-2021

NB. Note that Saturday will be treated as the normal working day. Should you want to deliver Bid documents, please note that the NLSA opens at **08:00** and closes at **17:00**. Upon the submission of the Bid documents, bidders are requested to sign the register at the Reception.

BID DOCUMENTS ARE AVAILABLE ON:

- NLSA website (www.nlsa.ac.za)

NB. Completed Bid Documents must be deposited in the Tender Box at the NLSA, 75 Thabo Sehume Street, Pretoria CBD before the closing date and time of 19 November 2020 at **11H00**.

There will be a non – compulsory briefing session via ZOOM on 05 November 2020 at 10H00 AM.

Join Zoom Meeting

<https://zoom.us/j/99192694176?pwd=UXZkMIITM2h4YnZjNHFITkE1MGhOUT09>

Meeting ID: 991 9269 4176

Passcode: 391234

1. BACKGROUND

- 1.1 National Library of South Africa, hereafter referred to as NLSA, is a world class African National Library and Information Hub. The NLSA is responsible for collecting, recording, preserving and making available the national documentary heritage of South Africa. The NLSA promotes awareness, appreciation and access to published documents, nationally and internationally and in doing so contributes to the development and prosperity of South Africa. The NLSA has Campuses in Pretoria and Cape Town.
- 1.2 The NLSA seeks to appoint a service provider to supply, install and configure a secure electronic mail and collaboration system at the NLSA's Pretoria and Cape Town Campuses. This service should include the successful transfer of existing emails (including archived emails) from the current email system (Novell GroupWise version 14.2) to the system provided by the successful bidder.

2. INTRODUCTION

2.1 OBJECTIVES

The supply, installation and configuration of a secure electronic mail and collaboration system at the NLSA's Pretoria and Cape Town Campuses. This should include transferring the existing email (including archived) from the current electronic mail system (Novell GroupWise) to the new email platform.

2.2 SCOPE OF WORK

The successful bidder shall:

- Propose and implement a secure electronic mail and collaboration system based on the Microsoft Office 365 platform for the NLSA to improve communication.
- Install and configure the secure electronic mail system (Exchange 365 servers) as per NLSA's requirements and as per best practice and relevant internationally recognised standards.
- Extract all existing email including archived emails from the current system and transfer to the new proposed system
- Ensure the flow of secure email externally and internally.

- Ensure that all NLSA users are able to send/receive emails.
- Ensure that training is provided for a team of 20 super users internally and also provide relevant training manuals.
- Ensure that the system administrator training is provided to NLSA ICT staff (4 System Administrators) and also provide relevant training manuals.
- Ensure that the NLSA domain is not blacklisted on the MX (mail exchanger) records.
- Domain controller policies must be defined and configured to ensure that NLSA domain is secure and shall not be blacklisted.

2.3 **SPECIFIC REQUIREMENTS**

The scope of the required services shall be limited to the NLSA and covers the supply, delivery, installation and configuration of the proposed hardware and services.

The successful bidder shall therefore provide the following:

- Installation and Implementation of an electronic mail system with calendar capability
- Installation and implementation of a communication and collaboration platform that combines:
 - workplace chat,
 - video meetings (Teams),
 - file storage, and
 - Application integration.
- Cloud Storage facility for Business (One Drive)
- Online document management platform
- Office Apps Online
- Office Client/Desktop Apps
- Security & Backup Features (Data Loss Prevention, Rights Management, eDiscovery)
- Cloud Archive for Email
- Email Security
- Business Support
- Mailbox Continuity

- Secure Email Gateway
- Must support multi-layered detection engines and intelligence to protect email data and employees from malware, spam, phishing, and targeted attacks from the cloud.
- Cloud Archive for Email archives all inbound, outbound and internal email for instant searching by employees and administrators
- Solution shall eliminate the impact of primary email system downtime, enabling uninterrupted email access for employees from any device.

2.4 ADDITIONAL REQUIREMENTS

2.4.1 Warranty

All proposed solution software licenses should be renewable annually. The NLSA seeks to engage a service provider for the provision of licenses for a period of thirty-six (36) months.

The Solution should come bundled with the OSM 24/7 Business Support for a period of three (3) years, which should include:

- onsite support,
- remote support, and
- email support.

2.4.2 Value Added Services

Any other value added services offered by the Bidder not specified by the NLSA will not be paid for. Bidders must indicate in their bid what value added services they will provide as part of the work.

2.4.3 Project Management

During the course of the project, the successful Bidder shall provide a dedicated project manager to liaise with the NLSA.

2.4.4 Delivery

Delivery Address
228 Johannes Ramokhoase Street Pretoria
5 Queen Victoria Street Cape Town 8001

3 SUBMISSION FORMAT

3.1 The proposal should be submitted in the following format:

3.1.1 The proposal must provide an executive summary not exceeding ten (10) pages detailing proposal's offering, the approach and the value proposition.

3.1.2 Bidders must indicate in their proposals the relevant experience and exposure as well as the capacity of the Bidder. The information must include a description of the education, knowledge, and relevant experience as well as certifications or other professional credentials that clearly demonstrate that the individual is qualified to perform the required work. Bidder must submit résumés of their proposed project participants as well as a project roll out plan to deploy the solution over 90 days from date of award.

3.1.3 Bidders are to include at least three (3) contactable reference letters for similar work undertaken.

4 NLSA'S RIGHTS

4.1. The NLSA is entitled to amend any Bid conditions, Bid validity period, Bid terms of reference, or extend the Bid's closing date, all before the Bid closing date. All Bidders, to whom the Bid documents have been issued and where the NLSA have record of such Bidders, may be advised in writing of

such amendments in good time and any such changes will also be posted on the NLSA's website under the relevant Bid information. All prospective Bidders must, therefore, ensure that they visit the website regularly and before they submit their Bid response to ensure that they are kept updated on any amendments in this regard.

5 DURATION OF THE PROJECT

- 5.1. The duration of the project is three (3) months from the date of appointment.

6. CONDITIONS OF BID

- 6.1. The NLSA reserves the right not to accept the lowest proposal.
- 6.2. The NLSA reserves the right to appoint one or more Bidder.
- 6.3. The NLSA reserves the right not to award the contract.
- 6.4. The NLSA reserves the right to have any documentation, submitted by the successful Bidder checked or inspected by any other person or organisation.
- 6.5. The General Conditions of Contract will be applicable to this Bid.
- 6.6. Bidders must obtain at least 70 points in the technical evaluation to qualify.
- 6.7. The NLSA will not be held responsible for any costs incurred by the Bidder in the preparation and submission of the Bid.
- 6.8. Bidders to ensure that the personnel assigned to the engagement per the Bid proposal are the same that will be responsible to perform work should the Bidder be successful. Should the respective personnel not be available, the Bidder will be required to replace with another individual with the same or greater experience, qualifications and exposure.
- 6.9. The Bidder may be required to prepare for a possible presentation should the NLSA require such and the Bidder shall be notified thereof in good time before the actual presentation date. Such presentation may include a practical demonstration of products or services as called for in this Bid.
- 6.10. The NLSA reserves the right to award the tender in whole or part.
- 6.11. No upfront payment will be made by the NLSA. Payment will be made on the relevant completion and sign off of relevant work.
- 6.12. All delivery and installation of the requested equipment must be made at the specified NLSA Campuses.
- 6.13. Bid Validity shall be for a period of 120 days and may be extended at the discretion of the NLSA.
- 6.14. NLSA reserves the right to vary the number of licenses per operational requirements.

7. EVALUATION CRITERIA

7.1. Evaluation Stage One (1): Mandatory - Pre evaluation

- 7.1.1. Certified ID copies, of shareholders / directors / members not older than 6 months.
- 7.1.2. CSD registration summary report.
- 7.1.3. CIPC company registration documents must be submitted with the Bid.
- 7.1.4. One (1) original copy and four (4) copies of the Bid document; and
- 7.1.5. Fully completed SBD1, SBD 3.3, SBD 4, SBD 6.1, SBD 7.2, SBD 8, SBD 9 forms.
- 7.1.6. CV's of Director and its respective personnel should be included.
- 7.1.7. Company profile of the Bidders should be submitted.
- 7.1.8. Minimum of three (3) contactable reference letters should be provided for similar work done.
- 7.1.9. The bidder must be an accredited / authorised / recognised reseller/ distributor and / or supporter of manufacturer and should provide evidence of this.

NB: Failure to submit the documents listed above shall result in the disqualification of your Bid.

7.2. Evaluation Stage Two (2): Technical Evaluation

Requirement	Technical Specification	Yes/No
<ul style="list-style-type: none"> • Email Migration and Collaboration 	<ul style="list-style-type: none"> • Installation and Implementation of an electronic mail with calendar capability • Installation and implementation of a communication and collaboration platform that combines workplace chat, video meetings, file storage, and application integration. • Cloud Storage facility for Business, • Online document management platform • Office Apps Online • Office Client/Desktop Apps • Security & Backup Features (Data Loss Prevention, Rights Management, eDiscovery) • Cloud Archive for Email • Email Security • Business Support • Mailbox Continuity • Secure Email Gateway • Must support multi-layered detection engines and intelligence to protect email data and employees from malware, spam, phishing, and targeted attacks from the cloud. • Cloud Archive for Email archives all inbound, outbound and internal email for instant searching by employees and administrators • Solution shall eliminate the impact of primary email system downtime, enabling uninterrupted email access for employees from any device. 	

Microsoft licences	300 licences	
Support	OSM 24/7 Business Support for a period of three (3) years, which should include: <ul style="list-style-type: none"> onsite support, remote support, and email support. 	

7.3 Evaluation Stage Three (3): Price and Preference

Only bidders that pass stage one and two shall be evaluated for stage three.

EVALUATION CRITERIA	SCORE	WEIGHT
1. Knowledge and experience Proven track record of similar successfully completed projects for the supply and configuration and migration of email solution valued at, at least R500 000 within the last 3 years.	30 = Five (5) or more projects completed 20 = Four (4) projects completed 10 = Three (3) projects completed 5 = One (1) to two projects completed 0 = no information provided	30
2. Project Delivery Methodology Project Plan that clearly outlines the following aspects: <ul style="list-style-type: none"> Proposed delivery methodology Time frames Project team Risk Management Plan outlining contingency plans Maintenance Plan 	30=Detailed Project plan with 5 requirements addressed 20=Project plan with 4 requirements addressed 10=Project plan with 3 requirements addressed 5=Project plan with 2 requirements addressed 0=Project plan with 1 requirement addressed	30
3. Experience of Supervisor / Team Leader Team Leader Experience (designated Manager) in configuration and installation of email migration solution.	10=Five (5) and above years of experience 5 =Four (4) years of experience 3=Three (3) years of experience 1=One (1) to two (2) years of experience	10

Provide detailed CV of the Supervisor / team leader indicating: <ul style="list-style-type: none"> • experience in similar projects with clear work description • employment history • period of employment • Contactable References 	0=no information provided	
4. Contactable References The Bidder must provide three (3) contactable reference/recommendation letters in the following format; <ul style="list-style-type: none"> • The letters on client's letterhead; • Description of the work done; • Completion of projects within time frame. 	30=Three (3) Contactable reference letters covering required information 20=Two (2) Contactable reference letters covering required information 10=One (1) Contactable reference letters covering required information	30
Maximum points		100
Minimum points required to proceed to next evaluation stage		70%

Bidders are expected to obtain a minimum of **seventy (70) points** out of one hundred points available to proceed to the next evaluation stage. Failure to obtain the prescribed points will automatically disqualify the Bid offer from proceeding to the next evaluation stage.

7.3. Evaluation Stage Four (4): Price and Preference Points

7.3.1. The 80/20 preference point system shall be applicable to this Bid, where 80 points represent maximum obtainable points for the lowest acceptable price, and 20 points represents the B-BBEE level status. Points will be awarded to a Bidder for attaining the B-BBEE status level of contribution in accordance with the table below.

B-BBEE Status Level of Contributor	Number of points
1	20
2	18
3	14

4	12
5	8
6	6
7	4
8	2
Non-compliance contributor	0

8. PRICING

8.1. Bid proposals must provide a pricing schedule which clearly sets out the cost of providing the services including any applicable charges.

8.2. Project cost breaking

Project phase	Costing requirement	Year 1	Year 2	Year 3
Deployment				
	Migration of email data and other implementation requirements			
	Training Cost			
	Officer 365 licenses (based on 300 licenses) - USD price from Microsoft			
	<ul style="list-style-type: none"> Source of exchange rate to be determined 			
	<ul style="list-style-type: none"> fixed mark – up percentage 			
Support	<ul style="list-style-type: none"> number of hours per month 			
	<ul style="list-style-type: none"> Rate per hour 			

Licenses will be required for a 36-month period and shall be renewed annually. Bidders are required to provide the independent invoice (in USD) from Microsoft and indicate the source of exchange rate to be used as well as the fixed margin percentage applicable for the 36-month period.

9. ENQUIRIES

9.1 For any Bid related enquiries please ~~sent~~ send to the following email address quoting the Bid Number, Bid Description as a Reference;

bidsabove500@nlsa.ac.za

Please refer all enquiries pertaining to the technical terms of reference to:

ICT Department

Mr. David Segalabutla
Mr. Takalani Nemusimbori

NLSA

(012) 401 9780
(012) 401 9732

Takalani.Nemusimbori@nlsa.ac.za

David.Segalabutla@nlsa.ac.za

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.

2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?
 YES NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES
NO

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?
 YES NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES
 NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/PUBLIC ENTITY)

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

DESCRIPTION.....
...

The successful bidder will be required to fill in and sign a written Contract Form (SBD7).

BID DOCUMENTS MAY BE POSTED
TO:.....
.....

OR
DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)
.....
.....
.....

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

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

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

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

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

NAME OF BIDDER
POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER

FACSIMILE NUMBER CODE NUMBER.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2) YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1) YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

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

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

A REGISTERED AUDITOR

[TICK APPLICABLE BOX]

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

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED? YES or NO

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department:

Contact Person:

Tel:

Fax:

E-mail address:.....

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person:

Tel:

Fax:

E-mail address:.....

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: BID NO.: CLOSING TIME 11:00 CLOSING DATE.....
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OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)	
1.	The accompanying information must be used for the formulation of proposals.		
2.	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.....	
3.	PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)		
4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	.....	R.....	.....
5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT		
	.....	R.....	..... days
	.....	R.....	..... days
	.....	R.....	..... days
	.....	R.....	..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....
TOTAL: R.....			

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

Bid No.:

Name of Bidder:

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....
TOTAL: R.....			

6. Period required for commencement with project after acceptance of bid

7. Estimated man-days for completion of project

8. Are the rates quoted firm for the full period of contract? *YES/NO

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....
.....
.....

***[DELETE IF NOT APPLICABLE]**

Any enquiries regarding bidding procedures may be directed to the –
(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

DECLARATION OF INTEREST

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

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

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

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

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

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹"State" means –

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

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

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

presently employed by the state?

2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institution:

Any other particulars:

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

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

.....

.....
.....

2.10 Are you, or any person connected with the bidder,
aware of any relationship (family, friend, other) between
any other bidder and any person employed by the state
who may be involved with the evaluation and or adjudication
of this bid?

YES / NO

2.10.1 If so, furnish particulars.

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

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

YES/NO

2.11.1 If so, furnish particulars:

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

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

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

--	--	--	--

4 DECLARATION

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

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

.....
Signature	Date
.....
Position	Name of bidder

May 2011

CONTRACT FORM - PURCHASE OF GOODS/WORKS

- PART 2 (TO BE FILLED IN BY THE PURCHASER)

- I..... in my capacity as.....
 accept your bid under reference numberdated.....for the supply of goods/works indicated
 hereunder and/or further specified in the annexure(s).
- An official order indicating delivery instructions is forthcoming.
- I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract,
 within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)		DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- | | | |
|----|---|-----------------------|
| 1) | certificate issued by an authorized body or person; | B-BBEE Status level |
| 2) | prescribed by the B-BBEE Codes of Good Practice; | A sworn affidavit as |
| 3) | prescribed in terms of the B-BBEE Act; | Any other requirement |
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

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

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation

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.

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

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

--

WITNESS

1

2

DATE:

SBD 8

1. 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>	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

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.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

