



GAUTENG
LEGISLATURE
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INVITATION TO BID

APPOINTMENT OF SERVICE PROVIDER TO UNDERTAKE REMEDIAL WORKS TO THE ROOF AT THE CITY HALL BUILDING (REHABILITATION OF CONCRETE & SHEETED ROOF PORTION) FOR GAUTENG PROVINCIAL LEGISLATURE FOR A PERIOD OF 6 (SIX) MONTHS

BID NO: GPL 002/2023

COMPULSORY VIRTUAL BRIEFING SESSION: 10 JUNE 2022 @ 10:00AM

CLOSING DATE: 20 JUNE 2022

TIME: 11:00 AM



GAUTENG
LEGISLATURE
Your View ~ Our Vision

WE SHALL OVERCOME

Help flatten the curve. Stay at home. Keep washing your hands often.

CORONAVIRUS HOTLINE NUMBER: 0800 02 99 99

www.gpl.gov.za

These are documents required for this bidding. Should the bidder fail to submit the following documents, the bid will be disqualified automatically:

Item	Description	Mandatory	Submitted	
			Yes	No
1	Technical Proposal	Yes		
2	Invitation to bid (SBD1): completed and signed	Yes		
3	Pricing Schedule (Firm Pricing) SBD 3.3	Yes		
6	Declaration of interest (SBD 4) Original completed and signed.	Yes		
8	Declaration of Bidder's past SCM Practices (SBD 8) Original completed and signed.	Yes		
9	Certificate of independent bid determination (SBD 9) Original completed and signed.	Yes		
10	Did you submit copies of full Company Registration documents?	Yes		
11	Did you submit copies of South African IDs' for shareholders?	Yes		
12	Did you submit your company profile?	Yes		
13	Did you submit a detailed CSD report and SARS Issued PIN?	Yes		
14	Did you submit one (1) hard copy bid proposal and (1) USB.	Basic compliance		
15	CIDB Grade 5 SN/CE	Yes		
16	COIDA – Valid letter of good standing	Yes		
17	Safety Practices	Yes		
18	Joint Venture / Consortium agreement / Trust Deed (if applicable): <ul style="list-style-type: none"> • Did you submit all documents for all parties of the Joint Venture/Consortium/Trust Deed? ✓ Certified copies of shareholders certificates ✓ Certified copy of Company Registration documents ✓ Certified copy of ID documents of the Directors or Members 	Yes		
Service Provider's Name: Completed by: Signature:				



INVITATION TO BID (SBD1)

Section 2

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE GAUTENG PROVINCIAL LEGISLATURE (GPL)

BID NUMBER:	GPL 002/2023	CLOSING DATE:	20 JUNE 2022	CLOSING TIME:	11H00 AM
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DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER TO UNDERTAKE REMEDIAL WORKS TO THE ROOF AT THE CITY HALL BUILDING (REHABILITATION OF CONCRETE & SHEETED ROOF PORTION) FOR GAUTENG PROVINCIAL LEGISLATURE FOR A PERIOD OF 6 (SIX) MONTHS
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BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

NO. 10 FRASER STREET, SAGE BUILDING (CORNER HELEN JOSEPH & FRASER STREET), 1ST FLOOR, SAGE CENTRE, JOHANNESBURG

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO **TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**

CONTACT PERSON	Ms AMUKELANI MALULEKE	CONTACT PERSON	Mr LESEBELELE SETENO
TELEPHONE NUMBER	(011) 498-5859	TELEPHONE NUMBER	(011) 498-5959
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A
E-MAIL ADDRESS	amaluleke@gpl.gov.za	E-MAIL ADDRESS	lseteno@gpl.gov.za

PLEASE NOTE THAT ALL ENQUIRIES SHOULD BE IN WRITING. NO TELEPHONIC ENQUIRIES WILL BE ATTENDED TO. E-MAILS SHOULD BE FORWARDED TO BOTH Ms MALULEKE AND Mr SETENO FOR WRITTEN RESPONSES

SUPPLIER INFORMATION

NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:
				MAAA

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?

YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES NO

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

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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**

1.3. THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.

2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

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

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

2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

Due to the rapid spread of COVID– 19 and following on from President Cyril Ramaphosa’s announcement declaring the pandemic a national disaster, the GPL is introducing the following precautionary measures in relation to submissions of tender documents.

BID SUBMISSIONS

- ✓ The potential Bidders must submit one (1) Bid proposal and (1) USB.
- ✓ The Bid proposal must be properly bonded.

TENDER BOX SUBMISSION

- ✓ Bidders must adhere to social distancing rules of 1,5m.
- ✓ Bidders must wear facial mask when entering GPL premises.
- ✓ Physical documentation that is received will be kept in isolation for a period of 4 days post tender closing.
- ✓ Bid submission register will be made available at Reception however Bidders must use their own black pens to complete the register to avoid physical contact.



**Compulsory Virtual Briefing Session
(Declaration of Attendance)**

Section 4

BID NUMBER: GPL002/2023

BID DESCRIPTION: APPOINTMENT OF SERVICE PROVIDER TO UNDERTAKE REMEDIAL WORKS TO THE ROOF AT THE CITY HALL BUILDING (REHABILITATION OF CONCRETE & SHEETED ROOF PORTION) FOR GAUTENG PROVINCIAL LEGISLATURE FOR A PERIOD OF 6 (SIX) MONTHS

BID CLOSING DATE: 20 JUNE 2022 CLOSING TIME: 11H00am

BRIEFING SESSION: YES

Applicable: YES

Compulsory: YES

Venue: Microsoft Teams

Date: 10 JUNE 2022

Time: 10h00am

I/We hereby declare that I/we attended the compulsory briefing session to understand the requirements of the GPL to supply all or any of the supplies and/or to render all or any of the services described in the attached bid documents, on the terms and conditions and in accordance with the specifications stipulated in the bid documents.

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

CERTIFY THAT THE INFORMATION FURNISHED AT THE SITE INSPECTION WAS UNDERSTOOD.

SIGNATURE OF BIDDER OR ASSIGNEE(S)

DATE:

Position

Name Bidder

Name of Company.....

SIGNATURE OF GPL OFFICIAL

DATE:

3.1 DOCUMENTS

- 3.1.1. Specify name, position, address and other contact details (e-mail, telephone, and fax) of the person within the service provider organisation responsible for leading the bid process and to whom all correspondence should be directed.
- 3.1.2. The bid shall be signed by a relevant company representative who has the relevant authority to sign legal and binding contracts on behalf of the company or CC.
- 3.1.3. If any part of this bid is not duly filled in and signed in ink it may invalidate the bid.
- 3.1.4. Where alterations have been made to any part of the bid, the bidder must sign next to (Correction ink/Tippex is not allowed).
- 3.1.5. All bids must be submitted on the official forms (not to be re- typed or altered). The bidder must initial all the pages of this bid to acknowledge acceptance of understanding. The signed bid must be returned with the proposal.
- 3.1.6. The company, its Directorship and personnel assigned will be subject to vetting by GPL's Security Services. A register of will be requested of the successful company.
- 3.1.7. The bidder must certify that the personnel identified in its response to this bid will be the persons assigned to GPL. Any changes in the personnel from those identified in the response to the Bid must be approved by GPL. GPL may, at its discretion, require the removal and replacement of any of the bidder's personnel who do not perform adequately.

3.2 SUBMISSION OF BID PROPOSAL

- 3.2.1 This bid must be submitted in accordance with the format, times and place as prescribed in the bid document.
- 3.2.2 All responses must conform to instructions. Failure to provide relevant information, signatures or any other requirements of this bid will be considered appropriate cause for rejection of the response and will result in instant disqualification.
- 3.2.3 Proposals must be submitted with the sections and/or subsections clearly marked. All pages must be numbered consecutively.
- 3.2.4 No faxed or e-mailed copies will be accepted.

3.3 BID RESPONSES

- 3.3.1 Bidders' responses must be laid out in the format prescribed in this section.
- 3.3.2 Sections must be clearly labelled as follows:

3.3.2.1 Service Provider Contact Details

- a) Specify name, position, address and other contact details (e-mail, telephone, and fax) of the person within the bidding organisation responsible for leading the bid process and to whom all correspondence should be directed.
- b) Who, within the service provider's organisation, will be authorised to conduct the contract negotiations and sign the eventual contract?

3.3.2.2 Service Provider Profile

- a) Bidder's name and address
- b) Company / organisation structure
- c) Commencement date of business
- d) Certificate of Incorporation

3.3.2.3 Pricing Structure

- a) Prices must be quoted in South African currency and must be inclusive of Value Added Tax (VAT).
- b) Bidders are further requested to indicate their price in all elements listed on the pricing schedule below.
- c) Pricing on the pricing schedule is for comparative purposes.
- d) Prices must remain fixed for the duration of the contract. The pricing schedule must be completed. (SBD 3.3 pricing schedule to be downloaded with the bid documents)
- e) The total costs must be inclusive of all costs such as delivery, labour rates, transfer of skills etc.

3.3.3 Quantity of Bids to be Submitted

3.3.3.1 Every prospective bidder must submit one (1) Bid proposal and (1) USB.

3.3.3.2 This Bid document, proposal and all other relevant documentation requested must be submitted in one sealed envelope or sealed box. (except for Financial proposal and all references where bidders' costs are displayed in this document, please put this in a separate envelope)

- a) Bids must be clearly marked **on the front** as follows: **Bid No: GPL002/2023**
- b) Bids must be clearly marked **on the back** as follows:
Bidders Name & Bidders Address
Bidders Contact Numbers
- c) Bid documents may be couriered by registered mail or deposited in the tender box situated at: **No 10 FRASER STREET, SAGE BUILDING (CORNER HELEN JOSEPH & FRASER STREET) 1ST FLOOR, JOHANNESBURG**

3.4 **ACCESSIBILITY OF THE TENDER/BID BOX**

3.4.1 The Bid box can be accessed for twenty-four (24 hours). Monday to Friday (including Week-ends and Public Holidays), at, **No 10 FRASER STREET, SAGE BUILDING (CORNER HELEN JOSEPH & FRASER STREET) 1ST FLOOR, JOHANNESBURG**

3.4.2 Bidders must ensure that bids are delivered in a timely manner and to the correct address. If the bid is late, it will not be accepted for consideration. Bidders must allow sufficient time to access the tender box in the GPL through the visitor's entrance and other security checkpoints.

3.5 **TIME FRAMES**

3.5.1 Bidders are advised that GPL reserves the right to change any of the dates indicated in the bid document.

3.6 **OWNERSHIP OF PROPOSALS**

3.6.1 All proposals in response to this bid, whether successful or unsuccessful, will become the property of GPL.

3.6.2 Any costs incurred by the service providers in preparing and submitting their response will be the sole responsibility of the service provider.

3.7 BID VALIDITY PERIOD

3.7.1 This bid and all proposals (costs included) shall remain binding and valid for a period of 120 days calculated from the closing date of the Bid. Gauteng Provincial Legislature (GPL) reserves the right to notify bidders in writing to extend the above validity period for another 30 days if deemed in the interest of Gauteng Provincial Legislature (GPL). Any additional extension after the above days, Gauteng Provincial Legislature (GPL) will request approval from bidders.

3.8 JOINT VENTURES OR CONSORTIUM

3.8.1 A Copy of the Trust, Consortium or Joint Venture agreement duly signed must be attached.

3.8.2 Ensure one responsible lead Bidder in the case of a consortium or joint venture.

3.9 DISCOUNTS

3.9.1 When calculating comparative prices, GPL will consider any discounts which have been offered unconditionally.

3.9.2 A discount which has been offered conditionally will be implemented when payment is effected despite not being considered for evaluation purposes.

3.10 GENERAL CONDITIONS

3.10.1 Prospective bidders may submit their questions to Amaluleke@gpl.gov.za or contact the person assigned to deal with enquiries on the advertisement for this bid.

3.10.2 Any costs incurred by the bidders in preparing and submitting their response to the Request for Bids (RFB) will be the sole responsibility of the bidder.

3.10.3 GPL may request bidders to provide additional pricing information to be utilised for comparative purposes during evaluations.

3.10.4 GPL reserves the right to invite short-listed bidders to make a presentation to GPL's bids evaluation committee to further clarify or substantiate their submissions.

3.10.5 GPL reserves the right not to award this bid in total, or part thereof.

3.10.6 GPL reserves the right, for purposes of promoting the values of competitiveness and fairness, not to award the bid to the highest scoring bidder if such bidder has been awarded a bid by GPL or has performed services for GPL during the last 12 months prior to the closing date of the bid.

3.10.7 GPL reserves the right to re-appoint or extend the service of the service provider where there is a natural continuation of assignments.

3.10.8 The successful bidder/s will enter into a stipulated contract with GPL for the provision of the required service.

3.10.9 The successful bidders, their employees and their sub-contractors must comply with GPL security clearance.

3.10.10 The successful bidders must be willing to sign confidentiality or non-disclosure agreement.

3.10.11 All items supplied by the successful bidder/s must meet the minimum approved requirements of the South African National Standards.

3.10.12 All items supplied by the successful bidder/s must be manufacturer guaranteed.

- 3.10.13 All relevant clearances and/or memberships must be submitted to GPL upon the renewal throughout the duration of the contract.
- 3.10.14 In the event where the order was wrongly printed, the service provider must be able to exchange goods or cancel the order as per the GPL's request.

3.11 CENTRAL SUPPLIER DATABASE REQUIREMENTS

- 3.11.1 Bidders should register on the Central Supplier Database (CSD) to upload information namely, (Business Registration/Directorship/Membership/Identity Numbers/Tax Compliance Status and Banking Information for verification purposes

3.12 VISITS / MEETINGS / INSPECTION

- 3.12.1 A part of the adjudication process GPL may request certain providers to organize a visit to an existing facility under the management of the service provider to gain an understanding of the provider's service standards.
- 3.12.2 GPL may require presentations or meetings with bidders, at the cost of bidders, as part of the evaluation process to provide further information, submission of substantiating documentation or clarification to GPL as deemed necessary.

3.13 AWARD OF BID

- 3.13.1 GPL cannot award contracts to provide goods and/or services to a Member of GPL or Cabinet, a Member of a Provincial Legislature or Member of a Provincial Executive Council, a municipal councillor, a person in the employ of the state/government whose participation in bidding for the contract may result in a conflict of interest, or any entity in which any of the mentioned persons is a Director or has controlling or other substantial interest.

3.14 FRONTING

- 3.14.1 The GPL supports the spirit of broad based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the GPL condemns any form of fronting.
- 3.14.2 The GPL, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry / investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid / contract and may also result in the restriction of the bidder /contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the GPL may have against the bidder / contractor concerned.

3.15 SECURITY AND OCCUPANCY

- 3.15.1 Where applicable, All the areas covered by this contract fall within areas defined in the relevant Security and Access Acts as “Restricted Areas” and all of the provisions of these Acts will apply to this contract.
- 3.15.2 Where applicable, all buildings involved in this contract are subject to stringent access control for all personnel and for materials delivered to and removed from the site. In addition, all workmen and staff on site or in any way involved in this contract are subject to prior security clearance. Bidders will be required to submit a list of the minimum sufficient persons required affecting the work on site plus those directly involved on site with this contract. If any person is rejected for security reasons Bidders will be required to replace them on their list. If the Bidder is ultimately unable to offer personnel with satisfactory security clearance his Bid may be rejected on such grounds.
- 3.15.3 Any person rejected by the SAPS for failing to meet the security requirements, inclusive of security clearance, wandering away from an escort or from the immediate contract area, or any misconduct on the site will immediately, without any recourse by the Contractor, be removed from site and refused re-entry to site. This refusal to site shall be in addition to any legal action the SAPS may institute.
- 3.15.4 Successful Bidder will be required to hand in to the GPL Security Unit within Forty- Eight (48) hours after being requested, following formal acceptance of the Bid, the following information:
- a) Full names of each of the persons intended to be utilized on site, including supervisory staff.
 - b) Position in firm plus service to be performed.
 - c) Intended areas they will be working in.
 - d) A copy of Identification Document, certified as a true copy of the original by the SAPS. Such document shall be the original certified copy.
 - e) Home address.
- 3.15.5 Bidders are recommended to have such documentation, both for their own staff and for their Sub-contractors, if applicable, available prior to the closing date of Bids so as to minimise delays in security clearance of personnel once the Bid is awarded.
- 3.15.6 Any time lost due to delays in submitting the called for list of personnel required entering site, the rejection of personnel on the list, or the subsequent removal and banning from site of personnel will not be accepted as motivation for extension of the contract period.
- 3.15.7 Such clearance shall remain valid for a period not exceeding 12 months and shall only apply for one project at a time.

3.16 SAFEGUARDING OF DOCUMENTS

- 3.16.1 All documents will be individually numbered on issue and records kept as to what documents have been issued to whom.
- 3.16.2 All documents issued to sub-contractors or suppliers must be signed for, and such sub-contractors and suppliers must also accept responsibility for the safeguarding of such documents while they are in their possession.
- 3.16.3 All documentation shall be strictly handled as set out in the SSA Minimum Information Security Standards (MISS), a copy of which shall be provided to the successful contractor at the time of site hand over.
- 3.16.4 It will be the main contractor's responsibility to familiarise themselves with the MISS document and make sure his personnel and sub-contractors are advised accordingly.

3.17 BID CANCELLATION

3.17.1 GPL may amend or cancel this Bid before the award should it deem it necessary.

3.17.2 GPL may before the award of a bid, cancel a bid if – but not limited to:

- a) due to changed circumstances there is no longer need for the goods and services specified in the invitation.
- b) funds are no longer available to cover the total envisaged expenditure
- c) no acceptable bid is received; or
- d) there is a material irregularity in the bidding process

3.18 DELIVERY ADHERENCE

3.18.1 Delivery of goods must be made in accordance with the instructions appearing on the official Purchase Order issued by GPL.

3.18.2 All deliveries or dispatches must be accompanied by a delivery note stating the official order number against which the delivery/milestone has been affected.

3.18.3 Deliveries not complying with the order forms will be returned to the supplier or service provider's expense

1) IF THE BIDDER IS IN PARTNERSHIP / JOINT VENTURE / CONSORTIUM.

We the undersigned partners / joint ventures / consortium, tendering ashereby authorizeto sign this Bid as well as any contract resulting from this Bid and any other documents correspondence in connection with this Bid and/or contract on our behalf.

FULL NAMES:..... CAPACITY

SIGNATURE

2) IF THE BIDDER IS A ONE PERSON BUSINESS / SOLE TRADER.

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

I/WE, THE UNDERSIGNED, WHO WARRANTS THAT HE/SHE IS DULY AUTHORISED TO DO SO ON BEHALF OF THE FIRM ACKNOWLEDGE THAT:

- 1) The information furnished is true and correct.
- 2) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of GPL that the claims are correct.
- 3) If the claims are found to be incorrect, GPL may, in addition to any other remedy it may—:
 - a) recover all costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - b) 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;
- 4) I hereby undertake to render services described in the attached Bidding documents to GPL in
- 5) accordance with the requirements and task directives / proposals specifications stipulated in this Bid proposal at the price/s quoted. My offer/s remains binding upon me and open for acceptance by GPL during the validity period indicated and calculated from the closing date of the Bid.
- 6) I confirm that I have satisfied myself as to the correctness and validity of my Bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
- 7) I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
- 8) Declare that I have no participation in any collusive practices with any Bidder or any other person regarding this or any other Bid.
- 9) I confirm that I am duly authorised to sign this contract.

DECLARATION

I hereby agree that, in the event of false, incorrect or misleading information being provided in this declaration, the Secretary to GPL shall have the right to:

- a) recover any losses or damages sustained by GPL under such agreement
- b) restrict the supplier from further business with GPL depending on the materiality of the misrepresentation and the degree of prejudice suffered.

Name of Representative: _____

Identity number: _____

Signature: _____ Date: _____

COMMISSIONER OF OATHS

I certify that the above has acknowledged that he/she knows and understands the contents of this document, that he/she does not have any objection to taking the oath, and that he/she considers it to be binding on his/her conscience, and which was sworn to and signed before me at _____ on this the _____ day of _____ 20____, and that the administering oath complied with the regulations contained in Government Gazette No. R 1258 of 21 July 1972, as amended.

_____ (Sign – SERVICE PROVIDER)

_____ (Name – SERVICE PROVIDER)

COMMISSIONER OF OATHS STAMP AND DETAILS OF PERSON
--

STAMP

NAME & SURNAME:

DESIGNATION/RANK:

PERSAL/EMPLOYEE NO/SERVICE NUMMBER:

PLACE/DATE:

The Gauteng Provincial Legislature (Gauteng Legislature, GPL) is one of nine provincial legislatures in South Africa, which are a product of extensive negotiations that gave shape to the 1996 Constitution. The Constitution empowers the Legislature to make laws for Gauteng, oversee that the Gauteng government works efficiently and honestly, and ensure that the people of Gauteng participate in the running of their province.

The Legislature moved from Pretoria to Johannesburg in 1994 after the first democratic elections in 1994 and following a decision to move the Government of the Gauteng Province. The Johannesburg City Hall opened as the Gauteng Legislature's new home on 21 October of 1995.

HOW THE GAUTENG LEGISLATURE IS COMPOSED

The Legislature is a House comprising the speaker (who heads up the organisation) and Members of the Provincial Legislature (MPLs) from various political parties, allocated per the vote of the Gauteng Province. Political parties get seats in the Legislature through a system of proportional representation – meaning, the party with most votes gets the majority of MPLs in the House.

The Constitution empowers each of the nine provincial legislatures to make laws that apply uniquely to each of their provinces. MPLs divided into portfolio committees conduct the business of the House. Each committee is attached to a provincial government department (or cluster of departments) in the Provincial Government and enhances the department's ability to deliver services through advisory, monitoring and oversight.

Standing committees deal with diverse issues (other than government departments). These committees consider Bills and other matters referred to them either by the Speaker or the House.

Ad hoc committees work with various experts to matters that need specialised expertise. The Legislature's administration staff complement gives operational support to the committees. The administrative wing of the Legislature is headed by the provincial secretary (or secretary to the legislature).

LEGISLATURE OVERSIGHT'S ROLE

MPLs consider Bills placed before them by the provincial executive, comprised of the Premier of Gauteng and the Members of the Executive Council (MECs). MPLs debate Bills, budgets, statements and speeches by MECs in committee meetings or in plenary sessions of the Legislature. Committees have the power to summon MECs and Department officials to answer questions relating to service delivery in the Province. The MECs must be prepared to answer hard questions on how they are delivering a better life to the people of Gauteng. Committees can also undertake investigations into activities by government departments and such investigations are often open to public scrutiny.

The Legislature allows the people of Gauteng to participate in law-making and oversight processes. **It is a Constitutional requirement that the Provincial Legislature affords Citizens an opportunity to partake in legislative processes – and this is an obligation that the Gauteng Provincial Legislature has vigorously embraced.**

LAW MAKING

New legislation starts out as a Bill, which is carefully discussed to ensure that it is relevant to the needs of the Province, clear, practical and in line with the Constitution. MPLs also receive submissions from the people of Gauteng on matters of concern to the Province, which may require specific legislation to be instituted. MPLs can also initiate legislation individually, as can any of the Legislature's standing committees.

SPECIFICATIONS & TERMS OF REFERENCE

APPOINTMENT OF SERVICE PROVIDER TO UNDERTAKE REMEDIAL WORKS TO THE ROOF AT THE CITY HALL BUILDING (REHABILITATION OF CONCRETE & SHEETED ROOF PORTION) FOR GAUTENG PROVINCIAL LEGISLATURE FOR A PERIOD OF 6 (SIX) MONTHS

1. INTRODUCTION

- 1.1. To provide prospective contractors with adequate information to understand and respond to GPL's requirements in respect of the required waterproofing and roofing remedial works required for the main building.
- 1.2. To provide prospective contractors with opportunity to present GPL with best suitable options to enable undertaking of the project, both in terms of price and quality.
- 1.3. The process to invite tender/bid submissions emanates from the following process: -
 - o Condition Assessment was conducted in 2015/16 Financial Year to indicate areas which required remedial works / upgrades to be undertaken.
 - o Civil/Structural Engineers were appointed to undertake scoping works required and prepare specifications for the works required.
 - o Heritage consultant was appointed to ensure that the heritage requirements were complied with.
 - o Approval of scope of works was undertaken internally by the directorate (Operational Support Services and included Building Manager and Safety Officer)

2. BACKGROUND

- 2.1. Gauteng Provincial Legislature is housed in the City Hall Building, a heritage building which is more than 100 years old and situated in the CBD of Johannesburg. Sittings of the house are undertaken within this building and the precinct has also been declared a National Key Point Site.
- 2.2. AFMS Group (Pty) Ltd was appointed to render the condition assessment services on the Gauteng Provincial Legislature (GPL) building in the 2015-16 financial year. Based on the condition assessment findings, waterproofing and roofing remedial works were found to be an area requiring urgent attention. At the time of assessment, it was determined that the roof

areas require urgent repairs and waterproofing to all defective and damaged areas including guttering, fascia boards, flashings and full-bore outlets.

- 2.3. The project is proposed to respond to the recommendations of the conditions assessment which was undertaken to ensure effective and efficient asset management in compliance with the requirements of requisite legislation and regulations, as well as improve stakeholder satisfaction in respect of GPL facilities. In addition, the project is ensuring that minimal damage is caused to GPL assets that may arise from leakages of the roof as well as to ensure building complies with requisite building, health and safety requirements thus contributing to a conducive working environment and stakeholder's satisfaction with the facility.
- 2.4. The project is envisaged to ensure compliance to amongst others, the following legislation, and regulations: -
 - a) National building Regulation and Standards Act 103 of 1977 as amended
 - b) Occupational Health & Safety Act (OHASA)
 - c) Municipal Bylaws
 - d) SANS 10400
 - e) SANS 204
 - f) Government Immovable Asset Management Act No. 19 of 2007
 - g) Heritage Resources Act No. 25 of 1999
 - h) National Department of Public works – Construction Works Specifications Edition 2.1 July 2014

3. OBJECTIVE

- 3.1. The objective of this project is to appoint a competent, qualified contractor to undertake the required scope of works as per specifications at the best quality and in compliance with requisite regulations and legislation as the building is a heritage site.

4. THE ROLE OF CONTRACTOR FOR WATERPROOFING AND ROOFING REMEDIAL WORKS

- 4.1. To undertake all relevant works to ensure required remedial waterproofing and roofing works are completed as per scope of works outlined.
- 4.2. The contractor will be required to undertake all the required remedial works as specified in the Bills of Quantities and in compliance with all requisite specifications and regulations.
- 4.3. The work on the flat and sheeting roof has little risk of any negative impact on the building heritage requirements.
- 4.4. The required remedial works will have an impact on access to the building as scaffolding will have to be erected for access to the roof. Wayleaves to JRA for street level access, hoarding and barricading will also have to be obtained.

5. SCOPE OF WORK

5.1. Flat Concrete Roofs

5.1.1. Concrete flat roofs to be waterproofed. This work will be comprised of the following:

- a) Strip existing torched-on waterproofing and dispose
- b) Demolish screeds where falls are insufficient
- c) Apply new screeds to improved falls
- d) Clear all full-bore drains
- e) Apply new spray-on waterproofing coating with adequate side laps
- f) Strip existing joint seals and grout from parapet copings and stone cladding, and reseal with correct waterproof grout
- g) Remove redundant brackets and fixings from walls and roof slab, and seal the holes
- h) Scratch open plaster cracks, clean and seal cracks, apply waterproofing membrane and repaint walls
- i) Seal around all roof skylights.
- j) Maintain the lightning conductor on all parapets, test and certify upon completion by specialist subcontractor

5.2. Pitched Sheetting Roofs

5.2.1. Roofs to be waterproofed, roofing sheets and gutters to be replaced. This work will be comprised of the following:

- a) Strip existing waterproofing seals and coatings
- b) Remove and dispose all gutters and downpipes
- c) Clean, inspect, repaint and seal existing metal sheeting
- d) Replace all loose screws and fixings
- e) Seal all valleys, hips and ridges
- f) Install new profile rolled aluminium gutters and downpipes,
- g) Reinstate lightning conductors in place where applicable.
- h) Replace damaged roofing sheets

5.3. Detailed Scope of Works, Specifications and Bills of Quantity

5.3.1. Detailed scope of works, specifications and Bills of Quantity has been prepared and forms part of the tender documents.

6. REQUIRED COMPETENCIES

6.1. The following competencies, experience and knowledge is required from potential contractors:

- 6.1.1. The contractor should have experience of working at heights and required safety measures.
- 6.1.2. The contractor must have the requisite experience in waterproofing of roofs.
- 6.1.3. The contractor must have experience with working on sheeted roofs.
- 6.1.4. Valid proof of CIDB Grade 5 SN/CE.

6.2. **Risk Assurance**

6.1.1 The Contractor must, at his own expense, take out enough insurance against any claims, costs, loss and/or damage ensuing from its obligation and shall ensure that such insurance remains operative for the duration of this project.

Risk Insurance Description Insurance	Cover
Theft & Malicious Damage	R1 000 000
Works Insurance	R2 500 000
Public Liability Limit	R5 000 000

6.1.2 A copy of all Risk Insurance Liability must be handed to GPL upon commencement of the project by the successful contractor.

6.2 **Occupational Health and Safety**

6.2.1 The Contractor must ensure compliance to Occupational, Health and Safety Act for the duration of contract.

6.2.2 COIDA – Letter of good standing must be submitted with the proposal.

6.2.3 Safety Practices – must be submitted with the proposal.

6.3 An OHS file must be prepared and handed in on appointment of successful contractor.

7 **KEY ASSUMPTIONS**

7.1 The contractor has the requisite skills, capacity and expertise to undertake the works as outlined in the scope of works provided and or be able to sub-contract for the required expertise in respect of portion for which they do not have internal expertise.

7.2 The contractor complies with all requirements in respect of safety and heritage requirements

8 **PERIOD OF THE ASSIGNMENT**

8.1 The service provider should commence and complete the assignment within a period of six (6) months from date of award.

7. **EVALUATION CRITERIA**

7.1. The GPL needs to be satisfied, in all respects, that the service provider selected has the necessary resources, qualifications and abilities for this project, and that all submissions are regarded in a fair manner in terms of evaluation criteria and process.

9.2.1 **Phase 1: Administrative Compliance (Preliminary Evaluation)**

To be conducted by SCM to confirm compliance and completeness of documents, i.e., Tax compliance, completed standard bidding documents as per the tender document and other documentation that might have been required for the tender (e.g.ID copies, samples etc). Only those proposals whose compliance is in order will move to **Phase 2 (Evaluation on functionality)**.

9.2.2 Phase 2: Technical/ Functionality Evaluation

This phase measures the capability and capacity of the service provider to deliver on the assignment. The below criterion will be applied to score the proposals from which a service provider must score a minimum of 70 points to be considered for **Phase 3 of the evaluation**.

Criteria	Scoring Guide	Max Points	Points Scored								
<p>Approach Paper – Method Statement</p> <p>A project execution plan indicating how the objectives will be achieved in 6 month period should be included.</p> <p>Contractor must allocate requisite resources to ensure completion within the stipulated period.</p> <p>Health and Safety plan must be submitted for the project</p> <p>Risk Management Plan must be submitted for the project</p> <p>Detailed programme with measurable milestones which are specific to the project and covers key tasks, sub tasks, distribution of resources, cost projection</p> <p>Key Milestones and critical path provided</p> <p>Gnat charts with measurable milestones</p>	<table border="1"> <thead> <tr> <th style="background-color: #f4a460;">Proposed detailed project program for the entire scope of work</th> <th style="background-color: #f4a460;">Score</th> </tr> </thead> <tbody> <tr> <td>Project plan submitted indicating construction program period of more than 4 months</td> <td>0</td> </tr> <tr> <td>Project plan submitted indicating construction program period between 6 and 7 months</td> <td>5</td> </tr> <tr> <td>Project plan submitted indicating construction program period of 6 months or less</td> <td>10</td> </tr> </tbody> </table>	Proposed detailed project program for the entire scope of work	Score	Project plan submitted indicating construction program period of more than 4 months	0	Project plan submitted indicating construction program period between 6 and 7 months	5	Project plan submitted indicating construction program period of 6 months or less	10	30	
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<p>Tenderer's Experience The experience of the tenderer or joint venture partners in the case of an unincorporated joint venture or consortium as opposed to the key staff members / experts in similar projects or similar areas and conditions in relation to the scope of work over the last five years will be evaluated</p> <p>Experience List of all projects based on similar scope, value and size completed in the past five years</p> <p>References for projects above R 4, 000,000 Experience of contractor in relation to similar projects done in the last five (5) years with a value of R4 million or above (minimum 3 projects).</p> <p>Experience working on heights, waterproofing & sheeted roofs</p>	<table border="1"> <thead> <tr> <th data-bbox="395 875 1043 936">Experience</th> <th data-bbox="1043 875 1158 936">Score</th> </tr> </thead> <tbody> <tr> <td data-bbox="395 936 1043 996">Details not submitted as per annexure A</td> <td data-bbox="1043 936 1158 996">0</td> </tr> <tr> <td data-bbox="395 996 1043 1057">Details submitted as per annexure A</td> <td data-bbox="1043 996 1158 1057">5</td> </tr> <tr> <th data-bbox="395 1099 1043 1205">References for projects above R 4, 000,000 (waterproofing and sheeted roofs)</th> <th data-bbox="1043 1099 1158 1205">Score</th> </tr> <tr> <td data-bbox="395 1205 1043 1350">Five or more similar projects (R4 000 000.00 and above) with relevant testimonials and completion certificates per project provided</td> <td data-bbox="1043 1205 1158 1350">15</td> </tr> <tr> <td data-bbox="395 1350 1043 1496">Four similar projects (R4 000 000.00 and above) with relevant testimonials and completion certificates per project provided</td> <td data-bbox="1043 1350 1158 1496">10</td> </tr> <tr> <td data-bbox="395 1496 1043 1641">Three similar projects (R4 000 000.00 and above) with relevant testimonials and completion certificates per project provided</td> <td data-bbox="1043 1496 1158 1641">5</td> </tr> <tr> <td data-bbox="395 1641 1043 1787">Less than Three similar projects (R4 000 000.00 and above) with relevant testimonials and completion certificates per project provided</td> <td data-bbox="1043 1641 1158 1787">0</td> </tr> <tr> <th data-bbox="395 1816 1043 1921">Experience Working at heights on similar projects</th> <th data-bbox="1043 1816 1158 1921">Score</th> </tr> </tbody> </table>	Experience	Score	Details not submitted as per annexure A	0	Details submitted as per annexure A	5	References for projects above R 4, 000,000 (waterproofing and sheeted roofs)	Score	Five or more similar projects (R4 000 000.00 and above) with relevant testimonials and completion certificates per project provided	15	Four similar projects (R4 000 000.00 and above) with relevant testimonials and completion certificates per project provided	10	Three similar projects (R4 000 000.00 and above) with relevant testimonials and completion certificates per project provided	5	Less than Three similar projects (R4 000 000.00 and above) with relevant testimonials and completion certificates per project provided	0	Experience Working at heights on similar projects	Score	25	
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Criteria	Scoring Guide		Max Points	Points Scored																	
Tenderers should very briefly (Between 1 and 2 pages) describe his or her experience in this regard and attaches this to this schedule.	Brief description of experience in working at elevated levels - waterproofing and sheeted roofs 5 or more projects. (Description per project)	5																			
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<p>Capacity – Human Resources</p> <p>Experience / capability Project Manager / Foreman (CV 's and certificates submitted Proof of competency i.e. training/ qualification certificates and proof of registration with relevant professional bodies).</p> <p>Personnel Number of staff allocated to this project, their seniority, qualifications, and competency</p>	<table border="1"> <thead> <tr> <th data-bbox="384 696 1046 804">Project Manager / Foreman in similar projects</th> <th data-bbox="1046 696 1161 804">Score</th> </tr> </thead> <tbody> <tr> <td data-bbox="384 804 1046 983">CV to include details describing experience and capacity in handling similar jobs. Description of how the proposed project manager / foreman has supplied expertise for similar contracts and projects</td> <td data-bbox="1046 804 1161 983">2</td> </tr> <tr> <td data-bbox="384 983 1046 1162">Certificates – detailing description of the education, knowledge, as well as certifications or other professional credentials that clearly show the individual is qualified to perform the required work</td> <td data-bbox="1046 983 1161 1162">1</td> </tr> <tr> <td data-bbox="384 1162 1046 1270">Project manager / foreman has more than 5 years' experience on similar projects.</td> <td data-bbox="1046 1162 1161 1270">2</td> </tr> <tr> <td colspan="2" data-bbox="384 1270 1161 1341"></td> </tr> <tr> <th data-bbox="384 1341 1046 1373">Personnel</th> <th data-bbox="1046 1341 1161 1373">Score</th> </tr> <tr> <td data-bbox="384 1373 1046 1444">Details of staff, role on the project and organogram</td> <td data-bbox="1046 1373 1161 1444">4</td> </tr> <tr> <td data-bbox="384 1444 1046 1516">CV 's and certificates submitted</td> <td data-bbox="1046 1444 1161 1516">3</td> </tr> <tr> <td data-bbox="384 1516 1046 1592">Job descriptions per staff member</td> <td data-bbox="1046 1516 1161 1592">3</td> </tr> </tbody> </table>	Project Manager / Foreman in similar projects	Score	CV to include details describing experience and capacity in handling similar jobs. Description of how the proposed project manager / foreman has supplied expertise for similar contracts and projects	2	Certificates – detailing description of the education, knowledge, as well as certifications or other professional credentials that clearly show the individual is qualified to perform the required work	1	Project manager / foreman has more than 5 years' experience on similar projects.	2			Personnel	Score	Details of staff, role on the project and organogram	4	CV 's and certificates submitted	3	Job descriptions per staff member	3	15	
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<p>Environmental Impact</p>		5																			

Criteria	Scoring Guide	Max Points	Points Scored
Attach a detailed implementation plan by the contractor and/or the person(s) responsible for implementing the agreement/contract, indicating how the environmental impact and the waste generated will be minimized, mitigated and managed.	Environmental Impact Implementation Plan	Score	
	Unrelated to project or No Plan	0	
	Generic but addressing EI in general	2	
	Specific to the project	5	
Professional Affiliation		10	
Submit valid proof of professional affiliation.	Association	Score	
	Waterproofing Association of Gauteng	5	
	Southern African Metal Cladding and Roofing Association (SAMCRA).	5	
		Total Points	100
		Minimum Threshold	70

9.3 Phase 3: Price Evaluation

Only those service provider that scored 70 in overall on Functionality will be considered for this final phase wherein the lowest acceptable bid price will be accepted and the relevant service provider awarded the tender accordingly. A Detailed budget breakdown inclusive of all taxes, and labour must be submitted and valid for **120 days** from closure of the tender.



PRICING SCHEDULE

(Professional Services)

NAME OF BIDDER:	
BID NO.:	
CLOSING TIME : 11h00	CLOSING DATE : 20 June 2022

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

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

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-----	R-----
	R-----	R-----
	R-----	R-----

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

PHASE	COST PER PHASE	MAN DAYS
	R.....	.....
	R.....	.....
	R.....	.....

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	RATE	QUANTITY	AMOUNT
	R.....	.....	R.....
	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.

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	RATE	QUANTITY	AMOUNT
	R.....	.....	R.....
	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.....

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.**

2.1.1 Full Name of Company:

2.1.2 Name of Representative:

2.2 Identity Number:

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

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
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

¹"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

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

2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institution:

Any other particulars:

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

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

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

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

2.10.1 If so, furnish particulars.

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

2.11.1 If so, furnish particulars:

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

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

4. DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT.

I ACCEPT THAT THE 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 Company

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	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	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)? To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	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.

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

THE END