



REQUEST FOR BIDS

**FOR THE APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY THE SABFS WITH
ALL SHUTTLE SERVICES**

Contract Number	SABFS00001/2017
Issue Date	03 March 2017
Compulsory Briefing	n/a
Closing date	17 March 2017
Closing time	12H00 PM

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SABFS

BID NUMBER: SABFS00001/2017

CLOSING DATE: 17/03/2017

CLOSING TIME: 12H00 PM

DESCRIPTION: THE APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY THE SABFS WITH ALL SHUTTLE SERVICES

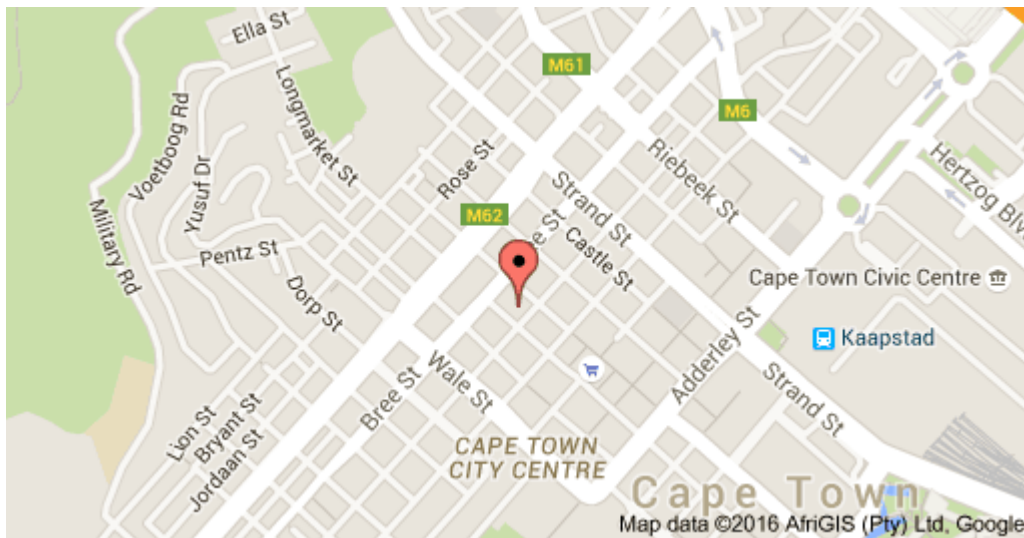
The successful bidder will be required to fill in and sign a written SABFS Contract.

BID DOCUMENT MUST BE DEPOSITED IN THE BID BOX SITUATED AT:

SABFS Head Office
Attention: Mrs Celesti Fortuin, 88 Loop Street, Cape Town, 8000

No faxed or e-mailed bids will be accepted

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



- Bids can be delivered between 08h30 and 16h00, Mondays to Fridays, prior to the closing date and between 08h30 and 12h00 pm on the closing date.
- All bids must be submitted on the official forms (not to be re-typed).

This bid is subject to the following:

- General Conditions of Contract (GCC) and, if applicable, any other Special Conditions of Contract. This can be downloaded from www.sheriffs.org.za and signed;
- the Preferential Procurement Policy Framework Act;
- the Preferential Policy Regulations, 2011; and
- Bids submitted that do not comply with the following may not be considered for evaluation:
 - A bid that is not in the format prescribed;
 - A bid without some or all of the required documents;
 - Pricing schedules not in the required format; and
 - Bids without the required number of copies.

NO.	DETAILS	TICK BY BIDDER
1	Part 1: Completed and signed the invitation to bid document (SBD 1)	
2	Part 2: Submitted an original and valid tax clearance certificate (Bidders are required to submit Tax Clearance Certificate for joint ventures, Consortiums and sub – contractors) (SBD 2)	
3	Part 3: Completed and signed the declaration of interest document (SBD 4)	
4	Part 4: Completed and signed the Declaration of bidders past Supply Chain Management Practices document (SBD 8)	
5	Part 5: Completed and signed the Preference Points Claim form in terms of the Preferential Procurement Regulations 2011 (SBD 6.1)	
6	Part 6: Submitted the Technical approach	
7	Part 7: Submitted the Details of your team/ personnel.	
8	Part 8: Submitted Experience in the field document	
9	Part 9: Completed and signed the Certificate of Independent Bid Determination (SBD 9)	
10	Submitted an original/ certified copy of a valid BBBEE Certificate	
11	Part 11: Submitted the General Conditions of Contract (initialled each page). This can be downloaded at www.sheriffs.org.za	
12	Five reference letters from contactable references indicating details of experience in similar work.	
13	Submitted one original and four copies of the bid documents	

**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 CODENUMBER.....
E-MAIL ADDRESS
VAT REGISTRATION

CHECKLIST FOR THE BIDDER [TICK APPLICABLE BOX]:

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (SBD 2) **YES/NO**

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

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN AFFIDAVIT (PRESCRIBED FORM) SIGNED BY A COMMISSIONER OF OATHS **YES/NO**

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS); **YES/NO**

OR

A REGISTERED AUDITOR **YES/NO**

(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/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 AND TECHNICAL INFORMATION MAY BE DIRECTED TO:

Department: Finance
Contact Person: Celesti Fortuin
E-mail address: proposals@sheriffs.org.za

SPECIAL CONDITIONS OF BID AND CONTRACT

1 GENERAL

- 1.1 Proper bids for the services specified must be submitted. All providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

2 GENERAL CONDITIONS OF CONTRACT

- 2.1 The General Conditions of Contract must be accepted. The general conditions applicable to government entity bids, contracts and order are attached herein as Annexure A as they will apply to this bidding process.

3 ADDITIONAL INFORMATION REQUIREMENTS

- 3.1 During evaluation of the bids, additional information may be requested in writing from bidders. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to your bid being disregarded.

4 CONFIDENTIALITY

- 4.1 The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.
- 4.2 All bidders are bound by a confidentiality agreement preventing the unauthorised disclosure of any information regarding the SABFS or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation or products to other clients without written approval of the accounting authority or the delegate.

5 INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT

- 5.1 Copyright of all documentation relating to this contract belongs to the SABFS. The successful bidder may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.
- 5.2 All the intellectual property rights arising from the execution of this Agreement shall vest in SABFS who shall be entitled to cede and assign such to the Department of Justice and Constitutional Development and the Service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.
- 5.3 In the event that the service provider would like to use information or data generated by the service, the prior written permission must be obtained from SABFS.
- 5.4 SABFS shall own all materials produced by the Service provider during the course of this contract, or as part of the service including without limitation, deliverables, computer programmes (source code and object code), programming aids and tools, documentation, reports, data, designs, concepts and other information whether capable of being copyrighted or not ("IP") which IP SABFS shall be entitled to freely cede and assign to the Department of Justice and Constitutional Development.

- 5.5 The Service provider assigns all IP rights in respect of all materials referred to in clause 5.4 to SABFS or the Department of Justice and Constitutional Development, as SABFS directs. No other document needs to be executed to give effect to this session, assignment or transfer.
- 5.6 The Service provider hereby irrevocably cedes, assigns and transfers to SABFS or the Department of Justice and Constitutional Development, as SABFS directs, all rights, title and interest in and to all IP (which includes, but is not limited to methodologies and products) connected with or applicable to the Services.
- 5.7 The Service provider acknowledges and agrees that:
- 5.7.1 Each provision of clause 5 is separate, severally and separately enforceable from any other provisions of this agreement;
- 5.7.2 The invalidity or non-enforceability of any one or more provision hereof, shall not prejudice or effect the enforceability and validity of the remaining provisions of this agreement; and
- 5.7.3 This contract contains various *stipulatio alteri* in favour of the Department of Justice and Constitutional Development, which rights shall continue in effect after termination of this Agreement, and which rights can be exercised and enforced at any time by the Department of Justice and Constitutional Development.
- 5.8 This clause 5 shall survive termination of this agreement.

6 PAYMENTS

- 6.1 SABFS will pay the Service provider the Fee as set out in the final contract. No additional amounts will be payable by SABFS to the Service provider without prior written agreement thereof.
- 6.2 The Service provider shall from time to time during the currency of the contract invoice SABFS for the services rendered. No payment will be made to the Service provider unless an invoice complying with Section 20 of the VAT Act No 89 of 1991(as amended) has been submitted to the SABFS.
- 6.3 Payment shall be made into the bidder's bank account normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this bid is awarded).
- 6.4 The Service provider shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other moneys required to be paid in terms of applicable law.

7 NON-COMPLIANCE WITH DELIVERY TERMS

- 7.1 As soon as it becomes known to the Service provider that he will not be able to deliver the goods/services within the delivery period and/or against the bid price and/or as specified, the SABFS must be given immediate written notice to this effect. The SABFS serves the right to implement remedies as provided for in the GCC.

8 WARRANTIES

- 8.1 The Service provider warrants that it is able to conclude this Agreement to the satisfaction of the SABFS.
- 8.2 Although the Service provider will be entitled to provide services to persons other than SABFS, the Service provider shall not without the prior written consent of SABFS, be involved in any

manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the Service provider to provide the Services.

9 PARTIES NOT AFFECTED BY WAIVER OR BREACHES

- 9.1 The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof.
- 9.2 No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.

10 RETENTION

- 10.1 On termination of this agreement, the Service provider shall on demand hand over all documentation, information, software, etc., relating to the provision of services as per this bid without the right of retention, to the SABFS.
- 10.2 No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall also be in writing.

11 SUBMITTING BIDS

- 11.1 An **original plus four (4) copies of the bid**, i.e. **five (5)** documents in total should be handed in/delivered to:

**SABFS
88 Loop Street
Cape Town
8000**

NB: Bidders are to indicate on the cover of each document whether it is the original or a copy

Bids should be submitted in a sealed envelope, marked with:

- Bid number: SABFS00001/2017;
- Closing date and time: 17 March 2017, 12:00 PM; and
- The name and address of the bidder.

Documents submitted on time by bidders shall not be returned.

12 LATE BIDS

- 12.1 Bids received late shall not be considered. A bid will be considered late if it arrived only one second after 12H00 PM or any time thereafter. Bids arriving late will not be considered under any circumstances. Bids received late shall be returned unopened to the bidder. Bidders are therefore strongly advised to ensure that bids be despatched allowing enough time for any unforeseen events that may delay the delivery of the bid.

13 CLARIFICATIONS

- 13.1 Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (e-mail) from Ms Celesti Fortuin proposals@sheriffs.org.za by the **14 March 2017 at 12H00 PM**. The bid number should be mentioned in all correspondence. **Telephonic requests for clarification will not be accepted**. If appropriate, the clarifying information will be made available to all bidders by e-mail only.

14 FORMAT OF BIDS

- 14.1 Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.
- 14.2 Bidders are to set out their proposal in the following format:

- Part 1: Invitation to Bid;
- Part 2: SARS Tax Clearance Certificate(s);
- Part 3: Declaration of interest;
- Part 4: Declaration of bidders past supply chain management practices;
- Part 5: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2011;
- Part 6: Technical approach;
- Part 7: Team details;
- Part 8: Experience in this field;
- Part 9: Certificate of Independent Bid Determination, and
- Part 10: Pricing Schedule.

Part 1: Invitation to Bid

Bidders must complete and submit the "Invitation to Bid" document.

Part 2: SARS Tax Clearance Certificate

Original valid SARS Tax Clearance Certificate of the Service provider must be submitted with the bid. In case of a consortium/ joint venture, or where sub-Service providers are utilised, an **original** valid SARS Tax Clearance Certificate for each consortium/ joint venture member **and/or sub-contractor** (individual) **must** be submitted.

Part 3: Declaration of Interest

Each party to the bid must complete and submit the Declaration of Interest.

Part 4: Declaration of bidders past supply chain management practices

Each party to the bid must complete and submit the Declaration of past supply chain management practices

Part 5: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2011

Bidders must complete and submit the Preference Points Claim Form.

A trust, consortium or joint venture:

- will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate; and
- will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

Part 6: Technical approach

Bidder must at least:

- 6.1 Describe, in detail, exactly how they propose to carry out the activities to achieve the services identified in the terms of reference. They should identify any possible problems that might hinder performance and indicate how they will avoid, or overcome such problems;
- 6.2 Provide information on any additional value added services for consideration by SABFS, and which will form part of the overall proposed solution. Please note that the additional value ads must be priced separately in the space provided for in the pricing schedule;

Part 7: Team details

- 7.1 In this section the bidder should be in a position to detail all persons to be working with him/her on the project and indicate their positions and expertise.
- 7.2 For each team member there must be:
 - A certified copy of team members driver's licence; and
 - A certified copy of team members Professional Driving Permit (PrDP).

Part 8: Experience in this field

- 8.1 It is essential that the bidder displays relevant experience in the field. Bidders should provide information demonstrating their experience as set out in Terms Of Reference.

Part 9: Certificate of Independent Bid Determination

Bidders must complete and submit the "Invitation to Bid" document.

Part 10: Pricing Schedule

Any budget amount that may be indicated in this document shall be deemed to be a guide only and bidders are expected to submit a costing that is fair and reasonable.

All costs related to this assignment are to be allowed for in the pricing schedule and in the formats prescribed. The proposed totals for fees will be included in the contract as the maximum amounts to be spent on these items.

Costs

- The budgeted rates of all transfers as per the pricing schedule.

Note 1: No handling fee on disbursements will be considered

VAT

- Value Added Tax must be included and shown separately on all costed in/priced items/services.

15 PRESENTATIONS

15.1 SABFS reserves the right to invite bidders for presentations before the award of the bid. Only bidders who have met the minimum functionality criteria will be invited to presentations.

16 NEGOTIATION

16.1 SABFS has the right to enter into negotiation with a prospective service provider regarding any terms and conditions, including price(s), of a proposed contract. This will be done in a fair manner.

16.2 SABFS shall not be obliged to accept the lowest of any quotation, offer or proposal.

16.3 SABFS issues this bid invitation in good faith; however it reserves the right to:

- Cancel or delay the selection process at any time, without explanation;
- Not to select any of the respondents to this bid invitation, without explanation; and
- Exclude certain services, without explanation.

16.4 All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties. The designated responsible person of SABFS is the Executive Manager or her written authorised delegate.

17 REASONS FOR REJECTION

17.1 SABFS shall reject a proposal for the award of a contract if the recommended bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.

17.2 SABFS may disregard the bid of any bidder if that bidder, or any of its directors:

- Have abused the Supply Chain Management systems of SABFS;
- Have committed proven fraud or any other improper conduct in relation to such systems; and
- Have failed to perform on any previous contract and the proof exists.

17.3 Such actions shall be communicated to the National Treasury.

18 TERMS OF REFERENCE (TOR)

18.1 Purpose

The purpose of this bid is to appoint a suitable Service Provider to supply the SABFS' office with shuttle services.

18.2 Background to SABFS

The South African Board for Sheriffs ("SABFS") is a statutory regulatory body established in terms of the Sheriffs Act 90 of 1986. The SABFS' objectives are the maintenance of the esteem, the enhancement of the status and the improvement of the standard of training of and functions performed by sheriffs.

The core objectives of the SABFS are to:

- Liaise with the Sheriffs and relevant Stakeholders;
- To monitor the conduct of Sheriffs;
- Promote the Sheriffs Profession;
- To set standards for the Sheriffs Profession; and
- To provide overall Policy directives.

18.2.1 SABFS's purpose

The core business of the South African Board for Sheriffs is:

- To transform the sheriffs' profession, the SA Board for Sheriffs and its staff and to bring it in line with constitutional imperatives;
- To review legislation and all other relevant legislation, among others the Sheriffs Act 90 of 1986, and if necessary lobby for reform in a manner which protects the interests of the sheriffs' profession and all stakeholders;
- To communicate effectively with all stakeholders and sheriffs;
- To discipline sheriffs;
- To monitor the conduct of sheriffs;
- To promote professionalism;
- To set standards for training of persons who are, or intend participating in the sheriffs' profession;
- To set up the necessary training programmes;
- To formulate policy directives; and
- To ensure effective management of the Board and its office.

18.2.2 SABFS's values

- **Accountability**
We will ensure that the members and officials of the Board carry out their responsibilities conscientiously and with integrity.
- **Integrity**
We will uphold the ethical and moral principles embodied in the Codes and Principles of the Board and the Constitution of South Africa with honesty, fairness and consistency.
- **Professionalism**
We are committed to serve our stakeholders with courtesy, to the best of our abilities and with dedication to the highest standards of excellence.
- **Transparency**
We will ensure that all our practices are open to internal and external scrutiny.
- **Efficiency**
We are committed to managing the resources of the Board efficiently and effectively and will take steps to eliminate wasteful and fruitless expenditure.
- **Respect**
We respect and value the views of all our stakeholders and will treat everyone with dignity and consideration.
- **Equity**
We are committed to employment equity in the recruitment of staff and opposed to all forms of unfair discrimination in our relationships with all stakeholders and the public.

18.2.3 SABFS vision

- We are a Board that is transparent and responsive to the needs of sheriffs' profession.
- We will promote a professional sheriffs service that is respectful and efficient to deliver justice to all with integrity and accountability.
- We will be accountable in terms of legislative mandate and strive to entrench the human rights culture envisaged by the Constitution.

MISSION

- We will provide professional and credible service to all our clients and other stakeholders.
- We will develop skilled, knowledgeable and motivated staff.
- We will develop a unified and committed Board with focused leadership.
- We will conduct all activities and execute our mandate in a manner that is accountable to the public and to government.
- We will enhance the image and goodwill of the sheriffs' profession.

18.3 Scope of Work

The SABFS is seeking a reputable company which will provide shuttle services as required. The supplier would be able to provide the required Shuttle Services in Cape Town and must be able to display effective co-ordination of a shuttle service in Johannesburg.

The duration of the contract will be for a two (2) year period. The prices offered should be for the duration of the contract. Please explicitly mention in your offer that the prices offered will be fixed for two years from time of contract award.

18.3.1 Services Required

18.3.1.1 Provide a safe and reliable taxi service, including :

- Airport transfers;
- Hotel/office – office/hotel pick-up and drop off;

18.3.1.2 Over and above the factory fitted safety equipment in vehicles we require the following:

- Monitored vehicles with tracking devices;
- Comprehensive insurance on vehicles;
- Safety belts;
- Roadworthy vehicles;
- Licensed drivers; and
- Age of all vehicles to be used.

18.3.2 Deliverables (Technical Approach Part 6 of bid document)

In part 6 of the bid document, the bidder has to show in detail how they propose to carry out the above deliverables, in accordance with the guidelines set out in that part.

18.3.3 Team Details (See Part 7 of bid document)

18.3.3.1 The bidder should be in a position to detail all persons to be working with him/her on the project and indicate their positions and expertise;

18.3.3.2 The bidder must show that they maintain sufficient capacity to ensure the timely delivery of services;

18.3.3.3 It is desirable that the majority of the key staff proposed is permanent employees of the company or have an extended and stable working relationship with it; and

18.3.3.4 Proposed staff must, at a minimum, have at least two (2) years' experience.

18.3.4 Experience in the field (see Part 8 of bid document)

18.3.4.1 Company Profile – A statement of the experience of the company in relation to contracts of this type including the years in which they were undertaken;

18.3.4.2 Attach a fleet catalogue or pictures of fleet; and

18.3.4.3 Attach a list of at least three (3), preferably five (5), reference letters from clients previously serviced, not older than twelve months, along with the contact person and contact details.

18.3.5 Pricing Schedule (see Part 10 of bid document)

18.3.5.1 Pricing Schedule to be based on services required (18.3.1.1);

18.3.5.2 Pricing Schedule to include 20km intervals from office up to a radius of 100km as well as the rate per km; and

18.3.5.3 For the purpose of this bid, 80/20 point system will be applicable in line with PPPFA as amended. Provision for VAT must also be shown.

19 EVALUATION PROCESS

19.1.1 COMPLIANCE WITH MINIMUM REQUIREMENTS

19.1.1.1 All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, will be eliminated from further adjudication.

19.1.2 PRICE, FUNCTIONALITY AND PREFERENCE POINTS

19.1.2.1 All remaining bids will be evaluated as follows:

19.1.2.2 The functionality calculation will be done based on the defined criteria and weighting thereof. Presentations may be held with the bidders ranked 1st, 2nd and 3rd at the discretion of the evaluation committee. If presentations are held, the functionality score will be adjusted whereby 80 percent is for proposal evaluation and 20 percent is for presentation score. If a bidder fails to score a minimum of **70%** out of 100% for functionality, his bid will be disregarded from further consideration.

19.1.2.3 The second part will then be done on the **80/20** split whereby (80) points will be awarded for price and 20 points will be awarded for B-BBEE Status Level Contribution.

19.1.3 ELIMINATION OF PROPOSALS ON GROUNDS OF FUNCTIONALITY

19.1.3.1 Bids that score less than 70% of the 100% available for functionality will be eliminated from further consideration. Points will therefore not be awarded for their cost proposals or for B- BBEE Status Level of Contribution

19.1.3.2 The percentage scored for functionality should be calculated as follows:

19.1.3.3 Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for the various criteria. These marks should be added to obtain the total score. The following formula should then be used to convert the total score to a percentage for functionality:

$$P_s = \frac{S_o}{M_s} \times A_p$$

Where;

P_s = percentage scored for functionality by bid/proposal under consideration

S_o = total score of bid/proposal under consideration

M_s = maximum possible score

A_p = percentage allocated for functionality

The percentages of each panel member shall be added together and divided by the number of panel members to establish the average percentage obtained by each individual bidder for functionality.

After calculation of the percentage for functionality, the prices of all bids that obtained the minimum score for functionality should be taken into consideration.

19.1.4 AWARDING OF POINTS FOR PREFERENCES/GOALS

19.1.4.1 Points for B-BBEE Status Level of Contribution will be awarded according to the table indicated in the preference points claim form(s).

19.1.5 COMBINING PRICE AND PREFERENCE MARKS

19.1.5.1 The B-BBEE Status Level of Contribution points for each bid will now be added to the price points for that bid

19.1.5.2 The Evaluation Committee may recommend that the contract be awarded to the bidder obtaining the highest aggregate points as determined by above or to a lower scoring bid based on firm, verifiable and justifiable grounds.

19.1.6 PRESENTATIONS

19.1.6.1 The SABFS may decide to have compulsory presentations made by the bidders ranked first, to third once the functionality score has been calculated.

19.1.6.2 Presentations shall only affect the points awarded for functionality. If SABFS wishes to use presentations to discriminate between bidders, the evaluation criteria to be affected shall be determined in advance and due allowance made in the points scheme.

19.1.6.3 If the date of the presentation meeting is not indicated in the bid document, at least three days' notice will be given to bidders required to attend a presentation.

19.1.6.4 Presentations will be made to the full Evaluation Committee.

19.1.6.5 Points determined by the presentation will be awarded to each bidder by each member of the Evaluation Committee and then an average calculated.

19.2 ADJUDICATION OF BID

19.2.1 The Adjudication Committee will consider the recommendations and make the final award. The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid based on firm, verifiable and justifiable grounds or no award at all.

20. EVALUATION CRITERIA

20.1 The criteria and weights referred to in paragraph/s 1 above, are as follows:

FUNCTIONALITY EVALUATION		MAXIMUM TO BE AWARDED
1. Functionality Proposal Evaluation		Weightings
<input type="checkbox"/> Proposed Technical approach of the Bidder (requirements in Part 6)		50
<input type="checkbox"/> Suitability of the proposed Bidder (requirements in Part 7)		10
<input type="checkbox"/> Experience of the Bidder (requirements in Part 8)		20
% Subtotal for functionality before presentation (maximum)		80
2. Functionality Presentation Evaluation		Weightings
<input type="checkbox"/> Proposed Technical approach of the Bidder (requirements in Part 6)		12.5
<input type="checkbox"/> Suitability of the proposed Bidder (requirements in Part 7)		2.5
<input type="checkbox"/> Experience of the Bidder (requirements in Part 8)		5
% Subtotal for functionality for presentation (maximum)		20
TOTAL		100
SABFS reserve the rights to call for functionality presentations. If no presentations are held, the functionality calculation in 1 will be adjusted to equal 100%.		
PRICE AND PREFERENCE POINTS		MAXIMUM TO BE AWARDED
3. Price		
<input type="checkbox"/> Relative competitiveness of proposed price		80
4. B-BBEE Status Level of Contribution		20
TOTAL FOR PRICE AND PREFERENCE		100

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of the bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1(one) year from the date of approval.
- 3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.



Application for a Tax Clearance Certificate

Purpose

Select the applicable option Tenders Good standing

If "Good standing", please state the purpose of this application

Particulars of applicant

Name/Legal name (Initials & Surname or registered name)			
Trading name (if applicable)			
ID/Passport no		Company/Close Corp. registered no	
Income Tax ref no		PAYE ref no	7
VAT registration no 4		SDL ref no	L
Customs code		UIF ref no	U
Telephone no		Fax no	
E-mail address			
Physical address			
Postal address			

Particulars of representative (Public Officer/Trustee/Partner)

Surname			
First names			
ID/Passport no		Income Tax ref no	
Telephone no		Fax no	
E-mail address			
Physical address			

Particulars of tender (If applicable)

Tender number

Estimated Tender amount R ,

Expected duration of the tender year(s)

Particulars of the 3 largest contracts previously awarded

Date started	Date finalised	Principal	Contact person	Telephone number	Amount
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Audit

Are you currently aware of any Audit investigation against you/the company?..... YES NO
If "YES" provide details

Appointment of representative/agent (Power of Attorney)

I the undersigned confirm that I require a Tax Clearance Certificate in respect of Tenders or Goodstanding.

I hereby authorise and instruct to apply to and receive from SARS the applicable Tax Clearance Certificate on my/our behalf.

Signature of representative/agent Date

Name of representative/agent

Declaration

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

Signature of applicant/Public Officer Date

Name of applicant/Public Officer

Notes:

1. It is a serious offence to make a false declaration.
2. Section 75 of the Income Tax Act, 1962, states: Any person who
(a) falls or neglects to furnish, file or submit any return or document as and when required by or under this Act; or
(b) without just cause shown by him, refuses or neglects to-
(i) furnish, produce or make available any information, documents or things;
(ii) reply to or answer truly and fully, any questions put to him ...
As and when required in terms of this Act ... shall be guilty of an offence ...
3. **SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.**
4. Your Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only) as applicable.



South African Revenue Service
Suid-Afrikaanse Inkomstediens
Uphiko lwezimali Ezingenayo eNingizimu Afrika
Tirelomatlotlo ya Afrika-Borwa

Tax Clearance Certificate Number
0064/1/2005/0001088683

Tax Clearance Certificate-Tender

Enquiries
0860 12 12 18

Approved Date
2005-10-05

Trading Name SARS

Expiry Date
2006-10-05

Legal Name SARS

Identity Number/ Passport Number

Company Registration Number

Income Tax Reference Number

VAT/Diesel Registration Number

PAYE Registration Number

SDL Registration Number

UIF Registration Number

It is hereby confirmed that, on the basis of the information at my disposal, the above-mentioned taxpayer has not contravened the provisions of Income Tax Act (1962), Value Added Tax Act (1991), Employees Tax (PAYE as contained within the Income Tax Act 1962), Skills Development Levies Act (1999) or Unemployment Insurance Contributions Act (2002), as at date of this certificate.

This Certificate is Valid for a period of 1 (One) Year from the date of approval.

Verification of this certificate can be done at any SARS Revenue office nationwide.

Photo copies of this certificate are not valid.

SARS reserves the right to withdraw this certificate at any time should it prevail that any taxes, levies or duties are due and outstanding by the abovementioned taxpayer during the one year period for which the certificate is valid.

This certificate is issued free of charge by SARS.

DECLARATION OF INTEREST

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

2.2 Identity Number:

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

.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

.....

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹“state” means:-

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

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

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

2.7.1 If so, furnish the following particulars:

Name of person /director /trustees /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 attach proof of such authority to the bid document? **YES/NO**

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

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 spouse 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, 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 Income Tax Reference Number	State Employee Number/ Persal Number

4 DECLARATION

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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 supply chain management system
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failure 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 style="text-align: center;">(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 style="text-align: center;">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	<p>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)?</p> <p style="text-align: center;">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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>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?</p>	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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.

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 R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

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

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 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

- 2.1 **“All applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment Insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less.
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;

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- 2.15 “**sub-contract**” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 “**total revenue**” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 09 February 2007;
- 2.17 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3 ADJUDICATION USING A POINT SYSTEM

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

4 POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

5 Points awarded for B-BBEE Status Level of Contribution

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub- contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6 BID DECLARATION

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

7 B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: = (maximum points of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? **YES / NO** (delete which is not applicable)

8.1.1 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? **YES / NO** (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm :

9.2 VAT registration number :

9.3 Company registration number :

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

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

SBD 6.1

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a results of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES:

- 1.
- 2.

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

DATE:

ADDRESS:

.....

.....

ANNEXURE A is the GCC General Terms and Conditions and this can be downloaded at www.sheriffs.org.za and completed and attached to bid documents.