



**REQUEST FOR QUOTATION (RFQ) DOCUMENT**

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**1. SOLICITATION: REQUEST FOR QUOTATION**

**PURPOSE OF INVITATION: APPOINTMENT OF A SERVICE PROVIDER TO MANAGE AND RENDER IN-HOUSE CANTEEN SERVICES**

**RFP Reference Number: RFQ 08.09.2017.3319**

All enquiries regarding RFQ's should be in writing and may be directed to Email: [tenders@serviceseta.org.za](mailto:tenders@serviceseta.org.za), and to Charlotte or Eric Mapeta email: [charlottem@serviceseta.org.za](mailto:charlottem@serviceseta.org.za) or [ericm@serviceseta.org.za](mailto:ericm@serviceseta.org.za) by no later than **11:00 AM on 27 September 2017.**

**Or for technical information –IDFM, Makhaya Blaai/ Gavin Thomas** to Email: [makhayab@serviceseta.org.za](mailto:makhayab@serviceseta.org.za)/[gavint@serviceseta.org.za](mailto:gavint@serviceseta.org.za) Tel: (011) 276 8643/ 011 297 9715

**CLOSING DATE AND TIME FOR PFQ: 29 September 2017 AT 11:00 AM**

**2. COMPANY DETAILS**

Name of Bidder.....

Postal Address.....

Street Address.....

Telephone Number Code.....Number.....

Cell phone Number.....

Facsimile Number Code.....Number.....

E-Mail Address.....

Vat Registration Number.....

Company Registration Number.....

Central Supplier Database MAAA Number.....

Tax Clearance Certificate Pin Number.....

### 3. RFQ CHECKLIST

The contents of the RFQ document must be as follows,

The potential bidder must submit four (4) RFQ proposal (compile one (1) original and make three (3) copies from original RFQ document).

- The Services SETA RFQ documents must be submitted in official format (not to be re-typed);
- The RFQ proposal must be properly bonded, punched, numbered and separated per checklist schedule below;

Schedules	Description	Submitted – YES or NO
Schedule 1	RFQ document must be signed and duly completed, together with all declaration of interest/ standard bidding documents ( <b>SBD's 4, 6.1</b> ).	
Schedule 2	The potential bidder must be registered with National Treasury Central Supplier Database (CSD).	
Schedule 3	The potential bidder must be tax compliant on National Treasury Central Supplier Database (CSD) prior to award.	
Schedule 4	Provide and attach a copy of Company Registration Certificate.	
Schedule 5	Capacity of a Service Provider	
Schedule 6	Methodology and Project Approach	
Schedule 7	Assignment Experience	
Schedule 8	Qualifications	
Schedule 9	ID. Documents, Cancelled Cheque or Letter from the Bank Confirming Banking Details	
Schedule 10	Pricing Schedule (Services SETA accept an additional formal quotation)	

## 4. TERMS OF REFERENCES

### 1. 1. PURPOSE OF THIS PROJECT

#### APPOINTMENT OF A SERVICE PROVIDER TO MANAGE AND RENDER IN-HOUSE CANTEEN SERVICES

### INTRODUCTION AND OVERALL OBJECTIVES

The Services Sector Education and Training Authority (SSETA) was established and registered in March 2000 in terms of the Skills Development Act of 1998. The SETA aims to provide for the skills development needs of the services sector through the implementation of learnerships, disbursement of grants and monitoring of education and training.

The Services Sector Education and Training Authority (Services SETA) needs to appoint a Services provider to manage and render in-house canteen Services

**LATE SUBMISSIONS WILL BE ACCEPTED AFTER THE CLOSING DATE AND TIME, HOWEVER WILL NOT BE CONSIDERED FOR EVALUATION**

Please note that all pertinent documentation is available on the Services SETA website at

[www.serviceseta.org.za](http://www.serviceseta.org.za)

## 2. BACKGROUND

To promote healthy lifestyle through consumption of healthy foods.

2.2. To create access for affordable healthy foods

2.3. To have an affordable and convenient in-house catering Services for Departmental official meetings in line with time and cost saving measures.

## 3. SCOPE OF WORK/ DELIVERABLES

### SCOPE OF SERVICE

Conditions of the assignment:

The Services provider will be responsible for managing and rendering the in-house canteen service to the Services SETA on a fixed contract until 31 March 2020. The canteen premises (including water and electricity) will be provided by Services SETA at no cost to the supplier for the duration of the contract.

3.1.1 The Services SETA will:

- a) Pay the service provider within 30 days from the date the invoice was received.
- b) Provide the necessary equipment for the canteen and kitchen as set out under specifications below.
- c) Ensure that any additional equipment for preparation and display must be supplied by the service provider.
- d) Provide furniture for the canteen area. All furniture and equipment provided by the Service SETA will remain Services SETA assets.
- f) Provide an internal telephone line and network point for calls internal to the Service SETA. No external calls will be allowed.

3.1.2. The Service provider must:

- a) Provide the crockery and cutlery, excluding the furniture (tables, chairs)
- b) Be capable of managing and providing an in-house canteen service for the organisation in the canteen area provided.
- d) Purchase foodstuffs and other materials required for the proper execution of the canteen services. If the quantity and quality of any foodstuff is not of acceptable standard, the Services SETA retains the right to terminate the contract. Provision for Halaal and vegetarian foods must be made.
- e) Be responsible for maintaining and cleaning the canteen area, furniture and equipment.

### **3.2. MENU**

To be developed by the Service Provider.

The Services SETA reserves the right to assist the supplier to develop the menu and to approve any deviations or amendments to the approved menu. The menu should be interesting, cater for a wide range of tastes and with a definite healthy focus. It is the intention of the Services SETA to encourage the staff to adopt healthier eating habits.

### **3.3 OPERATING HOURS**

- Monday to Friday 7:30-16:00 (excluding public holidays)
- Breakfast 7:00 – 10:30
- Snacks/light meals throughout the day
- Lunch (hot meal) 12:00 -14:00

Service times will be structured after consulting with the Services SETA. The canteen will not function over weekends.

### **3.4 STAFFING**

The Services provider must:

Comply with existing labour laws and basic conditions of employment.

Ensure that only trained staffs are utilized during the contract.

Ensure continuous relevant training of staff. Acknowledge that all staff will be subjected to security clearance. Staff that is not cleared will not be allowed to work as part of this contract. Substitute employees' details to be submitted by Services provider within 3 working days.

### **3.5 QUALITY, HEALTH AND SAFETY MANAGEMENT**

3.5.1 The Service provider must:

Ensure compliance to all requirements of the Health and Safety Act and Regulations.

Provide the Services SETA with a monthly quality control report, which includes results of health and hygiene audits.

Ensure that all staff know how to handle fire hazards, fire extinguishers and are trained first aiders.

Keep all catering areas, equipment, fixtures, kitchen drains, kitchen refuse area, crockery, utensils etc. clean, hygienic and tidy.

Ensure that the canteen is kept hygienic and safe as required by legislation.

Ensure that a recognised/qualified health inspector inspects the catering facilities on a quarterly basis and that these inspection reports are submitted to SERVICES SETA.

### **3.6 MAINTENANCE AND CONTROL**

3.6.1. Services SETA will:

Be responsible for servicing Services SETA owned assets.

3.6.2 The Services provider must ensure:

That the Services SETA assets are used in a proper manner and must report any damages to Services SETA in writing immediately;

That no property of the Services SETA is removed from the premises;

That the maintenance of the equipment does not disrupt the rendering of the canteen services;

That any damage or loss of the Services SETA assets is not due to negligence, incorrect usage or operation on the part of the Services provider or any of their staff as any damage or loss due to the fore mentioned will be at the expense of the Services provider; and

That no structural changes to the existing premises are implemented.

### **3.7 MONITORING**

Services SETA shall:

At all times have access to the facilities and goods utilized by the service provider, schedule a standing monthly meeting between the service provider and the Services SETA to conduct regular surveys to assesses the quality of service and certain standards

#### **4. SPECIFIC DELIVERABLES AND MILESTONES**

The bid must include a comprehensive proposal document that includes at least the following:

- Meal prices
- Menu

The below serves as a guideline on staff complement required for the services and the costing thereof will be indicated on a separate price schedule attached herewith as Annexure A

4.2 Staff compliment should include the following:

To be proposed by bidder

4.3 Menu to be developed by successful bidder and approved by Service SETA. A menu is also to be presented by the successful bidder for approval by Service SETA.

Note:

- Services SETA have a staff complement of over 200 employees. Additional to this number are clients and consultants who are in our space from time to time.
- All prices must include VAT. (Confirmation of VAT registration to be obtained)
- Between the 15th December and the 15th January is off-peak time and kitchen may have to be closed or prepare basic items.

Note: a tasting session for the shortlisted candidates shall be held on a date communicated.

4.4 The specifications in this document are the minimum requirements. We accept no responsibility for any misunderstanding in these specifications

#### **4. THE DURATION OF ASSIGNMENT**

It is envisaged that the project will be for a period until 31 March 2020

**5. KINDLY FORWARD THE FOLLOWING RFQ DOCUMENTS, WHERE A CERTIFIED COPY OF A DOCUMENT IS REQUIRED, IT MUST BE CERTIFIED WITHIN THE LAST THREE (3) MONTHS**

**QUALIFICATION REQUIREMENT**

**QUALIFICATION/ GATEKEEPER REQUIREMENT**

	Has the applicable document been attached?	
1. The potential bidder must be registered with National Treasury Central Supplier Database (CSD).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. The potential bidder must be tax compliant on National Treasury Central Supplier Database (CSD) prior to award.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. RFQ document must be signed and duly completed, together with all declaration of interest/ standard bidding documents ( <b>SBD's 1, 2, 3.3, 4, 6.1, 7.2, 8, and 9</b> ).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4. Provide and attach a copy of Company Registration Certificate.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**The bidder must comply with the aforementioned qualification requirements above. Failure to abide by any of the requirements will lead to automatic disqualification.**

**OTHER IMPORTANT RFQ REQUIREMENT**

	Has the applicable document been attached?	
1. The tenderer must submit proof of its B-BBEE status level of contributor <b>PLEASE NOTE:</b> The tenderer failing to submit proof of B-BBEE status level of contributor or is a non-compliant contributor to B-BBEE may not be disqualified, but may only score points out of 80 for price; and scores Zero(0) points out of 20 for B-BBEE.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2. The Supplier status must be active, when verifying with Central Supplier Database (CSD). Provide MAAA number .....	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Tax Clearance certificate Verification purposes, the potential bidder must indicate pin number.....	Yes <input type="checkbox"/>	No <input type="checkbox"/>



## 6 EVALUATION CRITERIA

The value of this bid is estimated to be above R30 000 but below R500 000 (all applicable taxes included); therefore the **80/20** system shall be applicable.

### Criterion 1- Qualification Requirement

Bidders will first be evaluated in terms of the gatekeeper/minimum requirements. Bidders who do not fulfil all the requirements or do not submit the required documents will be disqualified.

### Criterion 2-Functionality Evaluation

Functionality is worth 100 points. The minimum threshold is 70 points. Bidders who score less than 70 points on functionality will therefore be disqualified; those who score 70 points or more will be further evaluated on **Criteria 3**. Functionality is the core criteria to this award and will be given a higher weight and may thereof be used as the basis for award

### Criterion 3-Price and Preference Evaluation

Price and Preference points (B-BBEE status level of contributor), Evaluation will be conducted on a 80/20 preferential procurement principle.

**NOTE: For the purpose of comparison and in order to ensure a meaningful evaluation, bidders must submit detailed information in substantiation of compliance to the evaluation criteria mentioned-above. Bidders may be invited to make a presentation as part of the evaluation process**

**FUNCTIONALITY SCORE SHEET**

NAME OF POTENTIAL BIDDER.....

RFQ REFERENCE NUMBER.....

A	B	C	D	E	F	G	H
FUNCTIONALITY	REQUIREMENT	SCORE QUALIFICATION	MEASUREMENT (what must be provided/ demonstrated as minimum)				
			Indicate what pages/ section in proposal?	Weighted Points	Yes	No	Score
<b>Capability of Service Provider</b>	The potential bidder must provide and attach three formal testimonial/ references letters with logo, letterhead, contactable details and relevant work/services executed signed by company representative/ Senior Official.	Attach (3) three or more written testimonials letters relating to the project management assignments of In-House Canteen services not older than three (3) years. <ul style="list-style-type: none"> <li>• Three (3) or more testimonials = <b>20pts</b></li> <li>• Two (2) testimonials = <b>10pts</b></li> <li>• One (1) testimonials = <b>5pts</b></li> <li>• No written testimonial=<b>0pts</b></li> </ul>	<ul style="list-style-type: none"> <li>• Bid Proposal</li> </ul> What page (s) or section of your bid may the CV's be found?  State <b>page (s) number</b> .....or State <b>section/ tab</b> .....on your proposal.	<b>20 pts</b>			
<b>Methodology and Project Approach</b>	Demonstrate an understanding of the In-House Canteen services	The bidder must demonstrate, in terms of the scope, how they will manage the In-House Canteen services to ensure all deliverables are met amongst others: <ul style="list-style-type: none"> <li>• Canteen routine = <b>10 pts</b></li> <li>• Food preparation = <b>20 pts</b></li> <li>• Occupational Health and Safety = <b>10 pts</b></li> <li>• Cleaning routine = <b>5 pts</b></li> <li>• Menu = <b>5pts</b></li> <li>• Equipment management = <b>5pts</b></li> <li>• Reports and meetings = <b>5pts</b></li> </ul>	<ul style="list-style-type: none"> <li>• Bid Proposal</li> </ul> What page (s) or section of your project implementation approach may be found?  State <b>page (s) number</b> .....or State <b>section/ tab</b> .....on your proposal.	<b>60 pts</b>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Assignment Experience</b>	The potential bidder must demonstrate the experience and the expertise in the field	<ul style="list-style-type: none"> <li>• The bidder must provide key team members C.Vs with projects management experience in the field of In-House Canteen services.</li> </ul>	- Bid Proposal	<b>10 pts</b>	<input type="checkbox"/>	<input type="checkbox"/>	

	of In-House Canteen services .	<ul style="list-style-type: none"> <li>Over 10 years relevant experience = <b>10pts</b></li> <li>Over 5 years' experience = <b>8 pts</b></li> <li>Less than 5 years but greater than three experience=<b>6 pts</b></li> <li>Less than 3 years but greater than two =<b>4 pts</b></li> <li>Less than two years = <b>2 pts</b></li> <li>No experience = <b>0 pts</b></li> </ul>	<p>What page (s) or section of your proposal, key team members experience may be found?</p> <p>State <b>page (s) number</b>.....or State <b>section/ tab</b>.....on your proposal.</p>				
<b>Qualification</b>	The potential bidder must provide and attach Qualifications of personnel in relevant field	<ul style="list-style-type: none"> <li>Masters or higher degree= <b>10 pts</b></li> <li>B Com Degree/ Diploma or equivalent= <b>8 pts</b></li> <li>Certificate or equivalent= <b>6 pts</b></li> <li>Certificate in or equivalent = <b>4 pt</b></li> <li>No relevant qualification or Non Submission= <b>0 pt</b></li> </ul>	<ul style="list-style-type: none"> <li>Attach relevant qualification for key personnel to be deployed for projects to company proposal.</li> </ul> <p>What page (s) or section of your proposal information will be found?</p> <p>State <b>page (s) number</b>.....or State <b>section/ tab</b>.....on your proposal.</p>	<b>10pts</b>	<input type="checkbox"/>	<input type="checkbox"/>	

Note that Evaluation Committee will use their own discretion to assess quality of all bid proposals received in relation to above functionality criteria and may further verify information submitted from relevant sources/ your client and use their own discretion to score your proposal accordingly.

<b>Total weighted Points</b>	<b>100</b>			
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The minimum functionality threshold is <b>70</b> points. <u>Bidders who score less than 70 points on functionality will therefore be disqualified</u> ; those who score 70 points or more will be further evaluated on <b>Criteria 3</b> .		
Price and Preference points used: <b>80/20</b> preferential procurement principle	<b>80</b> (Price)	R.....,
	<b>20</b> (BEE Status)	Level..... and points.....

<b>Name of Evaluator:</b>			
<b>Signature:</b>		<b>Date:</b>	...../...../2017

### 7. PRICING SCHEDULE

OFFER TO BE VALID FOR **90** WORKING DAYS FROM THE CLOSING DATE OF RFQ.

In order to compare process, bidders must indicate their prices on the basis of the following:

Entity name		
Total value		

Deliverables (State all deliverables to manage and render in-house canteen services below)	Quantity	Total (Vat inclusive and all other charges)
<b>Sub-Total</b>		
<b>Total</b>		

- Disbursement such as travel and accommodation will be reimbursed in line with Services SETA travel and accommodation policy
- Provide rate per resource for all deliverables

**Please note the following:**

- Services to be provided must be in accordance with the terms of reference.
- Bidders are also advised to indicate a total cost breakdown for this assignment.
- Own pricing schedule can be compiled to cover costs as per terms of reference

\*\*Parties qualifying for VAT must complete the VAT column

It must be noted that the RFQ will NOT necessarily be concluded in terms of total price and/or rates only due to the high technical and functional requirements

2. Total RFQ price (Incl of all applicable taxes) R.....

3. Period required for commencement with project after acceptance of RFQ.....

4. Are the rates quoted firm for the full period of contract? Yes or No

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

.....

.....

.....

**All applicable taxes” includes value- added tax, pay as you earn, income tax, Unemployment Insurance fund contributions and skills development levies.**

**\*\*\*[DELETE IF NOT APPLICABLE]**

## 8. TAX CLEARANCE CERTIFICATE REQUIREMENTS

**SBD 2**

**It is a condition of RFQ 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 RFQs.
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 RFQ. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the RFQ. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In RFQs 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](http://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](http://www.sars.gov.za). Or [SARS Application for TCC SBD.pdf](#)

**9. DECLARATION OF INTEREST****SBD 4**

1. Any legal person, including persons employed by the state<sup>1</sup>, 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 RFQ (includes an advertised competitive RFQ, a limited RFQ, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting RFQ, 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 RFQ(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 RFQ.

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

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

2.2 Identity Number: .....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>, 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 individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

<sup>1</sup>“State” means –

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

<sup>2</sup>“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 attach proof of such authority to the RFQ document? **YES / NO**

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

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 RFQ? **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 RFQ? **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:

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

**Full details of directors / trustees / members / shareholders**

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

**DECLARATION**

I, the undersigned (name).....

Certify that the information furnished in Paragraphs 2 and 3 above is correct.

I accept that the state may reject the RFQ or act against me should this declaration prove to be false.

.....  
 Signature

.....  
 Date

.....  
 Position

.....  
 Name of bidder



**SBD 6.1****10. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017**

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

**Important to note:**

Before completing this form, bidders must study the General Conditions, Definitions and Directives Applicable in respect of B-BBEE, as prescribed in the Preferential Procurement Regulations, 2017.

**1. GENERAL CONDITIONS**

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

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

1.2 The value of this quotation is estimated to be above **R30 000** but below R **500 000** (all applicable taxes included); therefore **80/20** preference point system shall be applicable

1.3 Points for this RFQ shall be awarded for:

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

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

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	<b>20</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the RFQ, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

## 2. DEFINITIONS

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

## 3. POINTS AWARDED FOR PRICE

### 3.2 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

**80/20**

**or**

**90/10**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_s$  = Points scored for price of RFQ under consideration

$P_t$  = Price of RFQ under consideration

$P_{\min}$  = Price of lowest acceptable RFQ

**4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

4.2 In terms of Regulation 6 (2) and 7 (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 (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
<b>Non-compliant contributor</b>	<b>0</b>

**5. RFQ DECLARATION**

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

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

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

**7. SUB-CONTRACTING**

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

*(Tick applicable box)*

YES		NO	
-----	--	----	--

7.2.1 If yes, indicate:

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

*(Tick applicable box)*

YES		NO	
-----	--	----	--

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise

in terms of Preferential Procurement Regulations,2017:

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

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.2 Name of company/firm:.....

8.3 VAT registration number:.....

8.4 Company registration number:.....

**8.5 TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

**8.6 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

.....

.....

.....

.....

8.7 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

8.8 Total number of years the company/firm has been in business:.....

8.9 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 contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, 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 contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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 BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....

**11. CONTRACT FORM - RENDERING OF SERVICES**

**SBD 7.2**

This Form must be filled in Duplicate by both the Service Provider (Part 1) and the Purchaser (Part 2). Both Forms must be signed in the original so that the Service Provider and the Purchaser would be in possession of **Originally Signed Contracts** for their respective records.

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

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in RFQ Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the RFQ .
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to RFQ;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent RFQ Determination;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my RFQ; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other RFQ.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT .....  
 CAPACITY .....  
 SIGNATURE .....  
 NAME OF FIRM .....  
 DATE .....

WITNESSES	
1	.....
2	.....
DATE:	.....

**CONTRACT FORM - RENDERING OF SERVICES**

**SBD 7.2**

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

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

TO MANAGE AND RENDER IN-HOUSE CANTEEN SERVICES	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED AT .....

ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

2 .....

DATE: .....

**12. DECLARATION OF BIDDERS'S PAST SCM PRACTICES****SBD 8**

- 1) This Standard Bidding Document must form part of all RFQs 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 RFQ 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 RFQ.**

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><b>(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).</b></p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) 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><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></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 outside of 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**

**13. CERTIFICATE OF INDEPENDENT BID DETERMINATION****SBD 9**

1. This Standard Bidding Document (SBD) must form part of all RFQs<sup>1</sup> 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 RFQ rigging).<sup>2</sup> 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 RFQ 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 RFQs are considered, reasonable steps are taken to prevent any form of RFQ-rigging.
5. In order to give effect to the above, the attached Certificate of RFQ Determination (SBD 9) must be completed and submitted with the RFQ:

<sup>1</sup> Includes price quotations, advertised competitive RFQs, limited RFQs and proposals.

<sup>2</sup> RFQ 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. RFQ rigging is, therefore, an agreement between competitors not to compete.

I, the undersigned, in submitting the accompanying RFQ:

\_\_\_\_\_

(RFQ Number and Description)

in response to the invitation for the RFQ 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 RFQ 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 RFQ, on behalf of the bidder;
  4. Each person whose signature appears on the accompanying RFQ has been authorized by the bidder to determine the terms of, and to sign the RFQ, on behalf of the bidder;
  5. For the purposes of this Certificate and the accompanying RFQ, 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 RFQ in response to this RFQ invitation;
    - (b) could potentially submit a RFQ in response to this RFQ 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 RFQ independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> 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 RFQ;
    - (e) the submission of a RFQ which does not meet the specifications and conditions of the RFQ; or
    - (f) bidding with the intention not to win the RFQ.
  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 RFQ invitation relates.
  9. The terms of the accompanying RFQ 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 RFQ opening or of the awarding of the contract.
- <sup>3</sup> 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 RFQs and contracts, RFQs 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

# WE ARE HERE

