



TERMS OF REFERENCE

FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE FOR THE SUPPORT AND MAINTENANCE OF THE SAP ERP SYSTEM FOR THE UNIVERSAL SERVICE AND ACCESS AGENCY OF SOUTH AFRICA (USAASA) FOR A PERIOD OF 12 MONTHS.

Bid Ref : USAASA – ERP/01/2018

Compulsory Briefing Session

Date : 18th April 2018

Time : 11:00

Venue : USAASA Head Office address

Building 01, Thornhill Office Park, 94 Bekker Road, Vorna Valley, Midrand

Bid Closure

Date : 04th May 2018

Time : 11:00

Delivery Address : USAASA Head Office

Building 01, Thornhill Office Park, 94 Bekker Road, Vorna Valley, Midrand

1 SECTION A: PURPOSE

1.1 Project Aim

1.1.1 Project Goal

The goal of the project is to provide for professional services of support and maintenance of the fully integrated USAASA SAP ERP system. The solution will be based on agreed and approved core business processes and procedures.

1.1.2 Project Objectives

The objective is to source a support partner to cover the USAASA SAP ERP system modules and functionality and to provide an effective incident and problem resolution and management of processes in place which should include:

- The service provider is obliged to present service level policies and procedures and being able to measure itself against the delivery.
- To define the scope of work for the bid for USAASA SAP ERP system support and maintenance.
- To define processes for new functionality and requirements
- To improve project management processes
- Tight process and data integration and accuracy across the entire USAASA value chain
- Business intelligence reporting
- Introduction of talent management tools that support the retention and development of skills across the organisation including empowerment of employees through self-service
- The service provider partner must be able to track incidents and problems, escalate procedures, communicate effectively with USAASA on progress and demonstrate how such will be managed effectively to ensure effective delivery.
- The service provider must be able to demonstrate the ability of the internal skills compliment to effectively deliver on the scope of work.
- The service provider must demonstrate a process driven environment which is audible and mitigated risks to the service provider and USAASA effectively.
- The service provider must also demonstrate how calls are categorised and cost is measured on every call to enable USAASA to manage costs effectively.
- The service provider must support knowledge transfer and internal skills building to grow internal capability of USAASA work force.

1.2 BID Conditions

- The Universal Service and Access Agency of South Africa (USAASA) reserves the right to amend, modify, and withdraw this bid at any time without prior notice and without liability to compensate or reimburse any person. Should the need arise that USAASA amends this bid, the amendments will be communicated to the potential bidders in writing.
- The premises of the bidder/bidders should be made available at all reasonable hours for inspection by the representatives of USAASA. This will be done in order to confirm any information provided by a bidder or bidders.
- In the event that additional hardware is required for this project, the bidder is required to submit a separate proposal for such hardware. The submitted proposal must include supply, installation and configuration in.
- Neither USAASA nor any of their respective directors, officers, employees, agents, representatives or advisors will assume any obligation for any costs or expenses incurred by any party in or associated with preparing or submitting a bid proposal in response to the bid. All costs associated with the preparation and submission of the bid is the responsibility of the bidder or bidders.
- All bids information submitted to USAASA will become the property of USAASA and will as such not be returned to the bidder or bidders.
- USAASA reserves the right to appoint one bidder or more bidders.
- USAASA reserves the right not to award, should the bid proposals be inadequate in terms of functionality and price.
- USAASA reserves the right to withdraw this bid or extend the validity period of this bid before the validity period expires.
- USAASA reserves the right to contact three referees. The potential bidders are required to provide written contactable references.
- USAASA reserves the right to award part of a bid and not the whole bid.
- USAASA reserves the right not to accept the lowest proposal.
- USAASA reserves the right to sign and conclude a formal contract/Service Level Agreement with the successful bidder or bidders.
- USAASA reserves the right to conduct site inspection and invite shortlisted service providers for a presentation.
- The General Conditions of Contract will be applicable in this bid.

2 SECTION B: BACKGROUND

2.1 About USAASA

The Universal Service and Access Agency of South Africa (USAASA) is a statutory body established in terms section 80(1) of the Electronic Communications Act, 2005 (Act No. 36 of 2005) as a state-owned entity responsible for promotion of goal of universal access and universal service for all citizen of the Republic of South Africa to Information and Communications Technologies infrastructure and service despite geographic location and economic background. USAASA reports directly to the Minister of Telecommunications and Postal Services and is accountable to the Parliament of the Republic since it funded through public funds.

In 2015, USAASA begun a project of implementing a SAP ERP system for different modules of SAP ERP system. The project was planned for Go-Live on 31 March 2016 and handholding is scheduled to happen from 1 April 2017 – 13 May 2017. Following the project phases, the project is currently at the sign-off phase where the Snag List is being attended to. USAASA requires the services of a competent Services Provider to render ongoing support and maintenance for its SAP ERP system for a period of 36 months.

2.2 Business Overview

In its establishment, USAASA currently has following offices:

Head Office – Midrand (Gauteng) = ± 54 users

Provincial Offices

Location	Number of users
Bloemfontein	2
Cape Town	2
Durban	1
Polokwane	3

One USAASA official is located in ICASA office in Port Elizabeth. While another is situated in Queenstown. Both will have mobile (APN) access to the system.

2.3 Organisational Stakeholders

2.3.1 External Stakeholders

Department of Telecommunications and Postal Services
Parliament of the Republic of South Africa
Portfolio Committee on Telecommunications and Postal Services
National Treasury
Auditor General
Recipients of USAF subsidies
South African Post Office
SABC
Sentech
ICASA

2.3.2 Internal Stakeholders

USAASA / USAF Board
Board Committees
USAASA Executive Management
CEO's Office
Board's Office
Business Development Service Division
Finance Division
Internal Audit Unit
Risk Management Unit
Performance Management Unit
Communication Unit
Legal Unit
Information Technology Unit
Corporate Services Division

2.4 Project Location

The project activities are to be performed at USAASA Head Office currently located at the below address, or any other location as determined by USAASA.

Building 1
Thornhill Office Park
94 Bekker Road
Vorna Valley
Midrand
1986

The location of the Head Office may change in July 2018 and the successful bidder will be expected to perform duties at the new premises / address.

3 SECTION C: SCOPE OF WORK

Business Systems

USAASA runs a SAP ERP system which is structured as indicated below:

Users	System	Module	Responsible
All	ECC	ECC DMS Mobility	CIO
Finance	FI/CO	Account Receivable Accounts Payable General Ledger Asset Accounting Bank Accounting Controlling Funds Management Business Planning & Consolidation	CFO
Procurement & Logistics	MM	Materials Management	SM: SCM
Corporate Services	HCM	Organisation Management Personnel Administration Time Administration & CATS (Cross Application Time Sheet) Payroll Management Employee Relations Enterprise Learning Performance Management Compensation Management Recruitment Talent Planning Personnel Cost Planning ESS & MSS	EM: CS
Corporate Services	EH&S	Environment, Health & Safety Management	EM: CS
IT		SOLMAN BASIS GRC Authorisations Security ABAP Process Integration Mobility	CIO
PMU	BI-BW / BoBJ	Business Intelligence & BoBJ Corporate Performance Management	EM: PMU CEO

Legal Stakeholder & Operations	CRM	CRM	SM: Legal Stakeholder Relations
Operations	PS PPM	Project Systems Project & Portfolio Management	EM: Ops

All other Technical information regarding USAASA systems will be clarified during a compulsory briefing session.

4 SECTION D: DELIVERABLES AND OUTPUTS

4.1 Project Delivery

4.1.1 Deliverables

The project implementation shall include all USAASA SAP ERP system functionality of the current system. Include new requirements to enhance the current system functionality. All major and requirements will be delivered as Change Request which might be billable.

The successful bidder will be required to support the three SAP ERP system platforms; i.e. Development, Quality Assurance, and Production.

In addition to the above, USAASA expects, which are to be guaranteed by the service provider, the follow:

- Provide effective remote support;
- Provide onsite support when requested and required;
- Professional reporting, tracking of incidents and problems and resolutions as per Service Level Agreement (SLA);
- Develop and implement a programmed skills transfer plan and document procedures, processes, etc. to enhance internal knowledge and capacity of USAASA staff.

4.1.2 Delivery of services

The Bidder must develop a comprehensive and detailed approach and strategy for the support and maintenance of the SAP ERP system for USAASA including, but not limited to, the following:

- Project Scope and Plan;
- Overall implementation plan and work plan (in phases);
- Take-over plan;
- Testing plan;
- Training plan;

- Service delivery plan (incident and problem management) which is ITIL compliant. Must indicate how support levels; 1st, 2nd and 3rd Level will be delivered;
- Patching of the SAP environment (Development, Quality Assurance, and Production);
- Cut-over and commissioning plan; and
- Disaster recovery environment planning and commissioning.

4.1.3 Testing

The service provider will be required to conduct system testing, testing of existing applications and any other customised components. Testing shall include, but not limited to the following (the Bidder may propose others, based on their strategy / methodology):

- Unit Testing: duplicate development test environment
- Performance / Volume Testing
- System Integration Testing (ERP Implementer)
- User Acceptance Testing (UAT) Facilitation

USAASA must approve the test cases to ensure adequate scenario coverage.

4.1.4 Hardware Configurations

All necessary hardware configurations will be the responsibility of the bidder working together with USAASA IT personnel.

4.1.5 Project Management

The successful bidder must provide a suitably qualified Project Manager with diversified team to meet deliver on the requirements of USAASA in terms of the Roles and Responsibilities of the bid.

4.1.6 Conduct of the Service Provider

- The service provider and all its partners and employees must maintain high level of ethics.
- Service disruptions “downtime” is to be avoided during business hours.
- Escalation procedures must be defined and adhered to at all times.
- Appropriate knowledge transfer must happen in applicable instances to enable the USAASA to be self-sustainable.

4.2 SLA requirements – service expectations

As part of the service expectations, the following key elements will be required to be adhered to in the Service Level Agreement (SLA):

4.2.1 Service Hours

USAASA business operating hours are Monday to Friday 08:00 – 16:30.

All priority calls need to be completed within the same day if logged before 14:00.

4.2.2 Support Services

The support model should be structured as follows for critical areas:

- Basis and all IT functions (Onsite required)
- FI/CO/Treasury (Offsite, and Onsite Support when needed)
- MM (Offsite, and Onsite Support when needed)
- PS/PPM and CRM (Offsite, and Onsite Support when needed)
- HCM and related (Offsite, and Onsite Support when needed)
- HR (Offsite, and Onsite Support when needed)
- Payroll (Offsite, and Onsite Support when needed)
- BWP (Offsite, and Onsite Support when needed)
- BPC, DMS, Mobility & EHS (Offsite, and Onsite Support when needed)

4.3 Training and Skills Transfer

4.3.1 Training

USAASA understands that the SAP ERP system is a dynamic and every changing system. It is required from time-to-time that users and technical personnel will require training on how to operate the system.

The service provider must develop a training plan which covers:

- Functional and technical training to business & IT staff in operating and using the solution, including database and application software;
- The test environment required for the training has to be set up by the successful Bidder before the training commences; and
- Detailed training on the solution to officials of USAASA.

Training should be conducted in a structured way. Documentation and training manuals will be a requisite. All trainees should be evaluated based on their progress and feedback should be given by the service provider (for K-Level ratings & Certification readiness)

4.3.2 Skills Transfer

USAASA requires the service provider to participate actively in skilling up its IT staff to provide basic SAP support in an effective manner. Over the 12 months' period, knowledge transfer of critical SAP roles must take place by assisting in the skilling of internal staff to perform SAP support and configuration on a full time base. The critical SAP roles must be reviewed by USAASA and be agreed with the successful bidder.

4.4 Change Management

4.4.1 Change Management Plan

The successful bidder will be required to develop a Change Management Plan for the delivery of the services. Implementation of new or changed business processes will affect users in USAASA and will require change and outline the functional processes followed. During implementation phase, the successful Bidder's Change Management team will work together with USAASA Change Management team in creating and maintaining effective change management processes. The successful Bidder will ensure that a change management process is provided to ensure the successful implementation and usage of the ERP system by the users of USAASA.

4.4.2 New requirements

The appointed bidder will be expected to implement new and / or additional requirements which will better / enhance the functionality, performance and user experience of the system. The requirements will be implemented within the current scope of this bid, including pricing.

Any major Change Requests, i.e. complete change of the configuration of the system must be discussed with USAASA and agreed in writing before implementation. All changes to the system must be documented and approved.

4.4.3 Documentation

The successful bidder will have access to USAASA's SAP Blueprints during the initial implementation phase. All notifications to the Blueprints or processes must be adequately documented and approved. All project documentation must be maintained in a structured filing process.

4.5 Roles and Responsibilities

The Service Provider will have to share a roles and responsibilities matrix clearly identifying their roles in the project. The following are the high level roles and responsibilities of both parties on the project without limitation.

4.5.1 USAASA

- USAASA will provide all hardware and network infrastructure for the implementation of the project, except where additional hardware and systems are required. In an event where additional hardware is required, USAASA and the successful bidder will implement the proposed hardware as quoted separately and accepted by USAASA;
- USAASA will provide the business resources for business input into support and maintenance functions;
- The service provider will support the system after the go-live period;
- The service provider together with USAASA will develop a plan on how skills will be transferred across to USAASA technical staff; and
- Change Management will be the shared responsibility of both USAASA and the service provider.

4.5.2 Service Provider

- The service provider's performance will be measured monthly according to the level and quality of services rendered.
- It is expected that the service provider will enable USAASA to perform its functions in each business unit areas. This will include the following activities which are part of the USAASA monthly, quarterly and annual performance plans and targets:
 - Supporting and maintenance of USAASA SAP ERP systems from end-to-end. This means that business will process payroll in time and processing of all invoices within 30 days etc.
 - Processing of all workflow changes within stipulated times.
 - Improvement of the GRC reporting Dashboard with violations approved by the business.

- Scoping, documenting, processing and sign-off of all Change Requests which includes the moving of transports.
- Identifying training requirements, documentation and the maintenance of training manuals, including training sessions as directed by the USAASA Project Manager.
- Processing of all monthly, quarterly and annual reports by the business.
- USAASA understands that the service provider is not responsible for processing of transactional data; however, the service provider is responsible for functionality of the system.
- A combination of on-site and off-site consultants.
- The service provider's monthly performance report must include, amongst others, the following:
 - Account of all support calls specific to the modules and sub-modules as detailed in USAASA SAP ERP system landscape above the sub-section.
 - Integration report with SAPO.
 - Dashboard of SAP ERP performance information. Target is 99% availability of all SAP ERP system as prescribed in the USAASA Annual Performance Plan (APP).
 - An account of activities detailed in above.
- The monthly performance report must clearly indicate the separation between project implementation issues; i.e. DMS, integration with SAPO, etc.; and support calls.
- Upon agreement of the monthly report, the Service Provider Project Manager and USAASA Project Manager must sign off the monthly report; which signed report must accompany the service provider's invoice.

5 SECTION E: EVALUTION PROCEDURE

5.1 Evaluation Process

Bidders will be evaluated in three stages:

Stage 1 : Mandatory Requirements

Stage 2 : Technical Evaluation

Stage 3 : Price and BBBEE

Prospective bidders will be evaluated in accordance with the 80/20 preference point system, as contemplated in the Preferential Policy Framework Act 5 of 2000. Bidders who do not meet all the Mandatory Requirements will be disqualified and will not be considered for further evaluation on

Technical / Functional Requirements. Only the criteria set out in Technical / Functional Criteria will be used to evaluate bids which have passed all other criteria.

Bidders who obtain 80 points out of total of 100 points in Stage 2 (i.e. Functionality) will qualify to proceed to Stage 3 (Price and Preference Goals) evaluation wherein 80/20 preference points system will be used as follows:

80 points for price and 20 points for BBBEE status level contribution.

All Bidders who do not meet all Mandatory Requirements will be disqualified and will not be considered for further evaluation on Technical / Functional Requirements.

The evaluation for Price and BEE will be based on the 90/10 PPPFA principle.

Only the criteria set out on Technical / Functional Criteria will be used to evaluate bids which have passed all other criteria.

5.2 Stage 1: Mandatory Requirements

Bidders are requested to follow the provided annexure numbering below on submission of all supporting documentation.

Mandatory	Yes	No
The bidder must provide a proposal to render the services and attach it as follows: Annexure A: Technical Proposal.		

Mandatory	Yes	No
The bidder must be a SAP certified partner and attach Proof thereof. Annexure B: Accredited Partner Letter from SAP.		

Mandatory	Yes	No
The bidder must be SAP ECC6 certified. Annexure C: SAP South Africa ECC6 certificate for the Bidder.		

Mandatory	Yes	No
The bidder must submit Audited Annual Financial Statements (with Auditor's report) for the 3 three previous Financial Years. Annexure D: Audited Annual Financial Statements.		

Mandatory	Yes	No
<p>The bidder must submit CV's and qualifications of resources that will be used in the project with clear indication of their specialisation.</p> <p>Annexure E: CV's and qualifications of project resources.</p>		

Mandatory	Yes	No
<p>If a bidder is not an Exempted Micro Enterprises (EME) and / or Qualifying Small Enterprise (QSE), 30% of the services and budget must be sub-contracted to an EME and/or QSE.</p>		

Mandatory	Yes	No
<p>The bidder gives an undertaking to support all USAASA SAP ERP modules as projected in the Terms of References.</p>		

Mandatory	Yes	No
<p>The Bidder will submit the following supporting Documents as part of the bid documents:</p> <p>Central Supplier Database Report;</p> <p>BBBEE Certificate or Sworn Affidavit;</p> <p>Certified Identity Copies of and brief resume of the individual members/ owners/ directors as they appear in the CSD Report;</p>		

5.3 Stage 2: Technical / Functional Criteria

No.	Criteria	Weight	Score
1.	<p>Experience Required:</p> <p>The bidder must provide USAASA with references for similar support services. The services must be for the modules and functionality similar to that of USAASA SAP ERP.</p> <p>References must include the following information:</p> <ul style="list-style-type: none"> • Company • Type of support service • Contact person • Contact person contact details (e-mail, number). <p>0 reference = 0 1- 2 reference = 05 3-4 reference = 10 5 or more reference = 15</p> <p>NOTE: Reference checks will be carried out and the references must be contactable. Non-adherence to this will nullify the reference.</p>	15	
2.	<p>Project Management:</p> <p>The bidder must provide USAASA with a plan of how to deliver the services.</p> <p>The plan must include, amongst others, the following:</p> <ul style="list-style-type: none"> • Project methodology, project tracking and reporting = 10 • Incident, problem and resource management = 10 • Change Management = 05 	25	

3.	<p>Project Capacitation:</p> <p>The bidder must declare the level of SAP specialisation of its resources as follows, including years of SAP experience and K Level accreditation: BASIS and all IT functions (Onsite support required) = 05</p> <p>FI/CO, Treasury functionality (Offsite, and Onsite support when required) = 05</p> <p>MM (Offsite, and Onsite support when required) = 05</p> <p>PS/PPM (Offsite, and Onsite support when required) = 05</p>	30	
	<p>All HCM functionality, incl. Payroll (Offsite, and Onsite support when required) = 05</p> <p>BWP BPC, DMS, Mobility, EHS and all other functionality not included above (Offsite, and Onsite support when required) = 05</p>		
4.	<p>Training:</p> <ul style="list-style-type: none"> • The bidder must develop and submit a plan on how to provide for functional and technical support, including working with BPO's and USAASA IT Services Unit = 05 • The bidder must develop and submit a plan on how Training will be provider over the contract term for the modules and functionality of the USAASA SAP = 05 	10	
5.	<p>Presentation:</p> <p>Bidder's presentation of the proposal will be conducted at USAASA premises and shall include but not limited to the following key bid aspect</p> <ul style="list-style-type: none"> • Level of understanding of USAASA business =02 • Technical solution =04 • Team compliment =02 • High level project implementation =02 	10	

	Qualifying Threshold	70	
	Total	90	

NOTE: Only bidders that score over 60 points from criteria 1 – 4 will proceed to presentations (criteria 5) which will be conducted at USAASA premises.
Only bidders which score above 70 points from this phase will be evaluated for pricing and BBBEE.

5.4 Stage 3: Price and BBBEE Status Level of Contribution

Evaluation in terms of the 80/20 preference point system.

Only bids that achieve the minimum stipulated threshold for functionality will be evaluated further in accordance with 80/20 preference point system prescribed in Preferential Procurement Regulations 5 and 6.

Step 1: Calculation of points for price

The formula to be utilized when calculating points scored for price, is as follows: -

80/10 preference point system (for calculation of services, works or goods with a Rand Value above 1 million) (all applicable taxes included)

$$PS = 80 \frac{1 - (Pt - Pmin)}{Pmin}$$

Where as

- PS = Points scored for comparative price of bid or offer under consideration
- Pt = Comparative price of bid or offer under consideration

- Pmin = Comparative prices of lowest acceptable bid or offer

Step 2: Calculation of points for B-BBEE status level of contributor

Points shall be awarded to a bidder for attaining the B-BBEE status level of the contribution in accordance with the table below.

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

NB. Bidders that do not submit a certificate sustaining the B-BBEE status level contributor or is a non-compliant contributor, such bidder will score zero out of maximum of 20.

Bid pricing on Form SDB 3.3 MUST follow a template similar to the table below.

SAP RESOURCES PRICING STRUCTURE OF SAP			
USAASA Module	K-Levels	Hourly Rate (Offsite)	Hourly Rate (Onsite)
e.g. FI/CO	K3	R	R
	K4	R	R
	K5	R	R
TOTAL			R

6 CLARIFICATION

- a. The USAASA may request clarity of further information regarding any aspect of the bid. The Service Provider should supply the requested information within forty-eight (48) hours after the request has been made.

- b. The USAASA reserves the right to conduct a security background check or screening of the Service Provider and its security personnel.
- c. The USAASA reserves the right to conduct mandatory site inspection to the offices of the Service Provider.

7 BID ENQUIRIES AND SUBMISSION

7.1 Contactable Persons for the Bid

For technical enquiries please contact SCM directly by SCM will then forward to relevant Technical Team member

For SCM/Administration please contact Kganki Kekana at kganki@usaasa.org.za

All enquiries must be made by the **01 May 2018**, no enquiry would be responded to beyond this date.

All enquiries must be in writing.

8 BID CONDITIONS

- The Universal Service and Access Agency of South Africa (USAASA) reserves the right to amend, modify, and withdraw this bid at any time without prior notice and without liability to compensate or reimburse any person. Should the need arise that USAASA amends this bid, the amendments will be communicated to the potential bidders in writing.
- The premises of the bidder/bidders should be made available at all reasonable hours for inspection by the representatives of USAASA. This will be done in order to confirm any information provided by the bidder(s).
- In the event that additional hardware is required for this project, the bidder is required to submit a separate proposal for such hardware. The submitted proposal must include supply, installation and configuration.
- Neither USAASA nor any of their respective directors, officers, employees, agents, representatives or advisors will assume any obligation for any costs or expenses incurred by any party in or associated with preparing or submitting a proposal in response to this bid. All costs associated with the preparation and submission of the bid is the responsibility of the bidder(s).

- All bid information submitted to USAASA will become the property of USAASA and will as such not be returned to the bidder(s).
- USAASA reserves the right to appoint one bidder or more bidders.
- USAASA reserves the right not to award, should the bid proposals be inadequate in terms of functionality and price.
- USAASA reserves the right to withdraw this bid or extend the validity period of this bid before the validity period expires.
- USAASA reserves the right to contact three referees. The potential bidders are required to provide written contactable references.
- USAASA reserves the right to award part of a bid and not the whole bid.
- USAASA reserves the right not to accept the lowest proposal.
- USAASA reserves the right to sign and conclude a formal contract/Service Level Agreement with the successful bidder(s).
- USAASA reserves the right to conduct site inspection and invite shortlisted service providers for a presentation.
- The General Conditions of Contract will be applicable in this bid.
- All priced quotation must be VAT inclusive
- The successful bidder shall provide the service required based on the set timelines and as per the schedule to be provided by USAASA.
- The price proposal must be valid for 120 days.
- A pricing schedule with one of the specified elements omitted from the costing may be considered nonresponsive.

8.1 Bid Enquiries and Submission

8.1.1 Contactable Persons for the Bid

For technical enquiries please contact Moloti Nkune or Ari Moyal on 011 564 1600. moloti@usaasa.org.za / ari@usaasa.org.za

For bidding enquiries please contact Phumi Mtimkulu on 011 564 1600. Edgar@usaasa.org.za

8.1.2 Submission of Bid Documents

The bid proposal must be submitted through a two-envelope system, one containing the technical information and the other containing price information. The envelope containing the technical information will be opened and evaluated first.

9 BID CONDITIONS

This is a two-stage bidding process in which proposals submitted must include technical and price, **submitted in separate envelopes**. For this purpose, the Service Provider must provide in respect of:

- ✓ Clearly marked **Technical**, one (1) original plus five (4) hard copies.
- ✓ The **price proposal, SBD 1 and BBEEE Certificate** in one sealed envelope, named **price bid sheet** should include the following information: ✓ Name of Service Provider
- ✓ Certification that the person signing the proposal entitled to represent the Service Provider empowered to submit the bid and authorized to sign a contract with the USAASA.

9.1. All the official forms (SBD) must be completed and signed in all respects by bidders.

Failure to comply will invalidate a bid.

9.2. Bidders are requested to submit one (1) original plus four (4) hard copies; of the proposal and bid documents.

9.3. For ease of reference, Bids should be packaged in the following format:

- **Schedule/Slide A**
Signed Tender Document and Completed SBD Forms
- **Schedule/Slide B**
Mandatory Documents
- **Schedule/Slide C**
Functionality Response
- **Schedule/Slide D**
Company Profile
- **Schedule/Slide E**
Any other supporting document

10 COMPULSORY BRIEFING SESSION

A compulsory information session will be held on **18 April 2018 at 10h00** at the USAASA Head Office, Building 01, Thornhill Office Park, 94 Bekker Road, Vorna Valley, Midrand

11 CLOSING DATE

Proposals must be submitted on **04 May 2018 at 11h00** at the USAASA Head Office, Building 01, Thornhill Office Park, 94 Bekker Road, Vorna Valley, Midrand

No late bids will be accepted. A submission will be considered late if it arrives a second after 11:00. The Bid box shall be locked at exactly 11:00 and Bids arriving late will not be accepted under any circumstances. Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time to for any unforeseen events that may delay the delivery of the bid.

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)				
BID NUMBER:	USAASA- ERP/01/2018	CLOSING DATE:	04/05/2018	CLOSING TIME: 11H00
DESCRIPTION	PROVIDE FOR THE SUPPORT AND MAINTENANCE OF THE SAP ERP SYSTEM			
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX
SITUATED AT (STREET ADDRESS)

USAASA Head Office				
Building 1, Thornhill Office Park				
94 Bekker Road, Vorna Valley, Midrand				
SUPPLIER INFORMATION				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
		TCS PIN:		OR CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?		<input type="checkbox"/>		
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/> AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/> A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/> A REGISTERED AUDITOR NAME:		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs & QSEs) 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	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?
<input type="checkbox"/> [IF YES ENCLOSE PROOF]			<input type="checkbox"/>	Yes No <input type="checkbox"/> [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)				
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)		
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON		
CONTACT PERSON		TELEPHONE NUMBER		
TELEPHONE NUMBER		FACSIMILE NUMBER		
FACSIMILE NUMBER		E-MAIL ADDRESS		
E-MAIL ADDRESS				

PART B TERMS AND CONDITIONS FOR BIDDING**1. BID SUBMISSION:**

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

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- | | | | |
|---|--------------------------|-----|--------------------------|
| 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? NO | <input type="checkbox"/> | YES | <input type="checkbox"/> |
| 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? NO | <input type="checkbox"/> | YES | <input type="checkbox"/> |
| 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? NO | <input type="checkbox"/> | YES | <input type="checkbox"/> |
| 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? NO | <input type="checkbox"/> | YES | <input type="checkbox"/> |

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

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

THIS FORM IS TO SUBMITTED SEPARATELY WITH THE PRICE PROPOSAL IN A SEPARATE ENVELOPE

**PRICING SCHEDULE
(Professional Services)**

NAME OF BIDDER:	BID NO.:
CLOSING TIME 11:00	CLOSING DATE.....

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

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

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	R.....
	R.....
	R.....
	R.....
	R.....

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

.....	R..... days
.....	R..... days
.....	R..... days

----- R----- days

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

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

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

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

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

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

7. Estimated man-days for completion of project

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

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

***[DELETE IF NOT APPLICABLE]**

Any enquiries regarding bidding procedures may be directed to the –

(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
- the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number:

.....

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

.....

2.4 Company Registration Number:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

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

¹“State” means –

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

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

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

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

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

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

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

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

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
Name of state institution at which you or the person
connected to the bidder is employed: Position
occupied in the state institution:

Any other particulars:

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

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

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

2. 9.1 If so, furnish particulars.

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

4 DECLARATION

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

CERTIFY

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

.....
Signature Date

.....
Position Name of bidder

May 2011

This document must be signed and submitted together with
your bid

THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

INTRODUCTION

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

1 PILLARS OF THE PROGRAMME

- 1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:
- (a) Any single contract with imported content exceeding US\$10 million.
or
 - (b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2 year period which in total exceeds US\$10 million. or
 - (c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million. or
 - (d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.
- 1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst

suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a *pro-rata* basis.

1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.

1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.

2 REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY

2.1 In order to ensure effective implementation of the programme, successful bidders (contractors) are required to, immediately after the award of a contract that is in excess of **R10 million** (ten million Rands), submit details of such a contract to the DTI for reporting purposes.

2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.

3 BID SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF BIDDERS AND SUCCESSFUL BIDDERS (CONTRACTORS)

3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD 5) together with the bid on the closing date and time.

3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1 (d) above and to enable the DTI in determining the NIP obligation, successful bidders (contractors) are required, immediately after being officially notified about any successful bid with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:

- Bid / contract number.
- Description of the goods, works or services.
- Date on which the contract was accepted.
- Name, address and contact details of the government institution.
- Value of the contract.

- Imported content of the contract, if possible.

3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr Elias Malapane within five (5) working days after award of the contract. Mr Malapane may be contacted on telephone (012) 394 1401, facsimile (012) 394 2401 or e-mail at Elias@thedti.gov.za for further details about the programme.

4 PROCESS TO SATISFY THE NIP OBLIGATION

4.1 Once the successful bidder (contractor) has made contact with and furnished the DTI with the information required, the following steps will be followed:

- a. the contractor and the DTI will determine the NIP obligation;
- b. the contractor and the DTI will sign the NIP obligation agreement;
- c. the contractor will submit a performance guarantee to the DTI;
- d. the contractor will submit a business concept for consideration and approval by the DTI;
- e. upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;
- f. the contractor will implement the business plans; and
- g. the contractor will submit bi-annual progress reports on approved plans to the DTI.

4.2 The NIP obligation agreement is between the DTI and the successful bidder (contractor) and, therefore, does not involve the purchasing institution.

Bid numberClosing date:..... Name of bidder.....
--

Postal address

Signature.....Name (in print).....

Date.....

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for: (a)

Price; and

(b) B-BBEE Status Level of Contributor.

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

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

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad- Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts; (h) **“proof of B-BBEE status level of contributor”** means:
- 1) 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 bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 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

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

$\left[\quad P_{min} \quad \right]$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{min} = Price of lowest acceptable bid

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

4.1 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2

Non-compliant contributor	0	0
---------------------------	---	---

5. BID DECLARATION

5.1 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

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted? (*Tick applicable box*)

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

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub- contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE (*Tick applicable box*)

YES		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		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company number:..... registration

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc. [TICK APPLICABLE BOX]

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

8.8 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 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.

WTNESSES
1.
2.

.....
SIGNATUR(S)OF BIDDERS(S)
DATE:
ADDRESS
.....
.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or c. failed to perform on any previous contract.

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<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)? 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	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:			

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

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

Js365bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between,
or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when
bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid
made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) _____ has been requested to submit a bid in response to this bid invitation;

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

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder