

FDC

Free State Development Corporation
Growing the Free State

FREE STATE DEVELOPMENT CORPORATION

REQUEST FOR TENDER

BID NUMBER: FDC BID NO. 004/2020

**INVITATION TO TENDER FOR THE APPOINTMENT OF A SHORT-TERM
INSURANCE BROKER FOR A PERIOD OF THREE (3) YEARS FOR THE FREE STATE
DEVELOPMENT CORPORATION**

COMPULSORY BRIEFING SESSION: NONE

CLOSING DATE: 08 JULY 2020 AT 12:00

PREPARED BY:

FREE STATE DEVELOPMENT CORPORATION
33 KELLNER STREET
WESTDENE
BLOEMFONTEIN
9301

TECHNICAL CONTACT PERSON: NOMSA MAKAPAN
SUPPLY CHAIN MANAGEMENT CONTACT PERSON: NTOMBI MTIMKULU

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1. INVITATION TO TENDER

**YOU ARE HEREBY INVITED TO TENDER FOR THE APPOINTMENT OF A SHORT-TERM INSURANCE
BROKER FOR A PERIOD OF THREE (3) YEARS FOR THE FREE STATE DEVELOPMENT
CORPORATION**

TENDER NUMBER : FDC BID NO. 004/2020

TENDER CLOSING DATE & TIME : 08 JULY 2020 @12:00

**TENDER DESCRIPTION : INVITATION TO TENDER FOR THE APPOINTMENT OF A
SHORT TERM INSURANCE BROKER FOR A PERIOD OF THREE (3)
YEARS FOR THE FREE STATE DEVELOPMENT CORPORATION.**

TENDER VALIDITY: 90 Days from date of closure of this tender.

BID DOCUMENTS MUST BE PLACED IN THE TENDER BOX AT THE ADDRESS INDICATED BELOW:

FREE STATE DEVELOPMENT CORPORATION
33 KELLNER STREET
WESTDENE
BLOEMFONTEIN
9301

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

The Request for Tender, including the returnable address, must be submitted in a sealed envelope, marked with the Tender Number, Closing Date and Time of the Tender, and the Name and Address of the Tenderer/ Bidder.

ANY ENQUIRIES RELATING TO THE PROJECT AND/ OR BIDDING PROCEDURES, MAY BE DIRECTED TO:

Department : Supply Chain Management Unit
Contact Person : Ntombi Mtimkulu
Tel : 051 4000 800
E-mail address : ntombi@fdc.co.za

BIDDER INFORMATION REQUIRED TO BE COMPLETED

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (FREE STATE DEVELOPMENT CORPORATION)					
BID NUMBER:	FDC BID NO. 004/2020	CLOSING DATE:	08 JULY 2020	CLOSING TIME:	12:00
DESCRIPTION	INVITATION TO TENDER FOR THE APPOINTMENT OF A SHORT-TERM INSURANCE BROKER FOR A PERIOD OF THREE (3) YEARS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
FDC BUILDING, 33 KELLNER STREET, WESTDENE, BLOEMFONTEIN, 9301					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON	NTOMBI MTIMKULU	
TELEPHONE NUMBER			TELEPHONE NUMBER	051 400 0800	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS	ntombi@fdc.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER (COMPANY NAME)					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[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?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

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

DATE:

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
2.8 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.9 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.
2.10 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.
2.11 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.12 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.13 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)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

3. TAX COMPLIANCE REQUIREMENTS

- 3.1 Bidders must ensure compliance with their tax obligations.
- 3.2 Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable FDC to view the taxpayer's profile and tax status.
- 3.3 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-fillers through the website www.sars.gov.za
- 3.4 Bidders may also submit a printed TCS together with the bid.
- 3.5 In bids where consortia/joint ventures/sub-contractors are involved, each party must submit a separate proof of TCS/pin/CSD number.
- 3.6 When no TCS is available but the bidder is registered on CSD, a CSD number must be provided.

4. GENERAL CONDITIONS OF TENDER

- 4.1 Bids must be submitted with all official Bid Forms duly completed which are contained within this tender document.
- 4.2 All current and prospective suppliers/ service providers are required to register on the National Treasury CSD prior to submitting bids. – Self-registration: www.csd.gov.za. Enquiries may be directed to csd@treasury.gov.za. Foreign suppliers who do not have local foreign representation in RSA are not required to register on CSD. Suppliers registered on the CSD must submit proof of registration to FDC.
- 4.3 Bids received after the closing date and time will not be considered. Bidders are therefore strongly advised to ensure that their bids be dispatched timeously allowing enough time for any unforeseen events that may delay the delivery of the bid.
- 4.4 This Bid is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations of 2017, the National Treasury General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.
- 4.5 The Standard Bidding Documents (SBD) contained in this RFT are compulsory documents and must be completed, signed and returned with this bid proposal. Failure to submit completed and signed SBD documents may invalidate the tender proposal.
- 4.6 Should the bidder desire to make any departures from, or modifications to this tender/ bid or to qualify its bid in any way, it shall clearly set out its tender departure/ modification as an Annexure, or alternatively state the content in a covering letter attached to the tender proposal referred to herein. Unless otherwise specified and stipulated in writing, any part of the Bidder's bid which deviates from any terms and conditions stated within the tender document, shall be of no force or effect.
- 4.7 This tender document, together with associated compulsory forms and annexures, may NOT be retyped or re-drafted, but photocopies or reprints may be prepared and used.
- 4.8 This tender document, together with compulsory forms should be filled in with black ink.
- 4.9 Bidders should check the numbers of the pages of the tender document and satisfy themselves that none are missing or duplicated. No liability shall be accepted in regard to claims arising from the fact that pages are missing or duplicated.
- 4.10 The tender price must be valid for acceptance for a period of 90 calendar days after the closing date of the tender.
- 4.11 During the validity period of the bid, the proposed team members proposed (if applicable), must be confirmed as being available.

- 4.12 Only firm prices will be accepted for the full duration of the contract.
- 4.13 Failure to have the Price Declaration of this tender document completed and signed, or signed by a duly authorized person, will constitute non-commitment by the Bidder, and the bid may be invalidated.
- 4.14 A detailed price break-down of the Total Cost of Ownership (TCO) must be provided to support the Price Declaration of this tender.
- 4.15 All prices must be quoted in South African Rands and be inclusive of all costs and applicable taxes (inclusive of Value Added Tax (VAT) etc.).
- 4.16 FDC reserves the right to only accept part of the submitted bid by a Bidder.
- 4.17 FDC reserves the right to withdraw this tender.
- 4.18 Unless specifically provided for in the tender document, no tenders will be considered if submitted or transmitted by facsimile, e-mail or similar apparatus.
- 4.19 FDC reserves the right to accept or reject any tender proposal.
- 4.20 The Bidder's company letterhead must be used for the proposal's cover letter and reflect the company name, address, contact details and company registration number.
- 4.21 The correct Tender Reference Number (See the front page of this RFP/T for the Tender Number) and the bidding company's name must appear on all pages of the proposal.
- 4.22 All pages of the proposal must be initialed by the responsible person.
- 4.24 FDC is committed to a fraud-free environment. If you are aware of any unethical behaviour, fraud and corruption. Phone ethics line today 080 1313 551.
- 4.25 Bids must be delivered to the correct address/ location which is indicated in the tender document, and must be delivered timeously, as late bid submissions will NOT be accepted for consideration.
- 4.26 The award of the bid may be subjected to price negotiations with the preferred Bidder(s).
- 4.27 The successful bidder will be required to sign a written contract.

5. SPECIFICATION AND CONDITIONS OF TENDER

BASIS FOR TENDERING

FREE STATE DEVELOPMENT CORPORATION invites tenders in accordance with the Supply Chain Management Policy.

Stage 1 (one), Functionality: Short Term Brokers will be evaluated in accordance with the technical and performance specifications as outlined in the tender.

Short Term Insurance Brokers, who meet the pre-qualification requirements and achieve the minimum score of 70 %, will be considered to proceed to phase 2 (two) of the bidding process, which is Presentation. Evaluation of tenders will follow the requirement of the Preferential Procurement Policy Framework Act (Act 5 of 2000) and Regulation 6 of Preferential Procurement Regulations, 2017.

It will be required from the selected Short-Term Insurance Broker to broke the Insurance Portfolio of the FREE STATE DEVELOPMENT CORPORATION in the local and/or international insurance market in accordance with specific criteria. In Stage 2 (two) the emphasis will be on technical proposals made to the FREE STATE DEVELOPMENT CORPORATION on the most cost-effective placement of the insurance portfolio in the insurance market, taking into serious consideration the mitigation of business risks and financial risks exposures. Stage 2 (two) will require from the selected Short Term Insurance Brokers to obtain quotations from the insurance market valid for a minimum period of at least 90 (ninety) days in order for the FDC to accommodate presentations and recommendations from the selected Short Term Insurance Brokers before final approval of premium and appointment of the Short Term Insurance Brokers for a period of 3 (three) year.

GENERAL

1. It is emphasized that a contract will not necessarily result from the responses received to this request for proposal. FREE STATE DEVELOPMENT CORPORATION reserves the right to enter into negotiations with any one or more of the respondents, should it be decided to proceed with the contract.
2. FREE STATE DEVELOPMENT CORPORATION reserves the right not to evaluate and/or consider any proposals that does not comply strictly with the requirements as set out in this request.
3. FREE STATE DEVELOPMENT CORPORATION reserves the right to make a decision /selection based solely on the information received in the proposals to this request.
4. In order to be considered for this tender you have to be registered with the Financial Services Board (FSB) and a South African Financial Services Intermediaries Association (SAFSIA) or any other reputable association recognized by FSB.
5. Furthermore you will have to achieve a technical acceptability threshold of 70 points out of 100 points in terms of the services required and detailed tender specification.

SERVICES AVAILABLE

The services to be rendered as a Short Term Insurance Broker over the initial 3 (Three)-year period should include general services related to the placement, maintenance and administration of the insurance portfolio. A Service Plan should be drawn annually with inception of a new insurance period detailing the actions to be taken in accordance with the Annual Placement Programme as well as an Annual Maintenance Programme for claims administration. The Portfolio Service and Maintenance Plan should reflect at least the following general insurance actions:

- Internal and external discussions to set renewal and maintenance strategy;
- Internal Strategy meetings;
- Review existing cover;
- Established uninsured risks and internal self-insurance capacity;
- Review cover, limits and sums insured;
- Review uninsured risks and exposure;
- Alignment of Insurance and Risk Management Philosophy;
- Pre-renewal meeting to discuss excess structures and alternatives of renewal;
- Renewal follow-up on alternative quotations;
- Presentation of renewal terms and recommended options;
- Confirmation of placement and 100% cover;
- Confirmation of credit rating of insurance and re-insurance markets;
- Premium allocations on recommended aggregates and service fees;
- Compilation of detailed insurance manual as well as full summary on cover, limits, conditions and exclusions;
- Check and provide issued policy as well as legal confirmation of statutory compliance;
- Claims administration and maintenance as set out in detailed specification inclusive of motor, non-motor, COID and legal liability claims;
- Six monthly claims audit and recommendations;
- Compilation of claims procedural manual in accordance with manual and electronic version
- Post loss surveys;
- Ad hoc adjustments and endorsements on sums insured and declarations to insurers/re-insures;
- Day-to-day correspondence and queries;
- Monitor premium payments and refunds in accordance with accounts and statement;
- Ad hoc training where required in terms of policy and procedural manual.

6. DETAILED TENDER SPECIFICATIONS

CLAIMS ADMINISTRATION

1. Administration of claims reported to the Insurance Broker;
 - The Insurance Broker will acknowledge receipt of claims forms and confirm all claims in writing to the client in 7 (seven) days after receipt of the notification of the incident.
 - If the claim is accepted by the Insurer an Agreement of Loss will be generated and forwarded to the Insurance Section of the client within 7 (seven) days after receipt of all the applicable documentation and claim has been accepted by the Insurer.
 - In cases where no Agreement of Loss is applicable, final invoice will be submitted by the client in reasonable time.
 - The Insurance Broker will assist the Insurance Section with the administration of claims in order to finalise all outstanding claims i.e. obtaining of reports, invoices, quotations etc.
 - The Insurance Broker will provide statistics on all claims/ declarations made per month not later than the 7th working day of the following month to the Insurance Section.
2. Scheduling and coordinating of claims meetings.
 - The Insurance Broker will schedule and coordinate a quarterly claims meeting and meetings when required (ad-hoc) by the Insurance Section of the FREE STATE DEVELOPMENT CORPORATION.
 - The purpose of the meeting will be to discuss all claims as per the applicable Insurance Policies reported by the Insurance Section to the Insurance Broker and to monitor the progress of all insurance claims reported to and authorized by the Insurance Broker.
3. Electronic claims administration system to administrate occupational injuries and disease claims.

It is expected of the broker to have capacity to provide the following services at an appropriate time to be determined by the Free State Development Corporation on a fee to be agreed with Free State Development Corporation:

 - (i) Administration of all claims arising from occupational activities of the employees of the Free State Development Corporation pursuant the Compensation for Occupational Injuries and Diseases Act no 130 of 1993 and the Occupational Health and Safety Act.
 - (ii) Formulation and implementation of Risk Management Strategy in line with the provisions of the Public Finance Management Act.
 - (iii) Management of Occupational Injuries and Disease Act as well as Occupational Health and Safety Act risks related to the implementation of construction contracts by third parties on behalf of the Free State Development Corporation.

7. Administration of Contracts

Settlement of disputes

Should any dispute arise between a tenderer/supplier and the FDC as to an interpretation of the conditions of a tender, contract or order, the decision of the Chief Executive Officer shall be final. The execution of a contract or order shall not be delayed pending such decision.

Guarantee

Unless the contract stipulates otherwise, the contractor shall guarantee for a period of twelve months that no faulty material or workmanship was used in the manufacture of goods or in the execution of services and that the finish product is not defective. Should the guarantee not be complied with, the FDC may, without prejudice to any other rights it may have, demand that the supplies are replaced and the services repaired without cost to the FDC.

Payment for supplies and services

Subject to any instructions issued with a contract or order, a contractor shall be paid in terms of the agreed service level agreement.

- i. As a rule, payment will be made to the contracted service provider only. When payment is claimed by another party the latter must produce a written transfer, power of attorney or authorization and, before payment is made, the contracted service provider must confirm that the transfer, power of attorney or authorization has been given by him/her and that payment may be claimed in terms thereof.

Remedies in the case of death, sequestration, liquidation or judicial Management.

In the event the sequestration of his/her estate or of his/her cession or transfer of a contract without the approval of the Free State Development Corporation or of the surrender of his/her estate or of his/her reaching a compromise with his/her creditors or of the provisional or final liquidation of a contractor's company or the placing of its affairs under judicial management, the Free State Development Corporation may, without prejudice to any other rights it may have, exercise any of the following:

- ii. Cancel the contract and accept any of the tenders, which were submitted originally with that of the contractor or any offer subsequently received to complete the contract. In such a case the estate of the contractor shall not be relieved from liability for any claim which has risen or may arise against the contractor in respect of supplies not delivered or work not carried out by him/her under the contract, and the Free State Development Corporation shall have the right to hold and retain all or any of the securities and retention moneys held by it at the date of the aforesaid occurrences until such claim has been satisfied; or
- iii. Allow the executor, trustee, liquidator or judicial manager, as the case may be, for and on behalf of and at the cost and expenses of the estate of the contractor to carry on with and complete the contract.

Contractor's liability

In the event of the contract being cancelled by the Free State Development Corporation in the exercise of its rights in terms of these conditions, the contractor shall be liable to pay to Free State Development Corporation any losses sustained and/or additional costs or expenditure incurred as a result of such cancellation and Free State Development Corporation shall have the right to recover such losses, damages or additional costs by means of set-off from moneys due or which may become due in terms of the contract or any other contract, or from a guarantee provided for the due fulfillment of the contract and, until such time as the amount of such losses, damages or additional costs have been determined, to retain such moneys or guarantee or any deposit as security for any loss which the Free State Development Corporation may suffer or have suffered.

The contractor may be held responsible for any consequential damages and loss sustained which may be caused by any defect, latent or otherwise, in the supply or service rendered or if the supply or service as a result of such defect, latent, otherwise, does not conform to any condition or requirement of the contract.

Transfer of contracts

The contractor shall not abandon, transfer, assign or sublet a contract or part thereof without prior written consent of the Free State Development Corporation.

Service Level Agreement

It is an irrefutable condition of this contract that the successful tenderer will have to negotiate and conclude a service level agreement with the Free State Development Corporation.

8.PRICE DECLARATION BY THE TENDER

I/ We have examined the information provided in your tender document and offer to undertake the work prescribed in accordance with the requirements as set out in the tender document. The tender price quoted in this tender is valid for the stipulated period of 90 days from date of closure of this bid. I/We confirm that this tender will remain binding upon me/ us and may be accepted by FDC at any time before the expiry date.

Name and Surname : _____

Signature : _____

Date : _____

Are you duly authorized to commit this tender :

Yes	No
-----	----

Capacity under which this tender is signed

(Attach proof of authority to sign this bid e.g. resolution of directors, etc.)

TOTAL TENDER PRICE IN SA RANDS

Total Cost of Ownership (TCO) to FDC

(Inclusive of VAT, Discounts, etc.)

R _____

Description	Year 1	Year 2	Year 3
Bid price			
VAT			
Other escalation			
Total Bid price inclusive of VAT			

A detailed price breakdown of the TCO as declared, must be provided.

9. SUMMARY OF INSURANCE PREMIUM

Class of Insurance	2019/20 Premium Incl. VAT & Commission	Insurance Company	Comments
A. Assets All Risk			
B. Business Interruption			
C. Electronic Equipment			
D. Machinery Breakdown			
F. General Liability			
G. Fidelity			
H. Machinery Breakdown			
I. Personal Accident			
J. Directors & Officers			
K. Motor			
L. SASRIA - Non-motor			
M. SASRIA – Motor			
Subtotal			
Less: LTA			
TOTAL PREMIUM			

10. Functionality Criteria

The following criteria have been divided into two (2) phases and will be used to evaluate all bids, bids must score a minimum of seventy percent (70%), seventy (70) points being the stipulated minimum threshold for functionality criteria for Phase 1 in order to be considered for Phase 2.

DETAILED FUNCTIONAL CRITERIA			
PHASE 1		Points Allocation	Weighting of Importance (%)
1.	Experience /Track record	15	15%
1.1	<p>Reference letters</p> <p>The service provider must provide five reference letters from five (5) different clients not older than five years.</p> <p>(Please note that the reference letter must indicate the name of organisation, similar services rendered, date when work was performed and contactable person, numbers and email address).</p> <ul style="list-style-type: none"> • 5 reference letters =15 points • 3-4 reference letters = 10 points • 1-2 reference letter = 5 points • No reference letter = 0 points 		
1.2	<p>Service provider must have been 10 years in the industry and provide the following:</p> <ul style="list-style-type: none"> • Company Profile = 2.5 points • Company structure / organogram = 2.5 points • FSP Licence = 9 points 	14	14%
1.3	<p>Service Provider must provide three (3) years audited and signed off Financial Statement by Auditors/Accountants.</p> <p>Financial Stability</p> <p>Three (3) years audited and signed off financial statements in accordance with the Companies Act, Act No. 71 of 2008, for the past three (3) consecutive and concurrent years (e.g.: 2015/ 2014/ 2013) where the company's financial stability will be assessed for the full three financial year period.</p>	6	6%

	<ul style="list-style-type: none"> • Three years consecutive and signed-off financial statements provided which reflect financial stability for the three years = 6 Points • Non provision of three years consecutive and concurrent financial statements not provided= 0 Points 		
2.	Capacity to deliver	20	20%
2.1	<p>Provide CV of the Account Manager/key personnel to be assigned to FDC, detailing the experience and expertise including the number of years in compiling and managing similar projects.</p> <ul style="list-style-type: none"> • More than 5 years' experience = 10 points • 3-5 years' experience = 8 points • Less than 3 years' experience = 4 points • No experience = 0 points 		
2.2	<p>Provide CV's of personnel who will be dealing with claims, detailing the experience and expertise including the number of years in compiling managing similar projects.</p> <ul style="list-style-type: none"> • More than five years' experience = 10 points • 3-5 years' experience =8 points • Less than 3 years' experience = 4 points • No experience = 0 points 		
3.	Methodology	30	30%
	<ul style="list-style-type: none"> • Turnaround time to manage all claims & procedure for FDC irrespective of the location = 10 points • Provide a detailed assurance that FDC is adequately covered at all times and that all items not insured are declared and accepted by Seda = 10 points • Detailed process plan on how the policy will be managed = 10 points 		
	Total	85	85%
	Stipulated Minimum Threshold to be met	70	70%

Only qualifying bids meeting/ exceeding the stipulated minimum threshold for the functionality criteria will be considered to be evaluated on Phase 2, bids must score a minimum of 70 percent, Seventy (70) points being the stipulated minimum threshold for functionality criteria for Phase 1 in order to be considered for further evaluation.

Phase 2: Presentation

	Phase 2: Presentation	Points Allocation	Weighting of Importance (%)
1.	Presentation		
1.1	Service provider will be requested to do a thirty (30) min presentation on the following:		
	<ul style="list-style-type: none"> • Overview of the company = 3.75 points Good = 3.75 points Average = 2.5 points Bad = 1 points 	3.75	3.75%
	<ul style="list-style-type: none"> • Risk, Compliance and Performance Management = 3.75 points Good = 3.75 points Average = 2.5 points Bad = 1 points 	3.75	3.75%
	<ul style="list-style-type: none"> • Detailed claims management = 3.75 points Good = 3.75 Average = 2.5 Bad = 1 points 	3.75	3.75%
	<ul style="list-style-type: none"> • Overview of the methodology and detailed plan = 3.75 points Good = 3.75 points Average = 2.5 points Bad = 1 points 	3.75	3.75%
	Total	15	15%
	Stipulated Minimum Threshold to be met	10	10%

Only qualifying bids meeting/ exceeding the stipulated minimum threshold for the functionality criteria will be considered to be awarded preference points.

Awarding of Preference Points in terms of the Preferential Procurement Regulations of 2017

In respect to the awarding of preference points for Price and B-BBEE, a Bidder who submits the lowest acceptable bid will score 80 points for price. Bidders quoting higher prices will score lower points for price

on a pro rata basis. A maximum of 20 points for B-BBEE will be awarded to a bidder for their status level of contributor.

Depicted in the table below, both the points allocated for Price (80) and the B-BBEE points (20) are combined or calculated to a total out of 100, and the tender must be awarded to the Bidder who scores the highest number of total points.

Preference Point System		
Description		Points Allocated
1.	Price	80
2.	Broad-Base Black Economic Empowerment (B-BBEE)	20
	TOTAL POINTS	100

Preference Point System

All tenders that have achieved the minimum qualifying score (acceptable tenders) will be evaluated further in terms of the applicable preference point system as follows:

Criteria	Points
Price	80
BEE	20
Total	100 points

LIST OF ASSETS

11. ASSETS ALL RISK

A	MATERIAL DAMAGE	
1	A – Industrial	R469,336,000
	B - Frame Complex	R182,687,800
2	Commercial	R581,755,000
3	Residential	R74,729,250
4	Infrastructure – Mangaung Metropolitan	R25,000,000
5	Infrastructure – Thabo Mufutsanyana	R44,000,000
2	BONDED PROPERTIES WHERE FDC ACTS AS MORTGAGEE	
	Residential Loans	R70,000,000
3	MACHINERY BREAKDOWN	
	As per schedule	R69,400,000
	SUB-LIMITS	
1	Theft	R1,500,000
2	Malicious Damage Theft	R1,500,000
3	Office Contents	R5,000,000
4	Money	
	Major Limit	R200,000
	Minor Limit	R5,000
	Crossed Cheques	R200,000
5	Goods in Transit	R500,000
6	Parked vehicles at Insured's own premises	R3,000,000
7	Claims preparation costs	R500,000
8	Documents	R300,000
9	Legal Liability – Documents	R500,000
10	Specified Items	R100,000
11	Fire Brigade charges	R1,000,000
12	Public Authority requirements	Included in Sum Insured
13	Municipal scrutiny fees	R1,000,000
14	Debris removal & Professional fees	R5,000,000

B	BUSINESS INTERRUPTION(12 Months)	
1	Gross rentals	R85,000,000
2	Additional increased cost of working	R10,000,000

C	ELECTRONIC EQUIPMENT	
1	Electronic Equipment	R4 000,000
2	Reconstruction of Data	R800,000
3	Increase cost of working	R300,000

PUBLIC LIABILITY

COVER : Against all sums for which the Insured shall become legally liable to pay as a result of accidental injury to Third Party Persons or damage to their property arising out of the business of the Insured.

INDEMNITY LIMITS	:	DESCRIPTION	
		General Liability	R50, 000,000
		Tenants Liability	R20, 000,000
		Products Liability	R 5,000,000
		Defective Workmanship	R 5,000,000
		Libel and Slander (in aggregate)	R 250,000
		Legal Defence Costs (in aggregate)	R 5,000,000
		Wrongful Dismissal	R 5,000,000
		Motor third party	R5,000,000
	:	SALARIES	R 71,000,000

FIDELITY GUARANTEE

COVER : Financial loss arising out of any act of fraud, computer crime or Dishonesty committed by Insured employees.

INSURED PERSONS	:	Directors	: 07	R	4,000,000
		Senior Personnel	: 15	R	10,000,000
		All other staff	: 113	R	1,000,000

MACHINERY BREAKDOWN

ITEM	DISCRIPTION	VALUE
1	THABO MOFUTSANYANE DISTRICT 22 x Mini Substations 4 x Switch Stations 6 x 1.7MVA 11kv Transformers 5 x T3 Switchgear	R10,000,000 R16,000,000 R3,000,000 R500,000
2	MANGAUNG METROPOLITAN 48 x Mini Substations 4 x Switch Stations 4 x 1.2 MVA Transformers 2 Pumps / 2 Control Units	R21,000,000 R16,000,000 R2,000,000 R1,000,000
3	UNDERGROUND CABLES Thaba Mofutsanyana - 12 Km Mangaung Metropolitan - 11,5 km	R2,500,000
	TOTAL SUM INSURED	R69,400,000

PERSONAL ACCIDENT

COVER : Accidental death or bodily injury to Insured persons caused by external, violent and visible means during work and/or leisure hours.

INSURED PERSONS :
i) Directors : 07
ii) Senior Personnel : 15
iii) Other Staff : 113

BENEFITS :

A. DIRECTORS

Benefits:	Death	R750 000 per capita
	Permanent Disability	R750 000
	Temporary Total Disability	R500 per week - 104 weeks
	Temporary Partial Disability	R500 per week - 104 weeks
	Medical Expenses	R100 000
	Funeral Costs	R25 000

B. SENIOR PERSONNEL - Persons earning in excess of R200 000.00

Benefits:	Death	3 x Annual Earnings
	Permanent Disability	3 x Annual Earnings
	Total Estimated Annual Earnings	R 8 000 000
	Temporary Total Disability	100% for 104 weeks
	Temporary Partial Disability	100% for 104 weeks
	Medical Expenses	R 100 000
	Funeral Costs	R 25 000

Basis: A 24 hour cover

C. OTHER STAFF

Benefits:	Death	3 x Annual Earnings
	Permanent Disability	3 x Annual Earnings
	Temporary Total Disability	100% of Average Weekly
	Temporary Partial Disability	100% of Average Weekly
	Medical Expenses	R100 000
	Funeral Costs	R 25 000

Basis : A 24 hours cover

DIRECTORS & OFFICERS LIABILITY

Limit of indemnity (in the aggregate)	:	R15, 000,000
Bodily injury and property damage defence	:	20 % of limit
Kidnap Response cost	:	R500 000
Loss from any other security entity claims	:	Included

MOTOR FLEET

ITEM	YEAR	VEHICLE DESCRIPTION	REG NUMBER	BOOK VALUE	TRADE VALUE
1	1997	Toyota LDV	BSK101FS	0	R 20 000
2	2005	Mercedes - Benz Vito	015FDCFS	0	R 128 000
3	2005	Toyota Hilux 2.2	013FDCFS	0	R 60 000
4	2005	Toyota Hilux 2.2	014FDCFS	0	R 60 000
5	2005	Toyota Hilux DC	DCY061FS	0	R 60 000
6	2005	Toyota Hilux DC	DCY058FS	0	R 60 000
7	2008	Toyota Yaris 1.3	016FDCFS	0	R 89 000
				R 0	R477 000

RIOT INSURANCE

COVER : On all items insured

SUM INSURED : On all items insured

NOTES :

CLAIMS SUMMARY**2017 - 2018**

t1	Assets	(55)	R	10 703 800.62
2	Electronic Equipment	(3)	R	13 937.00
3	Motor			-
TOTAL			R	10 717 737.62

2018 - 2019

1	Assets	(17)	R	149 367.13
2	Electronic Equipment	(1)	R	-
3	Motor	(2)	R	-
TOTAL			R	149 367.13

2019 - 2020

Assets	(6)	R	57 703.80	
Electronic Equipment	(1)	R	-	
Motor			-	
TOTAL			R	57 703.80

DECLARATION OF INTEREST

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

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

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

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

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

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹"State" means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

Any other particulars:
.....
.....
.....

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

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

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

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

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

2.8.1 If so, furnish particulars:
.....
.....
.....

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

2.9.1 If so, furnish particulars.
.....
.....
.....

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

2.10.1 If so, furnish particulars.

.....

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

2.11.1 If so, furnish particulars:

.....

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

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

4 DECLARATION

I, THE UNDERSIGNED (NAME).....
 CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of bidder

PREFERENCE POINTS CLAIM FORM (SBD6.1)

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS OF 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).

1.2 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

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 BroadBased 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 BroadBased 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 PREFERENCE POINT SYSTEMS

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

$$P_s \square 80 \square \frac{P_t - P_{\min}}{P_{\min}}$$

Where

P_s = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	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 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

7. SUB-CONTRACTING

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

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE (*Tick applicable box*)
- | | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|
- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK WHERE APPLICABLE]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK WHERE APPLICABLE]

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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>
--

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>ADDRESS</p> <p>.....</p> <p>.....</p>
--

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database 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). 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.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? or Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:
(Name of Bidder)

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

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

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

SBD 9

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

Js914w 2

BANKING DETAILS

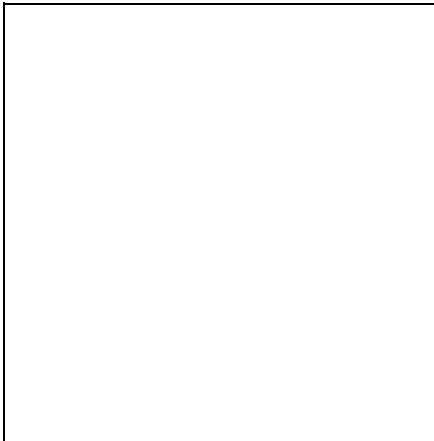
I/We hereby request and authorize you to pay any amounts which accrue to me/us to the credit of my/our bank account with the below-mentioned bank. I/we understand that the credit transfer hereby authorized will be processed by computer through a system known as **Electronic Funds Transfer** and I/we also understand that no additional advice of payment will be provided by my/our bank, but details of each payment will be printed on my/our bank statement or any accompanying voucher. (This does not apply where it is not customary for banks to issue bank statements.) I/we understand that a payment will be applied by **Seda** in the normal way, and that it will indicate the date on which funds will be available in my/our account.

Bank Account Name : _____
Name of Bank : _____
Branch Code & Name : _____
Account Number : _____
Type of Account: Cheque Savings Transmission

Bank details to be certified as correct by DATE STAMP of BANK:

DATE STAMP OF BANK

Name and Surname : _____
Signature : _____
Designation : _____
Tel number : _____ (____) _____



Fax number : (____) _____

NAME AND SURNAME:
(Bank Official)
SIGNATURE :
(Duly Authorised to Sign)
ON BEHALF OF :
(Name of Organization)
DATE :

CHECKLIST OF DOCUMENTS TO BE SUBMITTED WITH BID

1	Covering letter
2	Tender Document fully completed and signed where applicable together with the National Treasury General Conditions of Contract initialled on each page
3	Bid submission responsive to requirements stated in the Terms of Reference and Evaluation Criteria
4	Detailed Price Schedule in support of Declared Price
5	Bank Details
6	Company Profile illustrating core business
7	Valid B-BBEE Status Level Certificate / Sworn Affidavit
8	Proof of registration on National Treasury's Central Supplier Database (CSD)
9	SBD 4 - Declaration of Interest duly completed
10	SBD 6.1 - Preference Points Claim Form duly completed
11	SBD 8 - Declaration of Bidder's Past Supply chain Management Practices duly completed
12	SBD 9 - Certificate of Independent Bid Determination duly completed
13	Any disclosure with reference to completed SBD forms, by bidder (if applicable)
14	<p>Certified copy of</p> <ul style="list-style-type: none"> • Financial Intermediaries Association of Southern Africa (FAIS) membership • Financial Services Board Licence • Short Term Insurance Broking Licence • The Insurance sector's various education and training requirements as regulated by the Financial Services Board (FSB) • Financial Service Provider (FSP) Licence
15	Audited and signed-off Financial Statements
16	Schedule of Referees
17	CV's of Core Staff Recommended to the Project
18	Methodology