



**LGSETA**  
CREATING GREATER IMPACT

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## REQUEST FOR QUOTATION (RFQ)

RFQ NUMBER	RFQ-LGSETA/RPLEST/17/18/05				
DATE ISSUED	December 2017				
PROJECT NAME/ DESCRIPTION OF SERVICES	Development of the Recognition of Prior Learning (RPL) Toolkit and Model for Environmental Science Technician (SAQA id 99508).				
BRIEFING SESSION <i>(Compulsory or Non-compulsory) if applicable</i>	NONE				
CLOSING DATE AND TIME	10 January 2018		14H00		
NAME OF A BIDDER/TENDERER					
TELEPHONE NUMBER					
FAX NUMBER					
EMAIL ADDRESS					
PHYSICAL ADDRESS					
B-BBEE STATUS LEVEL OF CONTRIBUTION					
EME OR QSE					
FULL NAME OF BIDDER OR HIS/HER REPRESENTATIVE					
NATIONAL TREASURY-CENTRAL SUPPLIER DATABASE NUMBER: CSD MAAA	MAAA.....				
CSD OVERALL TAX STATUS <i>(Please tick appropriate box)</i>	TAX COMPLIANT		NON-COMPLIANT TAX STATUS FOUND		
	Yes	No	Yes	No	N/A
IDENTITY NUMBER					
POSITION OCCUPIED IN THE COMPANY (DIRECTOR, TRUSTEE, SHAREHOLDER)					
COMPANY REGISTRATION NUMBER					
VAT REGISTRATION NUMBER <i>(If applicable)</i>					
QUOTE PRICE (INCL VAT)	R.....				

<b>SIGNATURE</b> <i>(of the bidder)</i>	
<b>1. ELIGIBILITY CRITERIA/MANDATORY REQUIREMENTS</b>	
<ul style="list-style-type: none"> <li>i. Proof of National Treasury Central Supplier Database (CSD Summary report)</li> <li>ii. CSD Overall Tax Status must be compliant (Tax Compliant)</li> </ul> <p><b>NB: Failure to submit/or reflect the above mandatory requirements and conformance to the scope of work will result in non-compliance and will lead to the bid being disqualified.</b></p>	
<b>2. INTRODUCTION TO THE LGSETA</b>	
<p>The Local Government Sector Education and Training Authority (LGSETA) is a public entity established in terms of Section 9(1) of the Skills Development Act, No 97 of 1998. The Mandate of the LGSETA is to facilitate skills development for local government sector. The Local Government Sector Education and Training Authority (LGSETA) is a statutory body established in terms of the Skills Development Act (No. 97 of 1998) as amended, to advance skills levels in accordance with the National Skills Development Strategy III.</p>	
<b>3. PROJECT BACKGROUND</b>	
<p>The Local Government Sector Education and Training Authority (LGSETA) was established in terms of the Skills Development Act 37 of 1998, specifically for the local government sector in South Africa. The LGSETA conceptualised and developed the Environmental Science Technician qualification in order to improve the skills capacity in the local government and to address the National Development Plan.</p> <p>The LGSETA was nominated to be a Qualifications Development Partner (DQP) for the Environmental Science Technician qualification. The qualification has since been registered on the NQF and its SAQA qualification ID is 99508.</p> <p>Now that the qualification is registered with the Quality Council for Trade and Occupation (QCTO), there is a need for the development of a Recognition of Prior Learning (RPL) toolkit and model for the qualification. This will inform the accreditation of Skills Development Providers (SDP) by the QCTO against the qualification.</p>	
<b>4. SCOPE OF WORK/ TERMS OF REFERENCE (TOR)</b>	
<p><b>The purpose of the project is to:</b></p> <ul style="list-style-type: none"> <li>(i) Appoint a service provider to develop a Recognition of Prior Learning (RPL) toolkit/model for the Environment Science Technician qualification (SAQA id 99508).</li> <li>(ii) Give support and train accredited skills development providers on the use of the Recognition of Prior Learning toolkit and model.</li> </ul> <p><b>PROJECT METHODOLOGY</b></p> <ul style="list-style-type: none"> <li>(i) Collaborate with sector/industry based Community of Experts Practitioners (CEPs) to ensure that the toolkit is aligned to workplace practices and needs.</li> </ul>	

- (ii) Use an activity and outcome based development methodology.
- (iii) Use the outcome based courseware design approach.

#### **PROJECT GOALS AND OBJECTIVES**

- (i) To develop Recognition of Prior Learning toolkit and model for the Environmental Science Technician qualification, in line with the National Environmental Management Act 107 of 1998, Waste Act 59 of 2008, Air Quality Act 39 of 2004, as well as Biodiversity Act 10 of 2004 and other relevant strategies.
- (ii) The Recognition of Prior Learning toolkit and model must be aligned to the Environmental Science Technician qualification (SAQA id 99508), Curriculum document, Qualification document and assessment specification.
- (iii) To train and support skills development providers on applying Recognition of Prior Learning toolkit and model.
- (iv) Ensure that the delivery mode of the Recognition of Prior Learning is E-learning as well as classroom based learning.

### **5. DELIVERABLES**

- (i) Service providers must familiarise themselves with the qualification documents of the Environmental Science Technician qualification.
- (ii) Source out job description of Environmental Practitioner or any other jobs related to the Environmental Science Technician occupation.
- (iii) Service providers must map the job description to the qualification.
- (iv) Develop a Recognition of Prior Learning toolkit and model that is based on the mapping exercise.
- (v) Facilitate workshops with the relevant Community of Experts Practitioners (CEPs) and skills development providers.

#### **REPORTING**

- (i) Report to the Steering Committee on the completion of the Recognition of Prior Learning toolkit and model for the validation of the toolkit and model.
- (ii) Report to the Education Training and Quality Assurance (ETQA) Manager on a monthly, quarterly and annual basis.
- (iii) The provider must submit monthly, quarterly and annual progress reports.

**6. CONDITIONS**

Quotations above R30 000 will be evaluated on the basis of the 80:20-point system as stipulated in the Preferential Procurement Regulation 2017, LGSETA's Supply Chain Management Policies and National Treasury Practice and instruction note (s).

**PLEASE NOTE THAT THE QUOTATION MAY BE REGARDED INVALID IN THE FOLLOWING INSTANCES:**

- a) IF THE QUOTATION PAGE IS NOT SIGNED
- b) IF THE SBD 4: DECLARATION OF INTEREST FORM IS NOT COMPLETED AND SIGNED
- c) IF THE SBD 8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES FORM IS NOT COMPLETED
- d) IF THE SBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION FORM IS NOT COMPLETED
- e) CSD TAX CLEARANCE IS Non-COMPLIANT
- f) IF SBD AND/OR INFORMATION IS PROVEN INCORRECT.

**Terms and Conditions:**

- a) All goods or services purchased will be subject to LGSETA's conditions
- b) It is the responsibility of the bidder to ensure that the LGSETA is in possession of a compliant Tax Status. The onus therefore rests on the bidder to ensure that the LGSETA is in receipt of a Compliant Tax Status as per CSD summary report.
- c) All purchases will be made through an official order form therefore no goods must be delivered or services rendered before an official order has been received.
- d) To participate in LGSETA's Quotation of goods and/or services, vendors are advised to register on LGSETA's National Treasury Central Supplier Database (CSD)
- e) I certify that the information supplier is correct and I have read and understood LGSETA's Conditions and procedures and accept it.
- f) I further certify that all the required information has been furnished and the relevant forms completed and are herewith submitted as part of the bid.
- g) Payments are effective within 30 days after receipt of invoice
- h) LGSETA as a public entity is not allowed to do pre-payments, therefore when the bidder respond to this request, accept the quotation.**

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

Name	Entity Number	Personal Tax Number	State Employee Number/ Pearsal number

## 7. EVALUATION CRITERIA

LGSETA promotes the concept of “best value” in the award of contracts, as opposed to merely looking for the cheapest price, which does not necessarily provide the best value. Best value incorporates the expertise, experience and technical proposal of the organisation and individuals who will be providing the service and the organisational capacity supporting the project team.

LGSETA is committed to achieving the government’s transformation objectives in terms of the Preferential Procurement Policy Framework Act (PPPFA), Procurement Regulation 2017.

The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** system shall be applicable. (This is by no means the budget of the project but the process threshold as per PPPFA)

The procedure for the evaluation of responsive bids is Price, functionality (quality) and Preference method. The evaluation of the bids will be conducted in the following two stages:

- Firstly, the assessment of quality will be done in terms of the evaluation criteria (Table 1) and the minimum threshold of **75 points** explained below. A bid will be disqualified if it fails to meet the minimum threshold for functionality as per the bid invitation.

Thereafter, only the qualifying bids are evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price only and the 20 points will be awarded to a bidder for attaining the B-BBEE status level of contributor.

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LGSETA is committed to achieving Government’s transformation objectives in terms of the Preferential Procurement Policy Framework Act (PPPFA).

Preferential Procurement system of 80/20 system is applicable.

The procedure for the evaluation of responsive tenders is price, functionality (quality) and preference method. The evaluation of the bids will be conducted in the following two stages:

- Firstly, the assessment of quality will be done in terms of the evaluation criteria (Table 1) and the minimum threshold of **75 points** explained below. A bid will be disqualified if it fails to meet the minimum threshold for functionality as per the bid invitation
- Thereafter, only the qualifying bids are evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price and the 20 points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the Table below

The procedure for the evaluation of responsive tenders is functionality (quality), price, and preference method. The evaluation of the bids will be conducted in the following two stages:

### **Preference**

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)**

### **Calculation of points for B-BBEE status level contributor**

Points will be awarded to a bidder for attaining the B-BBEE status level of contributor 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

## 8. LGSETA REQUIREMENTS FOR EVALUATION PURPOSES

### QUALITY

- In this particular call, tenders scoring at least **75 points out of 100** will be classified as technically acceptable and will be submitted to financial evaluation.
- Tenders which are technically acceptable and eligible to participate in this part of evaluation are next awarded financial points.
- Maximum points are awarded to the lowest-priced tender.
- The evaluation of service provider's responses will be based on the following weighting of the proposals will be evaluated on a scale of 0-3 in accordance with the criteria below.
- The rating will be as follows: 0= No submission/less than LGSETA requirements/Poor, 1 = Average, 2 = Good, 3 = Excellent

A Service Provider must obtain a minimum of 70 points to be invited for the demonstration of the E Learning component. Only bidders who obtain the cut-off score of 75 points out of 100 functional requirements including the product demonstration will be assessed on their financial offer and preference score.

Evaluation Criteria		Weight/Points
1	Availability of resources and skills to deliver the contract.	30
2	Experience of the company	20
3	Methodology	40
4	E-Learning	10
	<b>Total</b>	<b>100</b>

### Technical Evaluation Criteria

Evaluation Category	Description	Max Score										
<p><b>Availability of resources and skills to deliver the contract.</b></p> <p>Scoring is in the sliding scale of 0 to 3.</p> <table border="1" data-bbox="204 499 724 658"> <thead> <tr> <th>Values</th> <th>Weight points (max)</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>0</td> </tr> <tr> <td>1</td> <td>10</td> </tr> <tr> <td>2</td> <td>20</td> </tr> <tr> <td>3</td> <td>30</td> </tr> </tbody> </table> <p>i) If the service provider submits (a) and (b) then they score 3            ii) If the service provider submits any one of the above, then they score is 2            iii) If the project team leader has less than five years' experience, then they score 1            iv) None submission of the above is 0</p>	Values	Weight points (max)	0	0	1	10	2	20	3	30	<p><b>The service provider must have all the competencies listed below to score 3:</b></p> <p>(a) The service provider(s) should provide proof that he/ she has developed learning material.</p> <p>(b) The team leader should have a minimum experience in the design and development of learning material of five years'.</p>	<p><b>30</b></p>
Values	Weight points (max)											
0	0											
1	10											
2	20											
3	30											
<p>Scoring is in the sliding scale of 0 to 3.</p> <table border="1" data-bbox="189 1041 703 1200"> <thead> <tr> <th>Values</th> <th>Weight points (max)</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>0</td> </tr> <tr> <td>1</td> <td>05</td> </tr> <tr> <td>2</td> <td>10</td> </tr> <tr> <td>3</td> <td>20</td> </tr> </tbody> </table> <p>i) If a service provider submits (a) and (b) then they score 3            ii) If a service provider submits any one of the above, then they score 2            iii) If the team leader has less than five years' experience in the development of learning material, then they score 1            iv) None submission is 0</p>	Values	Weight points (max)	0	0	1	05	2	10	3	20	<p><b>Experience of the company</b></p> <p>(a) The bidder or company should provide proof (three testimonial letters that the company has developed learning material, from contactable references.</p> <p>(b) Attach a detailed company profile demonstrating company experience in the design and development of learning material in Environmental management.</p>	<p><b>20</b></p>
Values	Weight points (max)											
0	0											
1	05											
2	10											
3	20											

<p>Scoring is in the sliding scale of 0 to 3.</p> <table border="1" data-bbox="188 286 703 450"> <thead> <tr> <th>Values</th> <th>Weight points (max)</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>0</td> </tr> <tr> <td>1</td> <td>15</td> </tr> <tr> <td>2</td> <td>30</td> </tr> <tr> <td>3</td> <td>40</td> </tr> </tbody> </table> <p>i) If the service provider submits (a), (b) and (c) then they score 3  ii) If the service provider submits any two of the above, then they score 2  iii) If the service provider submits any one of the above, they score 1  iv) None submission is 0</p>	Values	Weight points (max)	0	0	1	15	2	30	3	40	<p><b>Methodology</b></p> <p>(a) The service provider must submit a project plan and timeframe for the development of learning material</p> <p>(b) The service provider must provide a plan for capacity building of SDP's and assessment centres personnel.</p> <p>(c) The service provider must submit a concept paper or plan on the mode of delivery that talks to E- Learning</p>	<b>40</b>
Values	Weight points (max)											
0	0											
1	15											
2	30											
3	40											
<p>Scoring is in the sliding scale of 0 to 3.</p> <table border="1" data-bbox="188 882 703 1046"> <thead> <tr> <th>Values</th> <th>Weight points (max)</th> </tr> </thead> <tbody> <tr> <td>0</td> <td>0</td> </tr> <tr> <td>1</td> <td>2</td> </tr> <tr> <td>2</td> <td>6</td> </tr> <tr> <td>3</td> <td>10</td> </tr> </tbody> </table> <p>i) If the service provider covers all of the above, then they score 10  ii) If the service provider covers 2 of the above, then they score 6  iii) If the service provider covers 1 of the above, then they score 2  iv) If the service provider does not show up for the presentation, then they score 0</p>	Values	Weight points (max)	0	0	1	2	2	6	3	10	<p><b>E-learning</b></p> <p>(a) Interactive web based E-book or video (Qualifications and modules are easy to read) platform</p> <p>(b) Brief description of the Qualification and modules (How the content will be aligned to the qualification</p> <p>(c) Module review and formative assessments which should be interactive with a pool of questions, Final exams must be a secure web or window based assessment, at a proctored centre, with immediate score results.</p>	<b>10</b>
Values	Weight points (max)											
0	0											
1	2											
2	6											
3	10											
<b>Total</b>	<b>100</b>											

## 9. PRICING SCHEDULE

Price must include the entire scope of work and any other logistics or disbursement that assist the service provider in delivering the final product (s) to LGSETA as per the scope of work and within the deadlines.

*Note: VAT must be included and disbursements*

Tranches	Deliverable	Pricing
One	Mapping report of job description to qualification	
Two	Submission of RPL toolkit and model and relevant reports	
Three	Workshops reports and close out reports	



- Quotation must reflect a cost breakdown and prices quoted must be inclusive of VAT.
- The Bidder must thus complete the attached schedule and return (No separate schedules permitted).
- All fee rates shall be quoted in the currency of the Republic of South Africa for the periods specified, and will be held to be firm for the period of the Bid.

#### 10. DECLARATION OF INTEREST (SBD 4)

Any legal person, including persons employed by the state, LGSETA Board, executive 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;
- LGSETA Board; 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

"State" means –

- 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);
- any municipality or municipal entity;
- provincial legislature;
- national Assembly or the national Council of provinces; or
- Parliament

Are you or any person connected with the bidder presently employed by the state? 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: .....	YES / NO
If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? If yes, did you attach proof of such authority to the bid document? (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid If no, furnish reasons for non-submission of such proof: ..... .....	YES / NO
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? If so, furnish particulars: .....	YES / NO
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? If so, furnish particulars: .....	YES / NO
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? If so, furnish particulars: .....	YES / NO
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

If so, furnish particulars:

## 11. SBD 6.1 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 Points for this bid shall be awarded for:

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

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

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

1.4 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.

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

### 2. DEFINITIONS

- (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 PREFERENCE POINT SYSTEMS

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

##### 80/20

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

Where

$P_s$  = Points scored for 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 (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			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		
<b>OR</b>		
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 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.

WITNESSES

1. ....

2. ....

.....

SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

**12. Declaration of Bidder's past supply chain management practices (SBD 8)**

- a. This Standard Bidding Document must form part of all bids invited.
- b. 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
- c. The bid of any bidder may be disregarded if that bidder, or any of its directors have-
- 2.3.1 Abused the institution's supply chain management system
- 2.3.2 Committed fraud or any other improper conduct in relation to such system; or
- 2.3.3 Failed to perform on any previous contract.

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

Item	Question	Yes	No
2.4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector?  <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.4.1.1	If so, furnish particulars:		
2.4.2	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)?  <b>To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.4.2.1	If so, furnish particulars:		
2.4.3	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"/>
2.4.3.1	If so, furnish particulars:		
2.4.4	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"/>
2.4.4.1	If so, furnish particulars:		

**13. Certificate of Independent Bid Determination (SBD 9)**

- 3.1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 3.2 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).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3.3 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.

3.4 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.

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

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

**<sup>2</sup> 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)

- A. I have read and I understand the contents of this Certificate;
- B. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
- C. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- D. 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;
- E. 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

- F. 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 consortium<sup>3</sup> will not be construed as collusive bidding.
- G. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (i) prices;
  - (ii) geographical area where product or service will be rendered (market allocation)
  - (iii) methods, factors or formulas used to calculate prices;
  - (iv) the intention or decision to submit or not to submit, a bid;
  - (v) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (vi) bidding with the intention not to win the bid.
- H. 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.
- I. 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.
- <sup>3</sup> **Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.**
- J. 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.

## 6. SPECIAL CONDITIONS

- a) Quotations to be returned to: **Khazwinake Mphephu** ([quotations@lgseta.org.za](mailto:quotations@lgseta.org.za))
- b) Proposal submitted to the LGSETA becomes the property of the LGSETA. LGSETA is therefore not obliged to send it back to the bidder
- c) The service provider shall commit to post support service where and when required by LGSETA.
- d) Payment will be done on deliverables achieved, with payments done within 30 days of receipt of invoice.
- e) CSD Tax Compliance status must be found on the CSD Summary report
- f) The offices LGSETA are situated at the following address:  
**47 Van Buuren Road**  
**Bedfordview**  
**2007**

## 7. SUPPORTING DOCUMENTATION AND MINIMUM CRITERIA

- a. A B-BBEE status level verification certificate must be submitted in order to qualify for preference points for B-BBEE);
- b. List Two (02) References including organisation name, contact person and contact numbers;**
- c. A valid tax clearance certificate and Company documents must be provided to the LGSETA with the proposal (Electronic copy should be send and the original will be requested from the recommended bidder) failure to attached will lead to disqualification.
- d. The quote must be valid for a period of 30 days
- e. All quotations must be accompanied by the following documents if you have not submitted the information before:
  - ❖ **Central supplier database for Government (CSD)**
- f. Quotation must reflect a cost breakdown, where applicable, prices quoted must be inclusive of VAT
- g. All pages of quotation must be signed by the responsible person
- h. LGSETA has the right to withdraw any quotation at any time within or outside the validity of the quotation.



- i. **LGSETA reserves the right to invite suppliers/companies to present their bid proposals for final decision**

**8. DECLARATION**

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:

- i) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- ii) Confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iii) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and ;
- iv) Confirms that the contents of this questionnaire/forms (SBD 4, 6, 8 & 9) are within my personal knowledge and are to the best of my belief both true and correct
- v) Accept that, in addition to cancellation of a contract, action may be taken against me should the Declaration prove to be false.

Signed

Date

Name

Position

Enterprise

Name

**Please note that if the supporting documentation is not provided then the submission will be classified as non-responsive.**

**Tender Conditions**

**1. Disqualification**

Please note that if a tender document is not filled in correctly or completely, or is delivered/send after the tender closing time, or CSD tax compliant status is not reflected on the CSD summary report will automatically disqualified the bid. Please return this document with the supporting documents including CSD Tax Compliance status report.

**2. Tender Document Submission**

Faxed and emailed tender documents will be accepted. However, the onus is on the tenderer to ensure that complete faxed or email documents have been received by the LGSETA by the due time. Please note that any alterations to the tender document other than filling in the tenderer's details and tender price will automatically disqualify the tenderer.

**END**