

Bidder's Information: The Director

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.....

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Dear Sir/Madam

INVITATION TO BID: RFQ 23/02/2021: APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE FIVE (5) YEAR STRATEGIC PLAN AND QUALITY ASSURANCE OF THE 2022/2023 ANNUAL PERFORMANCE PLAN.

The South African Nursing Council is a regulatory body established in terms of the Nursing Act No. 33 of 2005 (the Nursing Act) to regulate the nursing profession and to provide for matters connected therewith.

The South African Nursing Council invites bidders to participate and submit quotations for the appointment of a service provider to review the five (5) year Strategic Plan and Quality Assurance of the 2022/2023 Annual Performance Plan.

You are requested to complete the bid documents and submit them in accordance with the stipulations mentioned hereunder:

1. The conditions contained in the attached annexures apply.
2. The quotation may be submitted via email or hand-delivered on or before closing date and time with all supporting documents.
3. **All couriered bid proposals must be addressed to the SANC Supply Chain Management Unit and they must be submitted at or before 12H00 on 30 August 2021 and will be valid for a period of 60 days after closing date.**
4. The attached forms/annexures, if completed in full and returned, will form part of your price quotation.
5. Please take note that, this price quotation will be evaluated in terms of 80/20 Preference Point System.



Cecilia Makiwane Building,
602 Pretorius Street, Arcadia, Pretoria 0083
Private Bag X132, Pretoria 0001,
Republic of South Africa



Tel: 012 420 1000
Fax: 012 343 5400
SANC Fraud Hotline: 0800 20 12 16



website: www.sanc.co.za

6. With reference to the Preference Point Claim form (SBD 6.1), the following documents must be submitted with your price quotation:
 - a) Proof of claims (B-BBEE Certificate issued by the accredited Verification Agency or Sworn Affidavit signed by the vendor and affirmed by the Commissioner of Oath)
 - b) Proof that the supplier is registered and complying with National Treasury - Central Supplier Database (CSD) requirements (CSD report).
7. All communication should be made through the use of an email. The cut-off date for all enquiries will be at **11H30 on 26 August 2021**.

Yours faithfully

Chief Financial Officer

Mr Thamsandqa Ndadana

Signature:

Date: 2021-08-23

INVITATION TO BID

| | | | | | |
|---|--|---------------|----------------|---------------|-------|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NURSING COUNCIL. | | | | | |
| Bid number: | RFQ 23/02/2021 | Closing date: | 30 AUGUST 2021 | Closing time: | 11H30 |
| Description: | INVITATION TO BID: RFQ 23/02/2021: APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE FIVE (5) YEAR STRATEGIC PLAN AND QUALITY ASSURANCE OF THE 2022/2023 ANNUAL PERFORMANCE PLAN | | | | |
| THE SUCCESSFUL BIDDER MAY BE REQUIRED TO SIGN THE SERVICE LEVEL AGREEMENT / CONTRACT | | | | | |

| | |
|---|---|
| Bid response documents may be deposited in the bid box situated at (street address) | The South African Nursing Council Cecilia Makiwane Building, 602 Pretorius Street, Arcadia, Pretoria 0083 (Reception Area) |
|---|---|

SUPPLIER INFORMATION

| | | | | | |
|--|------------------------------|--|-------------------------------------|------------------------------|--|
| Name of bidder: | | | | | |
| Postal address: | | | | | |
| Street address: | | | | | |
| Telephone number: | Code: | | Number: | | |
| Cell phone number: | | | | | |
| E-mail address: | | | | | |
| VAT registration number: | | | | | |
| Tax clearance status PIN: | | | CSD Number: | | |
| B-BBEE status level verification certificate [tick applicable box] | <input type="checkbox"/> Yes | | B-BBEE Status level sworn affidavit | <input type="checkbox"/> Yes | |
| | <input type="checkbox"/> No | | | <input type="checkbox"/> No | |
| If Yes, who was the certificate issued by? | | | | | |

[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]

| | | | |
|--|---|--|--|
| 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 part 3 below] |
| Signature of Bidder: | | Date: | |
| Capacity under which this bid is signed (attach proof of authority to sign this bid; e.g. resolution of directors, etc.) | | | |
| Total number of items offered | | Total bid price (all inclusive) | |

THE SOUTH AFRICAN NURSING COUNCIL:

| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: | | TECHNICAL INFORMATION MAY BE DIRECTED TO: | |
|--|--|--|--|
| Contact person: | Nolusizo Dindili | Contact person | Prince Makhubedu |
| Telephone number: | 012 426 9506 | Telephone number | 012 426 9575 |
| E-mail address | ndindili@sanc.co.za | E-mail address | pmakhubedu@sanc.co.za |

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).
- 1.3. Bidders must be registered on National Treasury – Central Supplier Database supplier (CSD).
- 1.4. This bid is subject to the Preferential Procurement Policy Framework Act 2000 and the Preferential Procurement Regulations, 2017, and, if applicable, any other legislation or Special Requirement of the Contract.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 Bidders must ensure compliance with their tax obligations.
- 2.2 Bidders must ensure that their tax compliance status is updated on National Treasury- Central Suppliers Database
- 2.3 Application for tax compliance status (TCS) or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.
- 2.4 In bids where consortia / joint ventures / sub-contractors are involved, each party must submit separate proof of TCS / pin.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS:

- 3.1. Is the bidder a resident of the Republic of South Africa (RSA)? ☐ Yes ☐ No
- 3.2. Does the bidder have a branch in the RSA? ☐ Yes ☐ No
- 3.3. Does the bidder have a permanent establishment in the RSA? ☐ Yes ☐ No
- 3.4. Does the bidder have any source of income in the RSA? ☐ Yes ☐ 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.

SPECIAL REQUIREMENT OF QUOTATION:

1. CONTRACT PERIOD:

- 1.1 This is a once off contract for the appointment of a service provider to review the five (5) year Strategic Plan and Quality Assurance of the 2022/2023 Annual Performance Plan.
- 1.2 SANC reserves the right to extend or cancel the contract, pending available funding and satisfaction with service delivery.

2. ACCEPTABLE BIDS/OFFERS:

- 2.1 The SANC reserves the right to cancel or withdraw the bid without prior notification.
- 2.2 SANC is not obliged to award the quotation to the lowest bidder.
- 2.3 The SANC may request interviews/presentations/pitching sessions with shortlisted bidders before the final selection is made.
- 2.4 The SANC will not be liable for any cost incurred by a service provider in the process of responding to this bid, including on-site presentations and the preparation of the proposal.
- 2.5 The SANC will not consider any late bids. All bids submitted after the stipulated closing date and time will not be considered and it will be sent back to the bidder unopened.
- 2.6 Any effort by the bidder to influence bid evaluation members, bid comparisons or bid award decisions in any manner, will result in rejection of the bid concerned.
- 2.7 The successful bidder will be informed in writing of the intent to award or per an official order.
- 2.8 The bid has a validity period of 60 days from date of closure of the bid/tender.
- 2.9 No bid may be awarded to a person who has failed to submit proof of his/her tax compliance status (tax clearance certificates and personal identification number (PIN) issued by SARS) or any proof certifying that the taxes of that person is in order or that suitable arrangements have been made with SARS.
- 2.10 Where it is discovered that an advantaged company used a disadvantaged person, as a "front" to acquire a Bid, such company will be disqualified and the Bid shall be withdrawn.
- 2.11 Only bids complying with all requirements as stipulated in the Terms of Reference/Scope of Work/Specification will be regarded as acceptable.
- 2.12 The following qualifying criteria must be strictly adhered to and bidders should attach the following documents. **Non-compliance to these criteria may invalidate your bid:**
 - a) Proof that the supplier is registered and complying with National Treasury - Central Supplier Database (CSD) requirements (CSD report).
- 2.13 Please take note that, should the bidder/tenderer fail to comply with the above matter their offer will be regarded as non-responsive.

3. SUBMISSION OF BIDS:

3.1 Bidders will be required to submit their bids/proposals via email or hand delivered as stipulated below:

3.1.1 Tenderers are required to submit a Completed Bid pack (this documents), including:

- a) Duly completed and signed RFQ documents
- b) B-BBEE Certificate or Sworn Affidavit.

3.2 Any bidder who fails to comply with any requirement of the Bid may, at the discretion of the Bid Evaluation Committee, be regarded as non-compliant and as a result be rejected.

4. PAYMENTS:

4.1 SANC undertakes to pay delivery validated invoices in full within thirty (30) days from the invoice date or upon agreed payment intervals as accepted in the contract. All invoices should be sent to the following email address: sancinvoices@sanc.co.za.

4.2 No invoices for outstanding deliverables or for any unproductive or duplicated time spent by the service provider will be validated for payment.

4.3 Invoices should be emailed or hand delivered to SANC timeously.

4.4 The invoices should be accompanied by an inspection certificate and/or proof of delivery.

5. SUPPLY / DELIVERY VALIDATION:

5.1 The certificate and the related report of delivery/installation/ progress milestone/commissioning will be validated by a SANC representative prior to payment of final invoices.

6. VALUE ADDED TAX:

6.1 All contract prices are inclusive of 15% Value Added Tax (VAT), except in the case of a person that is not required to register for Value Added Tax. Companies not registered in terms of Value Added Tax, may not claim VAT on invoices.

7. PRICE AND PRICE QUALIFICATION:

7.1 Prices for this contract are firm. **(Only firm prices will be accepted).**

7.2 All prices shall be quoted in South African currency.

7.3 The bid prices shall be given in the units shown and will be awarded as a whole, not per item.

7.4 **Prices must be inclusive of delivery cost and all taxes.**

7.5 Please note that the foreign exchange risk in case of imported goods and service is for the account of the Bidder.

7.6 Non –firm prices (including prices subject to the rate of exchange variation) will not be considered.

7.7 No changes or extensions or additional ad hoc costs are accepted once the contract has been awarded and/or signed.

7.8 Detailed information is optional and is provided as Annexures to the details of the bid.

8. COMMUNICATION:

- 8.1 Communication will only be restricted to Supply Chain Management Officials.
- 8.2 The South African Nursing Council may request clarification in writing regarding the information provided by bidders. Bidders are to supply the required information within the specified period. Failing to do so may **invalidate** your bid.

9. INTELLECTUAL PROPERTY:

- 9.1 All the information contained in this document is intended solely for the purpose of assisting bidders to prepare their bids. Any use of the information contained herein for another purpose than those stated in this document is prohibited.
- 9.2 The ownership and intellectual property rights of all designs, specifications, programming code and all other documentation provided by the SANC to the bidder/tenderer, both successful and unsuccessful, remain the property of the SANC.

10. SUPPLIER DUE DILIGENCE:

- 10.1 SANC may conduct due diligence to all shortlisted bidders/tenderers to identify their specific capabilities and financial stability.
- 10.2 The SANC may visit the premises of the bidders or that of their clients.
- 10.3 Some of the key elements that should be documented and included during the comprehensive supplier analysis/due diligence include: the current workload of the supplier, cost structure of the tender/bid, the financial status of the bidder/tenderer, the previous customer satisfaction levels, the support capabilities, their relative strength, weaknesses and core capabilities, how SANC fits into the tenderers/bidders business and how the tenderer/bidder is viewed by the public, etc.
- 10.4 Bidders may be required to provide names of traceable references who may also be visited to confirm their testimonials.

11. DISPUTES

- 11.1 The relevant bidder agrees that should any dispute arise from the contract, the matter shall be submitted to the relevant Bid Adjudication Committee for a ruling and such ruling shall be final.

TERMS OF REFERENCE (TOR)

APPOINTMENT OF SERVICE PROVIDER TO FACILITATE THE REVIEW OF THE 5-YEAR STRATEGIC PLAN 2018/2019 – 2022/2023 AND QUALITY ASSURANCE OF THE 2022/2023 ANNUAL PERFORMANCE PLAN

1. PURPOSE:

The South African Nursing Council (SANC) hereby invites suitably qualified and experienced bidders to submit proposals for the review of the SANC 5-year Strategic Plan 2018-2023.

2. BACKGROUND:

- 2.1. The SANC 5-year Strategic Plan 2018 – 2023 was approved by Council on 28 November 2018.
- 2.2. The Annual Performance Plan 2021/2022 is aligned to the current Strategic Plan.
- 2.3. Towards the preparation for the development of the Annual Performance Plan 2022/2023, it is necessary to review the 5-year Strategic Plan to ensure accurate cascading downwards to the Annual Performance Plan 2022/2023 from a planning and budget point of view.
- 2.4. The Annual Performance Plan 2022/2023 will cascade further down into Departmental Operational Plans and individual performance agreements between line managers and his/her subordinate.

3. SCOPE OF WORK:

- 3.1. The service provider must:
 - a) **review the current 5-year Council-approved Strategic Plan and submit the reviewed Strategic Plan; and**
 - b) **quality assure the draft Annual Performance Plan (APP) 2022/2023 compiled by SANC Management and submit the final APP 2022/2023.**
- 3.2. The scope of work requires that the service provider:
 - c) must be sufficiently experienced in current theoretical and practical aspects of strategic planning;
 - d) must be knowledgeable of governmental policies and prescripts with regards to strategic planning;
 - e) must research the relevant factors that are affecting the optimal functioning of an autonomous organisation such as the SANC, locally and on an international level;
 - f) must highlight best and poor practices in the relevant field that compromise the achievement of governmental priorities in so far as the nursing profession is concerned;

- g) must conduct a Strengths (S), Weaknesses (W), Opportunities (O) and Threats (T) analysis of the SANC;
- h) must interrogate the current synergy between SANC interdependencies locally and abroad purely from a document / reporting point of view;
- i) quote on a 2-day session with members of the SANC Council and Management, to review the current 5-year Strategic Plan;
- j) must provide a draft agenda for the afore-mentioned 2-day session to management at least 1 month before the actual strategic session; and
- k) must quote on the finalization of the reviewed Strategic Plan within 5 working days from the conclusion of the 2-day session alluded to in paragraph (i) and submit the reviewed Strategic Plan within a specific period; and
- l) must quality assure the draft Annual Performance Plan 2022/2023 compiled by Management in terms of the Revised Framework for Strategic Plans and Annual Performance Plans, by the Department of Planning, Monitoring and Evaluation and submit a final APP 2022/2023 that is compliant with relevant prescripts.

4. BEHAVIORAL SKILLS REQUIREMENTS

The facilitator from the approved service provider will be required to demonstrate excellent skills in terms of:

- Verbal communication,
- Conflict management,
- Presenting,
- Diversity management,
- Flexibility and ability to adjust to changing team dynamics and circumstances,
- Active listening,
- Maintaining and directing focus,
- Problems solving,
- Professionalism, self-confidence and authenticity,
- Initiation and negotiation,
- Group facilitation and directing, and
- Experience of and skill in participatory, peer-to-peer facilitation methods.

5. PRICING

The Bidder pricing is to be quoted in South African Rand (ZAR) and must be inclusive of 15% VAT. Pricing is to be provided on the basis that it is an all-inclusive price for services to be rendered for a total time of 48 hours and also provide an all – inclusive hourly rate that will apply for any effort exceeding the first 48 hours. Due to the risks associated with the COVID-19 pandemic, the review of the 5-year Strategic Plan and quality assurance of the APP 2022/2023 will be conducted online.

6. EVALUATION CRITERIA

6.1 Step 1: Administrative Compliance:

| Invitation to Bid | YES | Complete and sign the supplied pro forma document |
|---|------------|---|
| Tax Status | YES | i. Proof of Registration on the Central Supplier Database ii. In the event where the Bidder submits a hard copy of the Tax Clearance Certificate, the CSD verification outcome will take precedence. |
| Declaration of Interest | YES | Complete and sign the supplied pro forma document |
| Preference Point Claim Form | NO | Non-submission will lead to a zero (0) score on BBBEE |
| Original / certified copy of a BBBEE certificate | NO | Valid BBBEE certificate |
| Declaration of Bidder's Past Supply Chain Management Practices | YES | Complete and sign the supplied pro forma document |
| Certificate of Independent Bid Determination | YES | Complete and sign the supplied pro forma document |
| Registration on Central Supplier Database (CSD | YES | Submit proof of registration. |
| Pricing Schedule | YES | Submit full details of the pricing proposal |

6.2 Step 2: Functionality:

Any proposed bid which does not meet a minimum threshold of **70 of 100 points** will not be considered further.

| CRITERION | SUB-CRITERIA | DOCUMENT / INFORMATION THAT MUST BE SUBMITTED | WEIGHTING |
|--|---|---|-----------|
| Organisational experience and financial capability | <ul style="list-style-type: none"> The service provider must have a minimum of 5 years' experience in the industry and in providing Strategic Planning, Monitoring and Evaluation Facilitation Workshops to institutions in private, government and state-owned enterprises, as guided by the Department of Planning, Monitoring and Evaluation's Revised Framework for Strategic Plans and Annual Performance Plans. Appointed incumbent from the service provider to have a minimum of 5 years' experience. | Company profile must be submitted with the cv of the service provider that is appointed to perform the task. The company has a minimum of 5 years' relevant experience. | 10 |
| | | The appointed incumbent must have a minimum of 5 years' relevant experience. | 20 |
| | | Less than 5 years' service provider experience and less than 5 years' incumbent experience. | 0 |
| Qualifications | <ul style="list-style-type: none"> The service provider must have an appropriate National Diploma/Bachelor's Degree as a minimum qualification in: <ul style="list-style-type: none"> - Strategic Planning, Monitoring and Evaluation; - Strategic and Policy Planning - Strategic Management / Corporate Strategy and - Strategic Leadership | Certified copy of qualification/s, not older than 6 months, must be submitted for evaluation. | 10 |
| | | Certified copy of qualification not attached. | 0 |
| Approach and methodology | <ul style="list-style-type: none"> The service provider should clearly define the methodology to be adopted to review the SANC Strategic Plan, finalize the reviewed SANC Strategic Plan and quality assure the SANC APP 2022/2023. | Proposed approach and methodology of service aligned to paragraph 3.2, must be submitted with time-frames. | 40 |
| | | a) Phased systematic approach; | 20 |
| | | b) Phased systematic approach aligned to time-frames; | 30 |
| | | | 40 |

| | | | |
|-------------------------------------|---|---|-------------|
| | | c) Evidence of research / best practices in the methodology; d) Proposed approach and methodology of service, not submitted with time-frames. | 0 |
| Credible and appropriate references | <ul style="list-style-type: none"> Reference letters from previous three (3) clients with contactable references not older than 5 years. | A minimum of 3 contactable references attached not older than 5 years. Less than 3 contactable references attached not older than 5 years. | 20 0 |
| TOTAL | | | 100 |

6.3 The following criteria and weights shall apply when considering bids:

Steps 3: Price and B-BBEEE:

Bids will be evaluated in terms of the 80/20 preference point system (80 points for the price and 20 points for the B-BBEEE)

$$P_s = 80 (P_t - P_{\min} / P_{\min})$$

Where

P_s = Points scored for the price of bid under consideration

P_t = Rand value of bid under consideration

P_{\min} = Rand value of lowest acceptable bid

The following formula will be used to calculate the points for B-BBEEE:

Bids from non – compliant B-BBEE contributors will not be disqualified. Any B-BBEE qualifying contributor who does not submit a substantiating certificate will be allocated zero points but the bid will not be disqualified. Points will be awarded to tenderer for attaining their 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 |

7. PAYMENT STRUCTURE

- 7.1. SANC undertakes to pay delivery validated invoices in full within thirty (30) days from the monthly invoice date or upon agreed payment intervals as accepted in the contract.
- 7.2. No invoices for outstanding deliverables or for any unproductive or duplicated time spent by the service provider will be validated for payment.
- 7.3. Invoices should be emailed or hand delivered to SANC timeously.
- 7.4. The invoices should be original and must be accompanied by an inspection certificate and/or proof of delivery.

Required by (End-User):

Corporate Service Executive

Required at (Address):

**Cecilia Makiwane Building,
No. 602 Pretorius Street, Arcadia, Pretoria 0083
(Reception Area)**

Brand and model (if applicable):

N/A.....

Country of origin (if applicable):

N/A.....

Guarantee period (if applicable):

N/A.....

Does the offer comply with the specification?

☐ Yes ☐ No ☐ N/A

***Mark the relevant block with an X**

If not to specification, indicate deviation(s)

N/A.....

How long it will take for the bidder to deliver goods/services after receipt of a purchase order?

.....

(Only firm delivery period will be considered):

BIDDERS MUST TAKE NOTE OF THE FOLLOWING:

1. Offers to be valid for **60 days** from the closing date of the bid.
2. **Only** firm prices will be accepted.
3. Non –firm prices (including prices subject to the rate of exchange variation) will not be considered.
4. All delivery and/ or railway costs must be included in the bid price.
5. **No payment will be made before the service has been rendered. This includes maintenance work, goods, and services.**
6. All prices shall be quoted in South African currency.
7. Please note that the foreign exchange risk in case of imported goods and services is for the account of the tenderer/bidder.

8. No changes or extensions or additional ad hoc costs are accepted once the order is placed or contract has been awarded and/or signed.
9. Pricing is subject to the addition of the Preference Points system

DECLARATION BY THE BIDDER:

Iconfirm that the information furnished is correct and true. I accept that the South African Nursing Council may act against me should this declaration prove to be false.

Name of Bidder:.....Position:.....

Signature:.....Date:.....

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

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE SPECIAL REQUIREMENTS OF QUOTATION, 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 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; or
- 1.3 The 80/20 preference point system will be applicable to this tender.
- 1.4 Points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contributor.
- 1.5 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 |

- 1.6 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.
- 1.7 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”** include 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 or 90 points is allocated for a 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 the price of a bid under consideration

Pt = Price of a 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) 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:

5.1.1 B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED:

B-BBEE Status Level of Contributor: = (Maximum of 20 points)

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

5.1.2 SUB-CONTRACTING

- i) Will any portion of the contract be sub-contracted? ☐ Yes ☐ No
(Tick applicable box)

- ii) If yes, indicate:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- Whether the sub-contractor is an EME or QSE. ☐ Yes ☐ No

(Tick applicable box)

- Specify, by ticking the appropriate box, if your company will subcontract with any other enterprise in terms of Preferential Procurement Regulations, 2017, as per the table below :

| Designated Group: An EME or QSE which is at least 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 | | |

5.1.3 DECLARATION WITH REGARD TO COMPANY/FIRM

5.1.3.1 Name of company/firm:

5.1.3.2 VAT registration number:

5.1.3.3 Company registration number:

5.1.3.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

5.1.3.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

5.1.3.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

5.1.3.7 A total number of years the company/firm has been in business:

5.1.3.8 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-BBEE Status Level of Contributor indicated in paragraph 5.1.1 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) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of the 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 favorable 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.

Signatures of the bidder (): _____ Date: _____

Witnesses: (01) _____ (02) _____

DECLARATION OF INTEREST:

| | |
|---|--|
| <p>1. Any legal person, including persons employed by the SANC, or persons having a kinship with persons employed by the SANC, 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 SANC, or to persons connected with or related to them, it is required that the bidder or his/her authorized representative declare his/her position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest, where –</p> <ul style="list-style-type: none"> - the bidder is employed by the SANC; 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. | |
| <p>2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.</p> | |
| 2.1 Full names of bidder or his/her representative: | |
| 2.2 Identity number: | |
| 2.3 Position occupied in the company (Director, trustee, shareholder) | |
| 2.4 Registration number of the company, enterprise, close corporation, partnership agreement or trust: | |
| 2.5 Tax Reference Number: | |
| 2.6 VAT Registration Number: | |
| 2.7 Are you or any person connected with the bidder/tenderer, presently employed by SANC? If so furnish particulars as an attached schedule: | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.8 Are you or any person connected with the bidder presently employed by the SANC? If so furnish particulars as an attached schedule. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.9 If you are presently employed by the SANC, did you obtain the appropriate authority to undertake remunerative work outside employment? If yes, did you attach proof of such authority to the bid document? If no, furnish the reasons for non-submission of such proof as an attached schedule. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.10 Did you or your spouse, or any of the company's directors/shareholders/members or their spouses conducted business with the SANC in the past twelve (12) months? If so furnish particulars as an attached schedule. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.11 Do you or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by SANC and who may be involved with the evaluation and/or adjudication of this tender/bid? If so furnish particulars as an attached schedule. | <input type="checkbox"/> Yes <input type="checkbox"/> No |

| | |
|--|--|
| <p>2.12 Are you or any person connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by SANC who may be involved with the evaluation and/or adjudication of this bid? If so, furnish particulars as an attached schedule.</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>2.13 Do you or any of the directors/shareholders/ members of the company have any interest in any other related companies whether or not they are bidding for this contract? If so, furnish particulars as an attached schedule.</p> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

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Signature

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Date

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Position

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Name of Bidder

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES:

1. This Standard Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be disregarded if that bidder or any of its directors have-
 - a. Abused the institution'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 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 page. | Yes | No |
| 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)? The Register for Tender Defaulters can be accessed on National Treasury's website, (www.treasury.gov.za) by clicking on its link at the bottom of the home page. | Yes | No |
| 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 | No |
| 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 | No |
| 4.4.1 | If so, furnish particulars: | | |

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Signature

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Date

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Position

.....

Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION:

I, the undersigned, in submitting the accompanying bid: **APPOINTMENT OF A SERVICE PROVIDER TO REVIEW THE FIVE (5) YEAR STRATEGIC PLAN AND QUALITY ASSURE THE 2022/2023 ANNUAL PERFORMANCE PLAN** in response to the invitation for the bid made by: **THE SOUTH AFRICAN NURSING COUNCIL (SANC)** 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) The 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.
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

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Name of Bidder