

Bidder's Information: The Director

*Dear Sir/Madam*

**INVITATION TO BID: RFQ 65/2021: APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO SUBMIT PROPOSALS AND QUOTATIONS FOR THE DESIGN OF A FIRE DETECTION SYSTEM**

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 to submit proposals and quotations for the design of a fire detection system at the **SANC offices at Cecilia Makiwane Building No: 602 Pretorius Street, Arcadia, Pretoria 0083.**

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

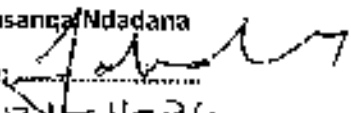
1. The conditions contained in the attached annexures apply.
2. The quotation may be submitted via email or hand-delivered on or before closing date and time with all supporting documents.
3. All couriered bid proposals must be addressed to the SANC Supply Chain Management Unit and they must be submitted at or before 12H00 on 17 December 2021 and will be valid for a period of 60 days after closing date.
4. Please note that the compulsory site meeting will be held on 07 December 2021 at 10H00, Cecilia Makiwane Building, 602 Pretorius Street, Arcadia, 0083.

5. The attached forms/annexures, if completed in full and returned, will form part of your price quotation.
6. Please take note that, this price quotation will be evaluated in terms of 80/20 Preference Point System.
7. With reference to the Preference Point Claim form (SRD 6.1), the following documents must be submitted with your price quotation:
  - a) Proof of claims (valid B-BBEE Certificate issued by the accredited Verification Agency or Sworn Affidavit signed by the vendor and affirmed by the Commissioner of Oaths)
  - b) Proof that the supplier is registered and complying with National Treasury - Central Supplier Database (CSD) requirements (CSD report).
8. All communication should be made through the use of an email. The cut-off date for all enquiries will be at **16H30** on **15 December 2021**.

Yours faithfully

Chief Financial Officer

Mr Thamsanqa Ndadana

Signature: 

Date: 2021-11-26

# INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NURSING COUNCIL.

Bid number: RFQ 65/2021 Closing date: 17 December 2021 Closing time: 12H00

APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO SUBMIT

Description: PROPOSALS AND QUOTATIONS FOR THE DESIGN OF A FIRE DETECTION SYSTEM

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:			
Facsimile number:	Code:	Number:	
E-mail address:			
VAT registration number:			
Tax clearance status PIN:			
B-BBEE status level verification certificate (tick applicable box)	<input type="checkbox"/> Yes	CSD Number:	<input type="checkbox"/> Yes
	<input type="checkbox"/> No	B-BBEE Status level sworn affidavit	<input type="checkbox"/> No
If Yes, who was the certificate issued by?			

[ 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	<input type="checkbox"/> Yes	Are you a foreign based supplier for the goods /services /works offered?	<input type="checkbox"/> Yes <input type="checkbox"/> No
In South Africa for the goods /services /works offered?	<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:**

<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
Contact person:	Nolusizo Dindili	Contact person:	Humulani Ndhlovu
Telephone number:	012 426 9506	Telephone number:	012 426 9574
Facsimile number:		Facsimile number:	
E-mail address:	<a href="mailto:ndindili@sanc.co.za">ndindili@sanc.co.za</a>	E-mail address:	<a href="mailto:hndhlovu@sanc.co.za">hndhlovu@sanc.co.za</a>

**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 compliances status are 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](http://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 REQUIREMENTS OF REQUEST FOR QUOTATIONS**

### **1. CONTRACT PERIOD**

- 1.1 The contract period stipulated in the terms of reference/ specification is considered a valid contract period.
- 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 may request interviews/presentations/pitching sessions with shortlisted Suppliers/ service providers before the final selection is made.
- 2.2 The SANC will not be liable for any cost incurred by a supplier's/service provider in the process of responding to this quotation, including on-site presentations and the preparation of the proposal.
- 2.3 The SANC will not consider any late quotations. All quotations submitted after the stipulated closing date and time will not be disqualified.
- 2.4 Any effort by the supplier/ service provider to influence bid evaluation members, bid comparisons or bid award decisions in any manner, will result in rejection of the bid concerned.
- 2.5 The successful supplier/ service provider will be informed in writing with an appointment letter or per an official order.
- 2.6 The quotations have a validity period of 60 days from date of closure of the request for quotation.
- 2.7 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.
- 2.8 Only quotations complying with all requirements as stipulated in the Terms of Reference/Scope of Work or Specification will be regarded as acceptable.
- 2.9 Quotations will be evaluated based on mandatory requirements, functionality (if applicable), Price and B-BBEE and other conditions stipulated in the terms of reference/ specification.
- 2.10 The supplier/ service provider must submit all requirements indicated in the quotation documents at the closing date and time of the request for quotation. Supplier/ service provider who fail to comply with any of the mandatory and other requirements will be disqualified.

### **3. SUBMISSION OF BIDS/ RETURNABLE DOCUMENTS**

- 3.1 The supplier/ service provider will be required to submit their quotations/proposals through an hand delivery.

**3.1.1** Service providers are required to submit a completed request for quotation pack (this documents), including:

- a) Fully completed and signed RFQ documents.
- b) Valid B-BBEE Certificate or Sworn Affidavit.**
- c) Adherence to requirements relating to all returnable documents will prove compliance with specific requirements as stipulated in the terms of reference at the closing date and time.

**3.2** Any supplier/ service provider who fails to comply with any requirement of the RFQ, at the discretion of the evaluation team, will 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](mailto: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 original and must 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. TAX COMPLIANCE REQUIREMENTS**

**6.1.** It is a condition of this RFQ that the tax matters of the successful supplier/ service provider are in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the tax obligations.

**6.2.** The Tax Compliance status requirements are also applicable to potential foreign suppliers, service providers or individuals who wish to submit RFQ.

**6.3.** It is a requirement that a supplier/ service provider grant a written confirmation when submitting this RFQ response that SARS may on an on-going basis during the tenure of the contract disclose the tax compliance status and by submitting this RFQ such confirmation is deemed to have been granted.

**6.4.** The Suppliers/ service providers are required to be registered on the Central Supplier Database (CSD) and the SANC shall verify the tax compliance status through the CSD or through SARS.

- 6.5. Where Consortia / Joint Ventures / Sub Contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the CSD or through SARS.
- 6.6. The supplier/ service provider who are not tax compliant will be notified of their non-compliant status, and be given seven (7) calendar days to rectify their tax compliance status with SARS, failure your RFQ will be disqualified.
- 6.7. The SANC will not award a RFQ to any supplier/ service provider whose tax matters are not in order.

## **7. VALUE ADDED TAX**

- 7.1. 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.

## **8. NEGOTIATIONS**

- 8.1. The SANC to negotiate with one or more preferred supplier(s)/ service provider(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other supplier(s)/ service provider(s) who have not been awarded the status of the preferred supplier(s)/ service provider(s).

## **9. PRICE QUALIFICATION**

- 9.1. Prices for this contract are firm.
- 9.2. All prices shall be quoted in South African rands (ZAR).
- 9.3. The RFQ prices shall be given in the units shown and will be awarded as a whole, not per item.
- 9.4. Prices must be inclusive of delivery cost and all taxes.
- 9.5. Please note that the foreign exchange risk in case of imported goods and service is for the account of the supplier/ service provider.
- 9.6. Non-firm prices (including prices subject to the rate of exchange variation) will not be considered.
- 9.7. No changes or extensions or additional ad-hoc costs are accepted once the contract has been awarded and/or signed.
- 9.8. Detailed information is optional and is provided as Annexures to the details of the RFQ.

## **10. COMMUNICATION**

10.1. Communication will only be restricted to Supply Chain Management Officials.

10.2. The South African Nursing Council may request clarification in writing regarding the information provided by bidders. Supplier(s)/ service provider(s) are to supply the required information within the specified period. Failing to do so will invalidate your RFQ.

## **11. INTELLECTUAL PROPERTY**

11.1. All the information contained in this document is intended solely for the purpose of assisting supplier(s)/ service provider(s) to prepare their RFQ. Any use of the information contained herein for another purpose than those stated in this document is prohibited.

11.2. The ownership and intellectual property rights of all designs, specifications, programming code and all other documentation provided by the SANC to the supplier(s)/ service provider(s), both successful and unsuccessful, remain the property of the SANC.

## **12. SUPPLIER DUE DILIGENCE**

12.1. SANC may conduct due diligence to all shortlisted supplier(s)/ service provider(s) to identify their specific capabilities and financial stability.

12.2. The SANC may visit the premises of the supplier(s)/ service provider(s) or that of their suppliers.

12.3. 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 RFQ, the financial status of the supplier(s)/ service provider(s) the previous customer satisfaction levels, the support capabilities, their relative strength, weaknesses and core capabilities, how SANC fits into the supplier(s)/ service provider(s) business and how the supplier(s)/ service provider(s) is viewed by the public, etc.

12.4. Supplier(s)/ service provider(s) may be required to provide names of traceable references who may also be visited to confirm their testimonials.

## **13. DISPUTES**

13.1. The relevant bidder agrees that should any dispute arise from the contract, the matter shall be submitted to the relevant authority for a ruling and such ruling shall be final.

## **14. BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE)**

14.1. A supplier/ service provider will only be awarded points for preference provided:

14.1.1. The supplier/ service provider has completed and signed the Preference Points Claim Form;

14.1.2. The supplier/ service provider submitted a valid B-BBEE status level certificate issued by a SANAS accredited B-BBEE agency; or

14.1.3. Submitted an affidavit stating the B-BBEE status level in the case of an EMF and QSE.



**15. JOINT VENTURE/ TRUST/ CONSORTIUM**

15.1. A trust, consortium or joint venture must submit an agreement to be recognised as an entity.

15.2. A trust, consortium or joint venture will qualify for points for their B-BBFF status level as a legal entity, provided that the entity submits their B-BBFF status level certificate.

15.3. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such B-BBEE scorecard is prepared for each and every separate RFQ.

15.4. A supplier/ service provider must not be awarded points for B-BBEE status level if it is indicated in the RFQ documents that such a supplier/ service provider intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an exempted micro enterprise that has the capability and ability to execute the sub-contract.

**16. RIGHT OF AWARD**

16.1. The SANCO reserves its following rights :

16.1.1 To award the RFQ in part or in full;

16.1.2 Not to award the RFQ to the lowest supplier/ service provider;

16.1.3 Not to make any award in this RFQ;

16.1.4 Verify information and documentation of the respective supplier/ service provider;

16.1.5 To cancel and/or terminate the RFQ process at any stage, including after the Closing Date and/or after presentations have been made, and/or after supplier(s)/ service provider(s) have been evaluated and/or after the preferred supplier(s)/ service provider(s) have been notified of their status as such; and

16.1.6 To correct any mistakes at any stage of the tender that may have been in the RFQ documents or occurred at any stage of the tender process.

## **TERMS OF REFERENCE (TOR)**

### **APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN OF A FIRE DETECTION SYSTEM AT THE SOUTH AFRICAN NURSING COUNCIL BUILDING (SANC)**

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#### **1. PURPOSE**

- 1.1 The South African Nursing Council hereby invites suitably qualified and experienced service providers to submit proposals for the design of a fire detection system at the SANC offices at Cecilia Makiwane Building No: 602 Pretorius Street, Arcadia, Pretoria 0083.

#### **2. BACKGROUND**

- 2.1 The SANC is going out on tender in order to improve the fire safety measures in place at the Cecilia Makiwane Building.
- 2.2 The SANC seeks the services of a suitably qualified service provider to design a fire detection system for a building that is approximately 5600m<sup>2</sup>.
- 2.3 The SANC does not have "as built drawings" of the building, the only drawings that can be offered to service providers are from another project. These drawings are an accurate representation of how the building layout is currently.

#### **3. OBJECTIVE**

- 3.1 The South African Nursing Council (SANC) requires from appropriately qualified, competent, experienced and professionally registered service provider to design a fire detection system that complies with SANS 10400 (Part T Fire Protection), SANS 10139:2012 (Fire detection and alarm systems for buildings - System design, installation and servicing) or any other relevant regulatory document applicable.

#### **4. SCOPE OF WORK**

- 4.1 Conduct an inspection at the Cecilia Makiwane Building in order to adequately design a fire detection system.
- 4.2 Design a fire detection system suitable to pass the Fire System Inspection Bureau inspections once installed.
- 4.3 Supervise the installation of the work once a tender is awarded to install the system.
- 4.4 Commission the system and issue certificate/s of compliance.
- 4.5 Issue the SANC with operation manuals.
- 4.6 Train the SANC staff on how to operate the system.

#### **5. EXPECTED DELIVERABLES**

- 5.1 A comprehensive design of a fire detection system including (but not limited to):
- 5.1.1 Design drawings.
  - 5.1.2 Specifications
  - 5.1.3 A bill of quantities for all materials to be used.
  - 5.1.4 Cost estimates for the installation as per bill of quantities.
  - 5.1.5 Operating manuals.
  - 5.1.6 Training of the SANC staff.
  - 5.1.7 Approval from the Fire System Inspection Bureau.

## 6. EVALUATION PROCESS

6.1 In order to facilitate a fair and transparent selection process that allows equal opportunity to all service providers, the SANC has a SCM policy for the appointment of contractors or consultants that will be adhered to. Proposals will be evaluated in three (3) steps (Administrative Compliance, Functionality, Price and B-BBEE).

The following qualifying criteria will be used:

### a) Step 1: Administrative Mandatory Compliance:

Document that must be submitted		Non-compliance with items against which a "YES" is denoted shall result in disqualification
Invitation to Bid	YES	Complete and sign the supplied pro forma document.
Tax Status	YES	i. Proof of Registration on the Central Supplier Database.
Tax Clearance Certificate		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 B-BBEE.
B-BBEE certificate or Sworn affidavit	NO	Valid B-BBEE certificate or Sworn affidavit.
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)	NO	Submit proof of registration.
Pricing Schedule	YES	Submit full details of the fixed pricing proposal in a separate envelope.
Registration with professional/ regulatory bodies	YES	i. Proof of registration with the Engineering Council of South Africa (ECSA) as a Fire Protection System Practitioner (FPSP).

Vendor experience	YES	A minimum of three (3) contactable reference letters from the previous clients, where a design of fire detection system services has been rendered. The reference letters must be on client letterhead and not older than five (5) years.
Briefing session	NO	<p>i. Bidders are required to visit the site at the date set out in the tender documents to familiarize themselves with the site conditions.</p> <p><b>Date: 07 December 2021</b>  <b>Time: 10:00</b>  <b>Venue: 602 Pretorius Stree, Pretoria, 0083</b></p> <p><b>NB: COVID 19 protocol will be observed</b></p> <p>ii. The bidders must submit their bids with the attendance certificate.</p>

**b) Step 2: Functionality:**

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

The following formula will be used to convert to the points scored against the weight:

$$P_s = \left( \frac{S_o}{M_s} \right) \times 100$$

Where:

Ps = Percentage scored for functionality by bid under consideration

So = Total score of bid under consideration

Ms = Maximum possible score

The following criteria and weights shall apply when considering bids:

Criteria	Sub Criteria	Weighting/ Points
Qualifications of the team leader/project manager	<p>Engineer's qualification:</p> <ul style="list-style-type: none"> <li>Masters/M.tech in engineering and above = 35</li> <li>Post graduate diploma/honors = 20</li> <li>Advanced diploma/B.tech/B.Eng = 10</li> <li>National Diploma and below= 0</li> </ul>	35
Experience of the Engineer	<ul style="list-style-type: none"> <li>5 years and above = 35</li> <li>4 years = 20</li> <li>3 years = 15</li> <li>2 years = 10</li> <li>Less than 2 years = 0</li> </ul>	35

Project Schedule	Project schedule (duration, milestones aligned to timeframes as per the deliverables)	30
	<ul style="list-style-type: none"> <li>Design completed within 4 weeks = 30</li> <li>Design completed within 6 weeks = 25</li> <li>Design completed within 8 weeks = 20</li> <li>Design completed in 8 weeks or more = 0</li> </ul>	
<b>Total</b>		<b>100</b>

c) **Steps 3: Price and B-BBEE:**

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

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

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-BBEE:

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 Contributor Status Level	
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant Contributor	0

**PRICING SCHEDULE: REFER TO ABOVE TERMS OF REFERENCES (ToR)**

Description	Once
Design drawings	
Specifications and bill of quantities	
Contractor Supervision (during construction)	
Operating manuals	
Training of the SANC staff	
<b>Total (excluding VAT)</b>	
<b>VAT</b>	
<b>Total (Including VAT)</b>	

Required by (End-User):

Facilities Section

Required at (Address):

602 Cecilia Makiwane Building, Pretorius Street, Pretoria

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):

.....

**DECLARATION BY THE BIDDER:**

I .....confirm 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
- 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
	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>

- 1.6 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
- $P_t$  = Price of a 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:

##### 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"> <li>- the bidder is employed by the SANC; and/or</li> <li>- 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.</li> </ul>	
<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

Signature

Date

Position

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

**CERTIFICATE OF INDEPENDENT BID DETERMINATION:**

I, the undersigned, in submitting the accompanying bid: **APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO SUBMIT PROPOSALS AND QUOTATIONS FOR THE DESIGN OF A FIRE DETECTION SYSTEM** in response to the invitation to 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 consortium<sup>3</sup> will not be construed as exclusive 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

.....

Name of Bidder