



South African Nursing Council  
Regulating nursing, advocating for the public

Enquiries: SCM Official  
[tenders@sanc.co.za](mailto:tenders@sanc.co.za)

Bidder's Information: The Manager/Director

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

*Dear Sir/Madam*

**INVITATION TO BID: SCM 25/2022/SANC: APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY AND INSTALL A WELDED MESH FENCE AT THE SOUTH AFRICAN NURSING COUNCIL**

The South African Nursing Council invites bidders to participate and submit bids/proposals for the appointment of a service provider to supply and install a welded mesh fence at the South African Nursing Council.

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

1. The conditions contained in the attached annexures apply.
2. The bid must be deposited in the **tender box** using the following two (2) methods of submission on or before the closing date and time **(25 July 2022 at 12H00)**.
  - 2.1 **Envelope 01:** This envelope is for technical/administrative documents only- one (01) original document. **Envelope 02:** This envelope is for pricing only, i.e. pricing schedule and/or the formal quote by the bidder - one (01) original.
  - 2.2 **Soft Copy-** The bidder must submit a soft copy of the bid document using either **OneDrive, Dropbox or Google Drive** to the email address: [tenders@sanc.co.za](mailto:tenders@sanc.co.za). Alternatively, the bidder can submit in a USB flash drive.
3. **Bid documents deposited in the tender box on the closing date and time will take precedence over emailed submissions.**
4. The attached forms/annexures, if completed in detail and returned, will form part of your price quotation.



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](http://www.sanc.co.za)

Chairperson: Dr M Molepo, Vice Chairperson: Dr S Zuma, Registrar & CEO: Ms S Mchunu

5. 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).
6. Please take note that, this bid will be evaluated in terms of 80/20 Preference Point System
7. All communication should be made through the use of an email. The cut-off date for all enquiries will be at **12H00** on **22 JULY 2022**.

Yours faithfully

**Chief Financial Officer**

**Mr Thamsanqa Ndadana**

Signature: 

Date: 2022-06-24

**INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NURSING COUNCIL.</b>					
Bid number:	<b>SCM 25/2022/SANC</b>	Closing date:	<b>25 JULY 2022</b>	Closing time:	<b>12H00</b>
Description:	<b>APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY AND INSTALL A WELDED MESH FENCE AT THE SOUTH AFRICAN NURSING COUNCIL</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO SIGN THE SERVICE LEVEL AGREEMENT / CONTRACT</b>					

**BID DOCUMENTS MUST BE DEPOSITED IN THE TENDER BOX SITUATED AT:  
THE SOUTH AFRICAN NURSING COUNCIL,  
602 PRETORIUS STREET,  
ARCADIA, PRETORIA, 0083.**

**SUPPLIER INFORMATION**

Name of bidder:					
Postal address:					
Telephone 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 [tick applicable box]	<input type="checkbox"/> Yes	
	<input type="checkbox"/> No			<input type="checkbox"/> No	

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]**

<b>The Accredited Representative</b> In South Africa for the goods /services /works offered?	<input type="checkbox"/> Yes <input type="checkbox"/> No [if yes enclose proof]	<b>Are you a foreign based supplier for the goods /services /works offered?</b>	<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.)			

<b>Total number of items offered</b>		<b>Total bid price (all inclusive)</b>	
--------------------------------------	--	--	--

THE SOUTH AFRICAN NURSING COUNCIL:			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
Contact person(s):	Tintswalo Nyathi/ Prince Makhubedu	Contact person	Humulani Ndhlovu
Telephone number(s):	012 426 9575/9570	Telephone number	012 426 95074
E-mail address	<a href="mailto:tenders@sanc.co.za">tenders@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) or online	
1.3. 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 Application for Tax Compliance Status (TCS) PIN may be made via e-filing through the SARS website <a href="http://www.sars.gov.za">www.sars.gov.za</a> .	
2.3 In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / PIN / CSD number.	
2.4 Where no TCS pin is available but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided.	
2.5 No bids will be considered from persons in the service of the state, companies with directors who are persons in the service of the state, or close corporations with members persons in the service of the state.”	
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS:	
3.1. Is the bidder a resident of the Republic of South Africa (RSA)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.2. Does the bidder have a branch in the RSA?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.3. Does the bidder have a permanent establishment in the RSA?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.4. Does the bidder have any source of income in the RSA?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>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.</b>	

## 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 /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 120 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 bids /proposals in a tender box situated at the Reception of the Cecilia Makiwane Building.
  - 3.1.1 Tenderers are required to submit a completed request for quotation pack (this documents), including:
    - a) Duly completed and signed bid documents.
    - b) Certified copy of 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 bid 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 bid response that SARS may on an on-going basis during the tenure of the contract disclose the Tax Compliance Status and by submitting this bid 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 bid will be disqualified.
- 6.7. The SANC will not award a bid 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 bid 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 EME 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-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.



## TERMS OF REFERENCE (ToR)

### APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY AND INSTALL A WELDED MESH FENCE AT THE SOUTH AFRICAN NURSING COUNCIL

---

#### 1. Purpose:

The South African Nursing Council (SANC) hereby invites suitably qualified and experienced service providers to submit proposals and quotations to supply and install a welded mesh fence at the SANC's Cecilia Makiwane Building at No: **602 Pretorius Street, Arcadia, Pretoria 0008**.

#### 2. Background and Discussion:

In order to improve security at the SANC's premises, the Facilities Section would like to remove the existing fence and replace it with a welded mesh fence.

#### 3. Scope of Work and Deliverables:

This specification covers material requirements and installation of security fencing and gates, for the project.

##### 3.1 PART 1 – GENERAL

###### 3.1.1 Work Included

A. Supply and installation of a fence, gates, and accessories as required.

###### 3.1.2 Submittals

A. Shop drawing for the gates to be supplied.

B. Quality control program shall be submitted to the project administrator for review prior to commencement of any work.

##### 3.2 PART 2 – PRODUCTS

###### 3.2.1 General

A. All steel materials shall be of good commercial quality, galvanized steel.

B. All pipes shall be galvanized (one piece without joints). Supply moisture proof caps for all posts.

C. Zinc coating shall be smooth and essentially free from lumps, globs, or points.

D. Miscellaneous material shall be galvanized.

###### 3.2.2 Post:

- Post shall be 3,6m long Taper Locking Post.
- Post width shall be 85mm - tapering to 45mm with a depth of 85mm.
- Post shall include 'Locking Recess Mechanism' to secure panel edge.
- Post shall be sealed with a UV stabilized polymer cap.
- Post finish shall be Galvanized.
- Post foundation shall be 600mm (depth) x 400mm<sup>2</sup> 15Mpa concrete.

###### 3.2.3 Panel:

- Panel shall not be more than 3,5m in width and must be 3m in height.
- Panel aperture size (centres) shall be 76.2mm x 12.7mm.
- The panel shall be reinforced with 4 x 50mm deep 'V' formation horizontal recessed bands (rigidity)
- Panel shall have 2 x 70° flanges along sides (internal fixtures - all fixtures shall be on the inside of fence line)
- Panel shall have 2 x 30° flanges along top and toe (integrated rigid angle).
- Panel post shall have a flush panel post finish with no climbing aid.
- Panel shall be affixed to post over 48-line wires using 8 x Double bolt comb clamps and 8 x Single bolt comb clamps using 24 x Anti vandal bolts.
- Panel and fixtures shall be Galvanized.

#### **3.2.4 Topping**

A 100mm high toughened steel Shark Tooth spike shall be affixed to top panel edge, internally at 150mm intervals using Anti-vandal bolts. Spike finish shall be Hot Dipped Galvanized.

#### **3.2.5 Gate**

Two of the three, vehicle access, gates shall come equipped with a gate motor kit. Two of the gates installed already have gate motors installed.

#### **3.3 Removal of existing fence**

The service provider will be expected to remove and dispose the existing fence. This fence is made up of a combination of a brick wall in some sections and steel bars (with square poles).

#### **4. General Requirements:**

- a. The service provider shall ensure that its team has relevant expertise and provide diligent and necessary support to the SANC when required.
- b. The service provider will under no circumstance divulge, furnish, or disclose any sensitive information concerning the SANC or any other Stakeholders' activities to the public or news media. The SANC reserves the right to have confidentiality agreement signed with the successful service provider.
- c. The appointed service provider shall follow all statutory provisions and safety rules for carrying this work including but not limited to SANS and the OHS Act, no 85 of 1993.
- d. The material provided must comply with SANS 23-4:2003.
- e. Service providers **MUST** indicate who the manufacturer of their fence is.

**5. Evaluation Process:**

In order to facilitate a fair and transparent selection process that allows equal opportunity to all bidders, the SANC has an SCM policy for the appointment of contractors or consultants that will be adhered to. Proposals will be evaluated in two steps (Administrative Compliance, Price and BBEEE).

The following qualifying criteria will be used:

**a) Step 1: Administrative 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. ii. 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.
Pricing Schedule	YES	Submit full details of the fixed pricing proposal.
Compulsory Site Briefing Session  The bidders must submit their bids with the attendance certificate	YES	The compulsory site briefing will be held as follows:  <b>Date : 04 JULY 2022</b> <b>TIME: 10H00</b> <b>Venue: Ground floor, SANC, 602 Pretorius Street, Arcadia.</b>  <b>NB: COVID 19 protocol will be observed.</b>

<b>CIDB Grading</b>	<b>YES</b>	Service provider must be registered with the Construction Industry Development Board with a CIDB minimum grading of GB2
<b>Certification</b>	<b>YES</b>	Provide proof of compliance from Department of Labour (COIDA).
<b>Vendor experience</b>	<b>YES</b>	A minimum of three (3) contactable reference letters on the client letterhead where similar services have been rendered.

**b) Step 2: Price and BBEE:**

Bids will be evaluated in terms of the **80/20 Preference Point System (80 points for price and 20 points for BBEE)**.

The following formula will be applied to calculate the points for price.

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

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Rand value of bid under consideration
- P<sub>min</sub> = Rand value of lowest **acceptable** bid

**The following formula will be used to calculate the points for 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 a 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
<b>Non-compliant Contributor</b>	0

**PRICING SCHEDULE – FIRM PRICES (PURCHASES)**

**ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of bidder.....	Bid number.....
Closing Time 12:00	Closing date.....

**OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.**

Description	Unit	Quantity	Unit Price (Excl. VAT)	Total Price (Excl. VAT)
Removal of existing fence (Steel bars with a wall)	Meter	76		
Removal of existing fence (Steel bars)	Meter	55		
Removal of diamond mesh fence with a gate	Meter	35		
Supply and install welded mesh fence	Meter	140		
Supply and install vehicle gates (6m in length)	Each	3		
Supply and install pedestrian gate (3m opening)	Each	1		
Delivery Costs	Each	1		
			<b>Total Price (Excl.VAT)</b>	
			<b>VAT</b>	
			<b>Total Price (Inc. VAT)</b>	

Required by (End-User):

**FACILITIES DEPARTMENT**

Required at (Address):

Cecilia Makiwane Building  
602 Pretorius Street  
Arcadia, Pretorius 0083

Brand and model (if applicable):

.....

Country of origin (if applicable):

.....

Guarantee period (if applicable):

.....

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)

.....

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
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	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<sub>s</sub> = Points scored for the price of a bid under consideration
- P<sub>t</sub> = Price of a bid under consideration
- P<sub>min</sub> = 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 last 51% owned by:	EME √	QSE √
<b>Black people</b>		
<b>Black people who are youth</b>		
<b>Black people who are women</b>		
<b>Black people with disabilities</b>		
<b>Black people living in rural or underdeveloped areas or townships</b>		
<b>Cooperative owned by black people</b>		
<b>Black people who are military veterans</b>		
<b>OR</b>		
<b>Any EME</b>		
<b>Any QSE</b>		

**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
- (e) exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (f) Forward the matter for criminal prosecution.

**Signatures of the bidder:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Witnesses: (01)** \_\_\_\_\_ **(02)** \_\_\_\_\_

**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the South African Nursing Council (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 authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- 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.

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

2.1 Full Name of bidder or his or her representative: .....

2.2 Identity Number: .....

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

2.4 Company Registration Number: .....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

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

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....

Name of state institution at which you or the person connected to the bidder is employed : .....

Position occupied in the state institution: .....

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

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

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

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

2.10.1 If so, furnish particulars.

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

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

2.11.1 If so, furnish particulars:

.....  
.....



**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 in response to the invitation for the bid: **APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY AND INSTALL A WELDED MESH FENCE AT THE SOUTH AFRICAN NURSING COUNCIL** 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 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**

.....

**Name of Bidder**