

Bidder's Information: The Manager/Director

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Dear Sir/Madam

INVITATION TO BID: SCM 37/2022/SANC: APPOINTMENT A SERVICE PROVIDER TO CONDUCT DEBRIEFING SESSIONS FOR IMPAIRMENT (IC), PRELIMINARY INVESTIGATION (PIC) AND PROFESSIONAL CONDUCT (PCC) COMMITTEES MEMBERS AND SUPPORT STAFF AT SANC AS AND WHEN REQUIRED FOR A PERIOD OF FIVE (5) YEARS

The South African Nursing Council invites bidders to participate and submit bids/proposals for the appointment of service provider for the maintenance of three elevators for a period of three years 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 **(17 February 2023 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. 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.**



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



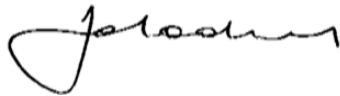
website: www.sanc.co.za

4. 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 (original copy or certified copy of 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).
5. All communication should be made through the use of an email. The cut-off date for all enquiries will be at **16H30** on **13 February 2023**.

Yours faithfully

Chief Financial Officer

Mr Thamsanqa Ndadana



Signature:

2023-01-12

Date:

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NURSING COUNCIL.			
Bid number:	SCM 37/2022/SANC	Closing date:	17 FEBRUARY 2023
		Closing time:	12H00
Description:	APPOINTMENT A SERVICE PROVIDER TO CONDUCT DEBRIEFING SESSIONS FOR IMPAIRMENT (IC), PRELIMINARY INVESTIGATION (PIC) AND PROFESSIONAL CONDUCT (PCC) COMMITTEES MEMBERS AND SUPPORT STAFF AT SANC AS AND WHEN REQUIRED FOR A PERIOD OF FIVE (5) YEARS		
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 <input type="checkbox"/> No	B-BBEE Status level sworn affidavit	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, who was the certificate issued by?			
A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFIDAVIT (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 bid price (all inclusive)			

THE SOUTH AFRICAN NURSING COUNCIL:

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
Contact person:	Tintswalo Nyathi/ Prince Makhubedu	Contact person	Joyce Muswede
Telephone number:	012 426 9575/9570	Telephone number	012 420 1008/ 426 9585
E-mail address	tenders@sanc.co.za	E-mail address	jmuswede@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 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.
- 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 BIDS

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 bid, including on-site presentations and the preparation of the proposal.
- 2.3 The SANC will not consider any late quotations. All bids 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 bids have a validity period of 120 days from date of closure.**
- 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 bids complying with all requirements as stipulated in the Terms of Reference/Scope of Work or Specification will be regarded as acceptable.
- 2.9 Bids 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 bid documents at the closing date and time of the request for the bids. 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 bid, 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.

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 the bid.

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 bid.

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 requested to supply the required information within the specified period. Failing to do so will **invalidate** your bid.

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 bid. 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 BID, 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 recognized 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

APPOINTMENT A SERVICE PROVIDER TO CONDUCT DEBRIEFING SESSIONS FOR IMPAIRMENT (IC), PRELIMINARY INVESTIGATION (PIC) AND PROFESSIONAL CONDUCT (PCC) COMMITTEES MEMBERS AND SUPPORT STAFF AT SANC AS AND WHEN REQUIRED FOR A PERIOD OF FIVE (5) YEARS

1. PURPOSE

- 1.1. The purpose of these terms of reference is to appoint a service provider who will conduct therapeutic and/or psychological debriefing sessions to the members of IC, PIC, and PCC, and the SANC staff members (responsible for the provision of administrative, secretariat and advisory support to these committees) as and when required for a period of five (05) years.

2. BACKGROUND

- 2.1. The South African Nursing Council (SANC) is a regulatory body functioning in terms of Nursing Act, 2005 (Act No. 33 of 2005), (Nursing Act) to serve and protect the public by regulating the nursing profession on matters relating to nursing and midwifery services.
- 2.2. Section 15 of the Nursing Act stipulates that the Council may from time to time establish such Committees as it may think necessary to investigate and report to the Council on any matter falling within the scope of its functions.
- 2.3. The mandates of the three (03) Committees, as provided for in the Nursing Act, include the following:

2.3.1 Impairment Committee

- i) The IC is mandated in terms of Section 51 of the Nursing Act to conduct inquiries into alleged impairment or unfitness to practice for persons registered in terms of the Act.

2.3.2 Preliminary Investigating Committee

- i) The PIC is mandated in terms of Sections 46, 47, and 50 of the Nursing Act to deal with all cases of alleged unprofessional conduct against Nurse practitioners who are registered in terms of the Act.

2.3.3 Professional Conduct Committee

- i) The function of the PCC is to conduct inquiries or formal hearings into any complaint or allegation of unprofessional conduct or misconduct, referred to it by the PIC in terms of Section 46 of the Nursing Act. The Committee will then make a finding and decide on an appropriate sanction based on the evidence before the Committee in terms of Section 47(1) of the Nursing Act.

- 2.4. In performing their duties, members of the Committee make life changing decisions in the interest of protecting the public, and
- 2.5. The therapeutic and/or psychological debriefing sessions would thus assist in terms of providing support, as and when required, to Committee and staff members, respectively, as the decision-making process associated with the mandates of the three (03) of Committees has proven to be exhausting, emotionally draining and overwhelming.

3. SCOPE OF SERVICE

- 3.1. The appointed service provider shall be able to provide the following:
 - 3.1.1 Conduct debriefing sessions to three (3) Committees of Council and their support staff as indicated below:
 - 3.1.1.1 Debriefing sessions will be conducted twice per year or as and when needed to relevant Committee members and their support staff.
 - 3.1.1.2 The specialist may determine if certain individuals require additional sessions.
 - 3.1.1.3 Group debriefing sessions will be conducted per committee and its support staff, and not for all three Committees and support staff at the same time.
 - 3.1.1.4 The sessions will be conducted at the SANC premises or virtually.

4. EVALUATION PROCESS

4.1. Bids will be evaluated in three (3) steps (Administrative and Mandatory Compliance, Functionality and Price & B-BBEE):

4.2. The following qualifying criteria will be used:

a) Step 1: Administrative and 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	Fully complete and sign the supplied pro forma document.
Tax Compliance Status	YES	<ul style="list-style-type: none"> i. Proof of Tax compliance status PIN ii. Tax compliance status system outcome from SARS e-filing or Central Supplier Database report will take precedence
Declaration of Interest	YES	Fully 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	Fully complete and sign the supplied pro forma document.
Certificate of Independent Bid Determination	YES	Fully complete and sign the supplied pro forma document.
Pricing Schedule	YES	Submit full details of the fixed pricing proposal
Registration with professional/regulatory bodies	YES	<p>The following practitioners must submit the following valid proof:</p> <ul style="list-style-type: none"> i. Psychiatric Nurse: Valid proof of registration with South African Nursing Council (SANC); OR ii. Clinical Psychologist: Valid proof of registration with Health Professions Council of South Africa (HPCSA)

b) Step 2: Functionality Compliance

Bidders must comply with all the requirements stipulated below for further evaluation on Price and B-BBEE:

Criteria	Comply	Not comply
1. Qualifications of the practitioner(s):		
1.1. Psychiatric Nurse/ Clinical Psychologist (please attach qualification) <ul style="list-style-type: none"> Master's Degree in Nursing Science (Mental Health Nursing/ Psychiatric Nursing) OR Master's degree in Clinical Psychology OR Post graduate Diploma in Psychiatric Nursing 		
2. Relevant work experience:		
2.1. Psychiatric Nurse/ Clinical Psychologist (please attach a detailed Curriculum Vitae (CV)) <ul style="list-style-type: none"> 5+ years' proven work experience as a wellness practitioner/ Counselling staff in a corporate environment. 		
2.2. Reference letters (please attach reference letters) <ul style="list-style-type: none"> Bidders must submit a minimum of three (3) reference letters performing similar work within the past five (5) years. The reference letters must be in a company letter head, have contact details of the referee, including email address, Cell phone numbers, etc. 		

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

Pt = Rand value of bid under consideration
Pmin = 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 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

Required by (End-User):

Professional Practice 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:

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
- 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
 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

- (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 attach 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:

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

Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Reference Number	SANC Employee Number / PERSAL Number

DECLARATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2.1 TO 2.11.1 ABOVE IS CORRECT.

I ACCEPT THAT THE SANC MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF THE SCM POLICY AND PROCEDURE MANUAL AND OTHER RELATED LEGISLATION SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
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). 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:		

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION:

I, the undersigned, in submitting the accompanying bid: **APPOINTMENT A SERVICE PROVIDER TO CONDUCT DEBRIEFING SESSIONS FOR IMPAIRMENT (IC), PRELIMINARY INVESTIGATION (PIC) AND PROFESSIONAL CONDUCT (PCC) COMMITTEES MEMBERS AND SUPPORT STAFF AT SANC AS AND WHEN REQUIRED FOR A PERIOD OF FIVE (5) YEARS** 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 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

.....
Name of Bidder