Expression of Interest:
Verified Electronic Signature for
Coega IDZ

Contract №
CDC/313/17

19th July 2017
# DOCUMENT INFORMATION SHEET

<table>
<thead>
<tr>
<th>Title of Report</th>
<th>Expression of Interest (EOI): Verified Electronic Signature for Coega IDZ</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Report</td>
<td>Expression of Interest(EOI)</td>
</tr>
<tr>
<td>Contract No.</td>
<td>CDC/313/17</td>
</tr>
<tr>
<td>Prepared by</td>
<td>Joshua Brooks</td>
</tr>
<tr>
<td>Typed by</td>
<td>Joshua Brooks</td>
</tr>
<tr>
<td>Business Unit</td>
<td>ICT, Research and Strategy</td>
</tr>
<tr>
<td>Prepared for</td>
<td>Bid Specification Committee</td>
</tr>
<tr>
<td>Date of Issue</td>
<td>19th July 2017</td>
</tr>
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**DOCUMENT CONTROL SHEET**

The purpose of this form is to ensure that documents are reviewed and approved prior to issue. The form is to be bound into the front of all documents released by the CDC.

**PROJECT NAME** : Verified Electronic Signature for Coega IDZ  
**DOCUMENT TITLE** : Expression of Interest (EOI)  
**CONTRACT No.** : CDC/313/17

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**SIGNING OF THE ORIGINAL DOCUMENT**

We, the undersigned, accept this document as a stable work product to be placed under formal change control as described by the Change Control Procedure document.

<table>
<thead>
<tr>
<th>ORIGINAL</th>
<th>Prepared by</th>
<th>Reviewed by</th>
<th>Approved by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td>Name: Joshua Brooks</td>
<td>Name: Indu Pramod</td>
<td>Name: Monde Mawasha</td>
</tr>
<tr>
<td>18 July 2017</td>
<td>Signature:</td>
<td>Signature:</td>
<td>Signature:</td>
</tr>
</tbody>
</table>

Distribution: Bidders

**REVISION CHART**

<table>
<thead>
<tr>
<th>REVISION 1</th>
<th>Name:</th>
<th>Name:</th>
<th>Name:</th>
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<td>Date:</td>
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</table>

<table>
<thead>
<tr>
<th>REVISION 2</th>
<th>Name:</th>
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<th>Name:</th>
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<table>
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<tr>
<th>REVISION 3</th>
<th>Name:</th>
<th>Name:</th>
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<tbody>
<tr>
<td>Date:</td>
<td>Signature:</td>
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</table>
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Expression of Interest for Verified Electronic Signature for Coega IDZ

Contract Number: CDC/313/17

1. INTRODUCTION

Coega Development Corporation (CDC) is the licensed operator of the Coega Industrial Development Zone (IDZ) and is mandated (amongst others) to take the organization in a direction where it can eventually be completely paperless. This in turn would lead to other but equally important benefits such as making approvals secure, comply to industry standards and to streamline the organizations processes.

2. INVITATION AND SCOPE OF WORK

The CDC is inviting capable and competent Service Providers to respond to the Expression of Interest (EoI) by submitting their proposal for the Verified Electronic Signature solution required by the organisation. The intended purpose of this Section is to provide a clear understanding of what is required from the System Software Vendor/ Service Provider:

A clear methodology should be illustrated on how the respondent has/ or will implement this solution. This should inter alia:

- Documents that need to be approved via the Oracle ERP system 12.1.3;
- Documents can be signed when opening from ECM Documentum 7.2 and saved in EMC Documentum 7.2
- Solution should integrate with Coega’s invoice capturing solution which uses EMC Captiva 7.6;
- Various document types need to be signed;
- The verification of signatures;
- The signature must resemble the user’s signature;
- The notification of irregular or unauthorized use of a signature;
- Audit trail;
- Regulatory Compliance;

The solution will be made up of the following aspects and functionality:

a) The system must be able to administer the required Regulatory Provisions for Electronic Signatures in South Africa.
b) Sign documents opened from Oracle E-Business Suite R12.1.3 and save it.

c) Sign documents opened from EMC Documentum version 7.2 and save it;

d) Sign documents handled by the Invoice Capturing System which uses EMC Captiva 7.6;

e) A clear illustration of knowledge and expertise in the development of these systems within South Africa and/or abroad.

3. EXISTING INFRASTRUCTURE AND SYSTEMS

For purpose of integration and overall applications architecture, the CDC currently have the following application system implemented and used:

- Oracle E-Business Suite version 12.1.3.
  - Oracle Financials (Account Receivables, Account Payables, General Ledger, Cash Management, Procurement);
  - Oracle HRMS (Core HRMS, Absence Management, Performance; Management System, Compensation Workbench, Oracle Learning Management);
  - Oracle HR Self Service;
  - Oracle Payroll;
  - Oracle Property Management;
  - Oracle Fixed Assets; and
  - Insight Oracle reporting

- EMC Documentum version 7.2
  - Documentum – Document Management System;
  - Documentum input Excel;
  - Documentum Client for Outlook (DCO); and
  - Documentum Microsoft Integrator

Applications listed above are supported and operated through the following ICT infrastructure:

- Microsoft Office Productivity Platform;
- Microsoft Server Products (Exchange, Lync, SharePoint, SCCM, TMG, etc...);
- Linux-based Operating Systems (Oracle Linux);
- Milestone
- Oracle ERP Systems;
- Relational Databases (Oracle and MS-SQL Server);
- HP Server Hardware;
- HP and Lenovo End-user Hardware;
- VMware virtualization technology;
- Cisco Networking equipment;
- Support Desk
4. **CONDITIONS**

   a) Preference will be given to respondents who have the necessary expertise and who can provide proof of similar system implementation and delivery.

   b) Preference will be given to respondents who comply with the CDC’s Procurement Policy and Procedures.

   c) Preferential Procurement Policy Framework Act (PPPFA) principles shall apply, whereby submissions will be evaluated according to the provisions of that Act and the Public Finance Management Act (PFMA) Sections 36 and 49.

   d) BBBEE status will be scored in accordance with the DTI Codes of Good Practice. Bidders must submit with their bid a BBBEE Certificate issued by the Verification Agencies in order to be eligible for empowerment points.

   e) Bidders passing the first assessment criteria will be required to make a presentation to the CDC in demonstrating functionality as required.

EOI document would be downloaded from CDC website ([www.coega.co.za](http://www.coega.co.za)) from **10h00, Friday, 04th August 2017**. No EOI document will be available at the Mandatory Briefing Meeting.

A **mandatory** briefing meeting will be conducted at 10h00 on Monday, 14th August 2017, at the Coega Business Centre, Cnr Alcyon Rd and Zibuko Street, Zone 1, Coega IDZ, Port Elizabeth, where representatives from the Coega Development Corporation will meet prospective Service Providers.

One original of the completed EOI document plus an electronic copy on a CD shall be placed in a sealed envelope clearly marked: "CDC/313/17 – **VERIFIED ELECTRONIC SIGNATURE FOR COEGA IDZ**". The closing date and time for the receipt of completed EOI documents is **12h00 on Monday, 28th August 2017**. EOI are to be placed in the tender box at the reception of the Coega Business Centre, Cnr Alcyon Rd and Zibuko Street, Zone 1, Coega IDZ, Port Elizabeth.

Failure to provide any **mandatory information** required in this bid will result in the submissions being deemed non-responsive.

Proof of registration with Treasury’s Centralized Supplier Database (CSD) or provide a Treasury CSD registration number e.g. MAAA0...; contractors and service providers have a responsibility to make sure that they are Tax compliant by the closing date of the bid they are tendering for and also remain Tax compliant during the evaluation period. The contractors/service
providers Tax Status would be verified through CSD.

Telegraphic, telexed, facsimiled or e-mail submissions will not be accepted.

No telephonic or any other form of communication with any other CDC member of staff, other than the named individual below, relating to this request for tender will be permitted. All enquiries regarding this tender must be in writing only, and must be directed to:

Andile Ntloko, Supply Chain Manager; E-mail: tenders@coega.co.za

The CDC reserves the right not to accept the lowest proposal in part or in whole or any proposal.

5. CRITERIA FOR ASSESSMENT

Respondents must address all mandatory requirements. Failure to provide any mandatory information required in this bid will result in the submission being deemed null and void and shall be considered non-responsive.

The following criteria will be used in assessing the responsiveness of the bids:-

Table 1: Mandatory Requirements

<table>
<thead>
<tr>
<th>NO.</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Proof of registration with Treasury’s Centralized Supplier Database (CSD) or provide a Treasury CSD registration number e.g. MAAA0...; contractors and service providers have a responsibility to make sure that they are Tax compliant by the closing date of the bid they are tendering for and also remain Tax Compliant during the evaluation period. The Tax Status of the bidders will be verified through CSD;</td>
</tr>
<tr>
<td>2</td>
<td>Signed certificate of attendance to the mandatory Briefing Meeting or copy of signing of Attendance Register;</td>
</tr>
<tr>
<td>3</td>
<td>Authority of lead partner to sign the documents;</td>
</tr>
<tr>
<td>4</td>
<td>Signed Letter of Intent to enter into Joint Venture, Consortium or to subcontract (where applicable);</td>
</tr>
<tr>
<td>5</td>
<td>Completed and signed Declaration of Interest Register;</td>
</tr>
<tr>
<td>6</td>
<td>Proof of access to key personnel with relevant experience to execute the works;</td>
</tr>
<tr>
<td>7</td>
<td>Proof of professional registration/certification/partnerships with:</td>
</tr>
<tr>
<td></td>
<td>• Oracle E-Business Suite R12;</td>
</tr>
</tbody>
</table>
• Oracle Database R11;
• EMC Documentum; and
• EMC Captiva

(8) Completed and signed Declaration of Interest Register (in case of a Joint Venture/Consortium, a separate declaration of interest form in respect of each party to the JV must be completed and submitted) (Annexure B). submitted by ALL members of the JV/Consortium if tendering as a JV/Consortium;

(9) Completed and signed Certificate of Independent Bid Determination SBD 9, (Annexure D). (In case of a Joint Venture/Consortium, a separate Certificate of Independent Bid Determination in respect of each party to the JV must be completed and submitted).

(10) Record of previous projects which may be relevant in the evaluation of the bid and contact persons

Failure to submit and complete all mandatory information will result in submissions being deemed null and void and shall be considered “non – responsive” and therefore not considered.

**ADDITIONAL INFORMATION to be submitted**

Table 2: Additional information required

<table>
<thead>
<tr>
<th>NO.</th>
<th>DESCRIPTION</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Bidders must submit a valid BBBEE Verification Certificate from SANAS Accredited Verification Agency / Registered Auditor approved by IRBA (in case of JV a consolidated BBBEE certificate must be submitted). The Qualifying Small Enterprise (QSE) and Exempted Micro Enterprises (EME) must submit a sworn affidavit confirming the Company Annual Total Revenue and level of black ownership which must be signed and stamped by a Commissioner of Oaths</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td>Corporate ICT Programme proposed methodology covering:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) Project Framework utilised;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) Resource planning; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(iii) System Support Arrangement.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(3)</td>
<td>A Consortium histogram stating what each member of the consortium will be doing or if one company showing company covering all skills required;</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6. INSTRUCTIONS TO BIDDERS

a) It is clarified that this is a pre-qualification process for further participation in a possible future issuing of terms of reference tender documents and does not constitute a bid process. The CDC retains the right not to proceed with the issuing of a terms of reference tender document in the event that none of the EOI responses are deemed to be appropriate;

b) The CDC retains the right to issue terms of reference documents for any future bidding processes only to qualified EOI submitters and embark on an open tender process;

c) Any EOI's received after the closing time will not be considered;

d) The CDC reserves the right to extend the closing date of the EOI process;

e) All EOI's and all subsequent information received from Respondents will become the property of the CDC and will not be returned;

f) The CDC reserves the right not to accept any EOI;

g) The CDC will not accept any responsibility for costs incurred by Bidders in preparing and submitting EOI’s;

h) The CDC reserves the right;

i) Not to proceed with the issuing of a terms of reference to appoint some or all in the event it deems EOI’s not appropriate;

i) Appoint more than one entity in the event that it deems it appropriate; and

(ii) To engage in processes to validate all claims made in the EOI.

j) The respondent shall treat as confidential all documentation, reports and drawings which are prepared pursuant to this EOI. If any outside party should request information, the respondent shall report the request in writing to the CDC; and

k) Respondents must score 70% or higher in the functionality assessment to be considered for the next stage of evaluation.

7. DISQUALIFICATION

The following criteria will be applied to determine whether a Bidder shall be disqualified:

a) Bidder that sought to influence the adjudication process in any manner;

b) Collusion of any kind among bidders;

c) Misrepresentation of information by Bidder;
d) Any Bidder (service provider or its principals or both) who have engaged in corrupt and fraudulent practices, not only with the CDC but anywhere else;

e) Bidder who has a pending liquidation, or is bankrupt/insolvent (actually or commercially);

f) Poor past performance (the focus is on gross poor performance and a clear trend of poor performance needs to be established); and

g) Inadequate experience in implementing similar CCA Management Systems.

8. COPYRIGHT

Copyright of this Document is vested in the CDC. It cannot be copied, in whole or in part, in any form or in any format without the prior written consent of the CDC.

9. CONFIDENTIALITY AND MEDIA PROTOCOL

Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence. The CDC reserves the right to announce the names of Bidders in the media.

In submitting the bid, a Bidder shall not be entitled to any information disclosed by another applicant to the CDC, which the CDC has determined to be confidential. The content and details of the evaluation of submissions will remain confidential to the CDC.

PART T2.1 : LIST OF RETURNABLE DOCUMENTS

2.1. Annexure A: Compulsory Declaration of Interest Form

2.2. Annexure B: SBD 6.1 Preference Point Claim Form

2.3 Annexure C: SBD 8: Declaration of Bidders Past Supply Chain Management Practices

2.4 Annexure D: SBD 9: Certificate of Independent Bid Determination
# Respondents Information Sheet

<table>
<thead>
<tr>
<th>Contract No.</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of Contract</td>
<td></td>
</tr>
</tbody>
</table>

| Name of Organisation / Joint Venture / Consortium |                     |
| Physical Address |                     |
| Postal Address |                     |
| Contact Name |                     |
| Email Address |                     |
| Telephone Number |                     |
| Fax Number |                     |
| Cell Number |                     |
ANNEXURE A

SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; 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

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

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / personal numbers must be indicated in paragraph 9 below.

"State" means –

(a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

(b) any municipality or municipal entity;

(c) provincial legislature;

(d) national Assembly or the national Council of provinces; or

(e) Parliament.

"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state?  

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 state, 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 state 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 state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.9. 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 state 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:

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

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>Personal Tax Reference Number</th>
<th>State Employee Number / Persal Number</th>
</tr>
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<td></td>
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</tr>
</tbody>
</table>

14
# DECLARATION

I, \[\text{NAME}\] \[\text{UNDESIGNED}\],

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

\[
\begin{array}{ll}
\text{Signature} & \text{Date} \\
\text{Name of bidder} & \\
\end{array}
\]
ANNEXURE B

SBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE
PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

POINTS

1.3.1.1 PRICE 80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION

Total points for Price and B-BBEE must not exceed 100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

2.1 "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

2.2 "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

2.3 "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

2.4 "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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;

2.5 "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

2.6 "comparative price" means the price after the factors of a non-firm price and all
unconditional
discounts that can be utilized have been taken into consideration;

2.7 "consortium or joint venture" means an association of persons for the purpose of
combining their
expertise, property, capital, efforts, skill and knowledge in an activity for the
execution of a contract;

2.8 "contract" means the agreement that results from the acceptance of a bid by an
organ of state;

2.9 "EME" means any enterprise with an annual total revenue of R10 million or less.

2.10 "Firm price" means the price that is only subject to adjustments in accordance with
the actual increase or decrease resulting from the change, imposition, or abolition
of customs or excise duty and any other duty, levy, or tax, which, in terms of the
law or regulation, is binding on the contractor and demonstrably has an influence
on the price of any supplies, or the rendering costs of any service, for the execution
of the contract;

2.11 "functionality" means the measurement according to predetermined norms, as set
out in the bid
documents, of a service or commodity that is designed to be practical and useful,
working or
operating, taking into account, among other factors, the quality, reliability, viability
and durability of a
service and the technical capacity and ability of a bidder;

2.12 "non-firm prices" means all prices other than "firm" prices;

2.13 "person" includes a juristic person;

2.14 "rand value" means the total estimated value of a contract in South African
currency, calculated at
the time of bid invitations, and includes all applicable taxes and excise duties;

2.15 "sub-contract" means the primary contractor's assigning, leasing, making out work
to, or employing, another person to support such primary contractor in the
execution of part of a project in terms of the contract;

2.16 "total revenue" bears the same meaning assigned to this expression in the Codes
of Good
Practice on Black Economic Empowerment, issued in terms of section 9(1) of the
Broad-Based
Black Economic Empowerment Act and promulgated in the Government Gazette
on 9 February 2007;

2.17 "trust" means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and

2.18 "trustee" means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. **ADJUDICATION USING A POINT SYSTEM**

3.1 The bidder obtaining the highest number of total points will be awarded the contract.

3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.

3.3 Points scored must be rounded off to the nearest 2 decimal places.

3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

3.5 However, when functionality is part of the evaluation process and two or more bids have

- scored equal points including equal preference points for B-BBEE, the successful bid must
- be the one scoring the highest score for functionality.

3.6. Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. **POINTS AWARDED FOR PRICE**

4.1 **80/20 PREFERENCE POINT SYSTEMS**

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

\[
Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)
\]

Where

- \( Ps \) = Points scored for comparative price of bid under consideration
- \( Pt \) = Comparative price of bid under consideration
P_{min} = \text{Comparative price of lowest acceptable bid}

5. Points awarded for B-BBEE Status Level of Contribution

5.1 In terms of Regulation 5 (2) and 6 (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:

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
</tr>
</tbody>
</table>

5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA’s approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

5.4 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.
5.5 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 a consolidated B-BBEE scorecard is prepared for every separate bid.

5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract 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 EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: ............. = .............(maximum of 20 points)

(a) (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a Bidders must submit a valid BBBEE Verification Certificate from SANAS Accredited Verification Agency or from a Registered Auditor approved by the Independent Regulatory Board of Auditors IRBA. (In case of JV a consolidated BBBEE certificate must submitted). The Qualifying Small Enterprise (QSE) and Exempted Micro Enterprise (EME) must submit a sworn affidavit confirming the Company Annual Total Revenue and level of black ownership;

8 SUB-CONTRACTING
8.1 Will any portion of the contract be sub-contracted?  YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

(i) what percentage of the contract will be subcontracted?

..................................................%  

(ii) the name of the sub-contractor?

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

(iii) the B-BBEE status level of the sub-contractor?

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

(iv) whether the sub-contractor is an EME?  YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm

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

9.2 VAT registration number

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

9.3 Company registration number

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

9.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

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

9.6 COMPANY CLASSIFICATION

Manufacturer
Supplier
Professional service provider
Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

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

9.8 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 contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

(i) The information furnished is true and correct;

(ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.

(iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

(iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution

WITNESSES:
1. ...........................................

SIGNATURE(S) OF BIDDER(S)

4. ...........................................
DATE:...........................................

ADDRESS:...........................................................................
ANNEXURE C

SBD 8: 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.

<table>
<thead>
<tr>
<th>Item</th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>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?</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>☐</td>
</tr>
<tr>
<td></td>
<td>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <em>audi alteram partem</em> rule was applied).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1.1</td>
<td>If so, furnish particulars:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2</td>
<td>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)?</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>☐</td>
</tr>
</tbody>
</table>

To access this Register enter the National Treasury’s website, [www.treasury.gov.za](http://www.treasury.gov.za), click...
on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.

<table>
<thead>
<tr>
<th>4.2.1</th>
<th>If so, furnish particulars:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>4.3</th>
<th>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?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.3.1</th>
<th>If so, furnish particulars:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Position</th>
<th>Name of Bidder</th>
</tr>
</thead>
</table>


ANNEXURE D

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1  This Standard Bidding Document (SBD) must form part of all bids¹ invited.

2  Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.

3  Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

   a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.

   b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4  This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

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

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or
services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: ________________________________ that:

(Name of Bidder)

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\(^3\) 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) 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

SBD 9

(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.

\(^3\) Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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.