



## REQUEST FOR BID SERVICES

### BID DETAILS

**BID NUMBER:** NEMISA/2017/SECURITY/RFB008

**CLOSE Date:** Friday 15 September 2017  
**Time:** 11:00 am

**DESCRIPTION:** REQUEST FOR BID FOR THE APPOINTMENT OF A SECURITY SERVICE PROVIDER FOR A PERIOD OF THREE YEARS

**BRIEFING SESSION:** Yes  No   
See Section A-1 Paragraph 2 on Bid Submission Conditions and Instructions that the Bidder needs to take note of.

### DETAILS OF BIDDER

**Organisation/individual:** .....

**Contact person:** .....

**Telephone/ Cell number:** .....

**E-mail address:** .....

## GLOSSARY

Award	Conclusion of the procurement process and final notification to the effect to the successful bidder
B-BBEE	Broad-based Black Economic Empowerment in terms of the Broad-based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) and the Codes of Good Practice issued thereunder by the Department of Trade and Industry
Bid	Written offer in a prescribed or stipulated form in response to an invitation by NEMISA for the provision of goods, works or services
Contractor	Organisation with whom NEMISA will conclude a contract and potential service level agreement subsequent to the final award of the contract based on this Request for Bid
Core Team	The core team are those members who fill the non-administrative positions against which the experience will be measured.
dti	Department of Trade and Industry
EME	Exempted Micro Enterprise in terms of the Codes of Good Practice
GCC	General Conditions of Contract
IP	Intellectual Property
NEMISA	National Electronic Media Institute of South Africa (SOC) Ltd
Original Bid	Original document signed in ink, or Copy of original document signed in ink, or Submitted Facsimile of original document signed in ink
Originally certified	To comply with the principle of originally certified, a document must be both stamped and signed in original ink by a commissioner of oaths.
SCM	Supply Chain Management
SLA	Service Level Agreement

## DOCUMENTS IN THIS BID DOCUMENT PACK

Bidders are to ensure that they have received all pages (pp 41) of this document, which consist of the following sections:

### SECTION A

**Note: Documents in this section are for information to/instruction of bidders and must not be returned with bids.**

- Section A 1: Bid Submission Conditions and Instructions
- Section A 2: Terms of Reference
- Section A 3: Evaluation Process/Criteria
- Section A 4: Contract Form (Rendering of Services) (Parts 1 & 2)/Letter of Acceptance/Formal Contract  
(The pro forma contract is only included for Bidders to take note of the contents of the contract that will be entered into with the successful contractor)

### SECTION B

**Note: Documents in this section must be completed and returned or supplied with bids.**

- Section B 1: Special Conditions of Bid and Contract: Special conditions that the Bidder needs to accept
- Section B 2: Declaration of Interest
- Section B 3: Declaration of Bidder's past SCM practices
- Section B 4: Certificate of Independent Bid Determination
- Section B 5: Preference Points Claim Form in terms of the Preferential Procurement Regulations, 2011
- Section B 6: Invitation to Bid
- Section B 7: Pricing Schedule
- Section B 8: CV Template Guideline

# SECTION A

(This section must not be returned as part of the bid document)

## BID SUBMISSION CONDITIONS AND INSTRUCTIONS

### CONDITIONS AND INSTRUCTIONS THAT BIDDERS NEED TO TAKE NOTE OF

#### 1 FRAUD AND CORRUPTION

- 1.1 All providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

#### 2 BRIEFING SESSION

##### 2.1 Compulsory Briefing Session

- 2.1.1 A **compulsory** briefing session/ site visit will be held from 13:00am to 15:00am on Friday 01 September 2017. People arriving more than 15 minutes late will not be allowed into the venue and will be deemed not to have attended the briefing session.

##### 2.2 General notes related to the Briefing Session

- 2.2.1 The venue for the briefing session is: 21 Girton Road, Parktown, Johannesburg 2193.
- 2.2.2 Bidders should bring their own copies of the bid documentation to the briefing session as bid documents will not be made available at the session.
- 2.2.3 Any individual wishing to bid must attend the briefing in person or send a representative. Any organisation wishing to bid must send a representative. For bids from a Consortium or Joint Venture, a representative of at least one of the organisations must attend the briefing. Bids from individuals, organisations or consortia of organisations that have not met the attendance requirements will not be considered.
- 2.2.4 No minutes of the briefing session will be issued.

#### 3 CLARIFICATIONS/ QUERIES

- 3.1 Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (letter, facsimile or e-mail) from Emmanuel Ramoipone by not later than Friday 08 September 2017. A reply will be forwarded within three (3) working days. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all Bidders by e-mail only. The bid number should be mentioned in all correspondence.

Contact details for Emmanuel Ramoipone:

Facsimile: 011 484 0615

Telephone: 011 484 0583

E-Mail: [emmanuelr@nemisa.co.za](mailto:emmanuelr@nemisa.co.za)

#### 4 SUBMITTING BIDS

Section A 1: Bid Submission Conditions and Instructions

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4.1 One (1) original document must be handed in/delivered to:

DELIVERED TO THE NEMISA     21 Girton Road  
RECEPTION DESK SITUATED     Parktown  
AT:                                 Johannesburg  
  2193

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OR

\* POSTED TO:                     Box 545  
  Auckland Park  
  Johannesburg  
  2006

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***No faxed or e-mailed bids will be accepted***

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**Bidders should ensure that bids are delivered to NEMISA before the closing date and time to the correct physical address. If the bid is late, it will not be accepted for consideration.**

**\* Refer to Paragraph 5 below**

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- Bids can be delivered and deposited into the tender box or handed in at reception any time during office hours (08:30 to 16:30 Mondays to Fridays) before or on the closing date.
- All bids must be submitted on the official forms (not to be re-typed).

4.2 Bids should be submitted in a sealed envelope, marked with:

- Bid number (NEMISA/2017/SECURITY/RFB008)
- Closing date and time (Friday 15 September 2017 @ 11:00)
- The name and address of the Bidder.

4.3 Documents submitted on time by bidders shall not be returned.

## **5 LATE BIDS**

5.1 Bids received late shall not be considered. A bid will be considered late if it arrived even one second after 11:00 or any time thereafter. The tender (bid) box shall be closed at exactly 11:00 and bids arriving late will not be considered under any circumstances. Bids received late shall be returned unopened to the bidder. Bidders are therefore strongly advised to ensure that bids be despatched allowing enough time for any unforeseen events that may delay the delivery of the bid.

5.2 The official Telkom time, which can be observed by dialling 1026 from any phone, will be used to verify the exact closing time.

5.3 Bids sent to the NEMISA via normal post or any other mechanism shall be deemed to be received at the date and time of arrival at the NEMISA premises (tender/bid box or reception). Bids received at the physical address after the closing date and time of the bid, shall therefore be deemed to be received late.

**6 PAYMENTS**

- 6.1 NEMISA will pay the Contractor the fees set out in the final contract according to the table of deliverables. No additional amounts will be payable by the NEMISA to the Contractor.
- 6.1.1 The Contractor shall from time to time during the duration of the contract, invoice NEMISA for the services rendered.
- 6.1.2 The invoice must be accompanied by supporting source document(s) containing detailed information, as NEMISA may reasonably require, for the purposes of establishing the specific nature, extent and quality of the services which were undertaken by the Contractor.
- 6.1.3 No payment will be made to the Contractor unless an original tax invoice complying with section 20 of the VAT Act No 89 of 1991, as amended, has been submitted to NEMISA.
- 6.1.4 Payment shall be made by bank transfer into the Contractor's back account normally 30 days after receipt of an acceptable, original, valid tax invoice. Money will only be transferred into a South African bank account. (Banking details must be submitted as soon as the bid is awarded).
- 6.2 The Contractor shall be responsible for accounting to the appropriate authorities for its income tax, VAT or other moneys required to be paid in terms of the applicable law.

**7 GENERAL CONDITIONS OF CONTRACT**

- 7.1 The General Conditions of Contract must be accepted. The GCC can be downloaded from the Treasury Website. Please refer to the link below:

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract.pdf>

## TERMS OF REFERENCE (TOR)

### APPOINTMENT OF A SECURITY SERVICE PROVIDER FOR A PERIOD OF THREE YEARS

#### 1 INTRODUCTION

NEMISA requires the services of an experienced security service provider to supply security services.

#### 2 CONTRACT PERIOD

The successful service provider will be expected to commence with its duties on 01 November 2017 and the contract will be for a period not exceeding three (3) years.

#### 3 WHERE SERVICE IS REQUIRED

- 3.1 The service will be required at the NEMISA office situated at 21 Girton Road, Parktown, Johannesburg 2193.

#### 4 SCOPE OF WORK

The successful service provider will be expected to perform, but may not be limited to, the following duties:

- 4.1 Act as authorised officers in terms of the Control of Access to Public Premises and Vehicles Act (Act 53 of 1985) to:

- 4.1.1 Request a person who require entry to the NEMISA premises to:

- Furnish his/ her name, address and any other relevant information required by the authorized officer.
- Produce proof of his/ her identity to the satisfaction of the authorised officer.
- Declare whether he/ she has any dangerous object in his possession or custody or under his control.
- Declare what the contents of any vehicle, suitcase, attaché case, bag, handbag, folder, envelope, parcel or container of any nature which he/ she has in his/ her possession or custody or under his/ her control, and show those contents to him.
- Subject him/ her and anything which he/ she has in his/ her possession or custody or under his/ her control to an examination by electronic or other equipment in order to determine the presence of any dangerous object.
- Hand to an authorized officer anything which he/ she has in his possession or custody or under his/ her control for examination or custody until he/ she leaves the premises.

- 4.1.2 Perform Access Control duties which will entail:

- Recording a visitor's particulars in a Visitors Register and signing them out on departure. This shall include the driver and all passengers in any vehicle as well as pedestrians entering the premises.



Section A 2: Terms of Reference

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- Recording details of all NEMISA staff and students visiting the premises after normal working hours in an After-hours register.
- Recording all events/ incidents in the proscribed Occurrence Book.
- Advising the NEMISA Facilities Management personnel of all access control implications, deficiencies, or imminent or perceived security and crime risks occurring at the entrance or its vicinity.
- Ensuring that traffic congestion do not occur at the entrance gate during peak hours.
- Ensuring that no firearms, ammunition, explosives, liquor or any dangerous weapons are allowed into the building. Such items must be declared at security before entering the building and if necessary be locked in the safe until the person leaves.
- Performing other access control duties as may be instructed from time to time.

## 4.1.3 Perform patrol duties which will entail:

- Patrolling the NEMISA premises regularly during day and night.
- Providing patrol monitoring equipment or guard tracking devices which will be used as patrol tool for the security officers during the night shift.
- Protecting the NEMISA staff, students and visitors against any injuries, death or any other criminal offence as listed under Schedule 1 of the Criminal Procedure Act (Act 51 of 1977).
- Protecting the property of NEMISA on the premises against theft, vandalism or other criminal activity.
- Ensuring that all strategic installations, vulnerable points or key areas are frequently checked to maintain their safety and security against theft, vandalism or any other criminal activity.
- Checking for intruders, identifying strangers and ascertaining their right to be present in that area of the premises or building.
- Checking that all outer doors and windows are secure each time the patrol passes. A physical examination of each point is required.
- Checking for actual or potential fire hazards and risks and reporting to NEMISA.
- Checking for potential safety hazards and reporting to NEMISA.
- Holding random drug searches.

## 4.1.4 Security at special events

- NEMISA, from time to time, may require the service provider to provide additional security officers on an ad-hoc basis. (The service provider will be required to render this service at an additional cost which will be negotiated based on the rates supplied in the pricing schedule.)

## 4.1.5 Provide onsite supervision and have a reporting protocol and will:

- Through the security officers and security manager, report to NEMISA's Facilities Management personnel on day to day basis.
- Accept that NEMISA will have the right to:
  - Give instruction and orders.
  - Re-deploy security officers within the premises as may be necessary.
  - Peruse the security register and inspect any other relevant material used by the security officers
- Participate in the Occupational Health and Safety Program
- Perform its duties and responsibilities in accordance with the Security Operations Procedures compiled and produced by NEMISA.

#### 4.1.6 Risk assessment

The service provider shall appoint a qualified person/ sub-contractor to perform a security risk assessment of the NEMISA premises. Such assessment shall be done at least twice a year in consultation with NEMISA and the service provider. The service provider shall supply NEMISA with a report of the assessment and make recommendations for improvement if necessary.

#### 4.1.7 Incident investigations

The service provider shall, on request from NEMISA, supply or appoint an incident investigator to investigate and report on serious security related incidents that may occur from time to time.

### **5 COMPETENCY, EXPERIENCE AND EXPERTISE REQUIREMENTS**

#### 5.1 Education and Experience

- The service provider shall be accredited with the Private Security Industry Regulatory Authority (PSIRA).
- Security officers deployed at NEMISA must be registered in terms of the Private Security Industry Regulation Act (Act 56 of 2001).
- Security officers shall comply with the requirements of PSIRA in terms of criminal screening, vetting, SAPS Competency Certificates, psychometric test results, Occupational Health and Safety Act training, evacuation training, firefighting and first aid training.
- Security officers shall have an education level of a minimum of Grade 12 (Matric)
- Security officers shall be able to read and write in English and shall have proficiency in at least two other official languages.
- Security officers shall have a minimum of two (2) years' experience as security officers.

### **6 OTHER REQUIREMENTS**

#### 6.1 Uniform and identification

- Security officers will be expected, while on duty, to be dressed in a neat, clean and clearly identifiable corporate uniform (not combat), which will include Rain coats/ jackets to suit weather conditions. and
- At all teams wear a clearly noticeable identification card of the service provider, or issued by PSIRA, with the officer's photo, on his/ her uniform.

#### 6.2 General Requirements for security officers

- They must always present an acceptable image and appearance which implies that they may not be under the influence of drugs, substances or alcohol while on duty and may not smoke, eat or drink while attending to staff or visitors.
- They must always present a professional and dedicated attitude/ approach which implies that there shall be no unnecessary argument with or rudeness towards visitors/ staff.
- They must be physically fit and mentally capable to execute their security duties.
- They and the service provider will under no circumstances divulge, furnish or disclose any sensitive information concerning NEMISA, or any of its stakeholder's activities to the public or news media.

Section A 2: Terms of Reference

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- They must be properly trained to use the equipment identified in the bid.

### 6.3 Security aids and facilities

The service provider shall supply the following equipment and aids:

- Occurrence Book
- Pocket Books (note books)
- Computer based Access Control Register
- 3 x hand held search machines
- Torches
- Guard monitoring device
- 2 x Tonfa
- Handcuffs and cable ties
- Personal protective equipment (PPE)
- Cell phone
- Gun Safe with double locks
- 2 x 2 way radios + base radio

The service provider may not install security cameras without the prior written approval from the NEMISA Representative.

### 6.4 Control room

The service provider shall have a 24-hour manned security control room which will be in constant communication with the security officers on site for purposes such as:

- Reporting on duty.
- Regular security status updates.
- Reporting of emergency situations.

### 6.5 Meetings

The service provider shall be required to attend regular meetings at NEMISA on at least a monthly basis to discuss:

- Risk register and compensation events.
- Overall contract progress and feedback on challenges.
- Any other matter of a security nature

The service provider shall be required to keep records of these meetings and submit written minutes of all meetings to the Facilities within 5 working days after each meeting.

### 6.6 Police clearance

The service provider shall supply a police clearance for all the security officers and management staff. Such certificates must be provided to NEMISA as soon as possible after award of the contract, but before the contract commences.

### 6.7 General

The service provider shall ensure that:

- Only competent security officers be allowed to work on the premises.

Section A 2: Terms of Reference

- The supervisor will be knowledgeable about the conditions and the scope of work contained in this contract and will be capable of rendering the service.

NEMISA may:

- Verify the qualifications of the service provider, its staff and that of the security officers.
- Request the service provider to remove and replace any security officer on site and NEMISA shall supply reasons for the request.

**7 STAFF REQUIREMENTS**

The successful service provider shall appoint the following staff on site on a full-time basis.

Number of staff	Grade	Days
3 x Day shift officers	Grade C	Monday 06:00 to Friday 18:00
1 x Day shift officer	Grade B	
1 x Night shift officer	Grade C	Monday 18:00 to Friday 06:00
1 x Night shift officer	Grade B	
1 x Night/ Day shift officer	Grade C	Friday 18:00 to Monday 06:00
1 x Night/ Day shift officer	Grade B	

During the December shut-down period which normally commences around the 15<sup>th</sup> of December and which is for a period of at least 2 weeks, the following staff will be required. These officers will be required to be fully armed and will have to comply with all necessary legislation.

Number of staff	Grade	Days
2 x Day shift officers	Grade C	Monday to Sunday
2 x Night shift officers	Grade C	Monday to Sunday

All supervisory staff shall be at least Grade B.

The day shift will be from 06:00 to 18:00 and the night shift from 18:00 to 06:00 each day (including weekends and public holidays), or as otherwise agreed with NEMISA by the service provider.

**ALL BIDDERS MUST TAKE NOTE OF THE EVALUATION PROCESS THAT WILL BE FOLLOWED**

**1 EVALUATION PROCESS**

**1.1 PRE-QUALIFICATION**

NEMISA is committed to the advancement of small business and therefore only bids from Exempted Micro Enterprises (EMEs) will be considered.

Bids received from potential service providers who are not EMEs will not be considered for evaluation.

**1.2 COMPLIANCE WITH MINIMUM REQUIREMENTS**

1.2.1 All bids from EMEs duly lodged as specified in the Request for Bid will be examined to determine compliance with bid requirements and conditions. Bids with obvious deviations from the requirements/ conditions will be eliminated from further consideration.

Failure to comply with or to submit any one of the following items, will render a bid non-responsive and will not be evaluated further.

Reference	Description	Compliant?	
		YES	NO
Part 1	Signed Special Conditions of Bid and Contract		
Part 2	Valid original SARS Tax Clearance Certificate(s)		
Part 3	Completed and signed Declaration of Interest		
Part 4	Completed and signed Declaration of Bidder's past Supply Chain Management practices		
Part 5	Completed and signed Certificate of Independent Bid Determination		
Part 7	Completed and signed Invitation to Bid		
Part 8	Completed Pricing Schedule in the prescribed format		
Part 12	Proof of registration on the CSD		
Part 13	Proof of registration with PSIRA		

**1.3 DETERMINATION OF SCORE FOR FUNCTIONALITY**

1.3.1 The evaluation criteria and weights for functionality as indicated in the table in below, will apply.

FUNCTIONAL CRITERIA	MAXIMUM TO BE AWARDED
<input type="checkbox"/> Understanding of the requirement and minimum service levels as demonstrated in the technical approach as per Part 9 of submissions	40
<input type="checkbox"/> Capability and experience of the proposed site supervisor	10
<input type="checkbox"/> Experience of the company's management team	20
<input type="checkbox"/> Relevant experience of the Bidder (Company experience) <ul style="list-style-type: none"> <li>o 5 Years or more – 20 points</li> <li>o 3 years but less than 5 years – 15 points</li> <li>o 1 year but less than 3 years – 10 points</li> </ul>	20

Section A 3: Evaluation Process/ Criteria

<b>FUNCTIONAL CRITERIA</b>	<b>MAXIMUM TO BE AWARDED</b>
<ul style="list-style-type: none"> <li>○ Less than 1 year experience – 0 points</li> </ul>	
<ul style="list-style-type: none"> <li><input type="checkbox"/> Contactable references                             <ul style="list-style-type: none"> <li>○ 3 or more references– 10 points</li> <li>○ 2 references - - 5 points</li> <li>○ 1 reference – 3 points</li> <li>○ Zero references – 0 points</li> </ul> </li> </ul>	10
<b>Maximum total for functionality</b>	<b>100</b>

1.3.2 The score for functionality shall be calculated as follows:

- Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for the various criteria. These marks should be added to obtain the total score for functionality.
- The score of each panel member shall be added together and divided by the number of panel members to establish the average score obtained by each individual bidder for functionality.

**1.4 ELIMINATION OF PROPOSALS ON GROUNDS OF FUNCTIONALITY**

1.4.1 Bids that score less than **70%** of the marks available for functionality will be eliminated from further consideration. Marks will therefore not be awarded for their cost proposals or for preference.

**1.5 PRICE AND B-BBEE STATUS LEVEL POINTS**

1.5.1 All remaining bids will be evaluated as follows:

1.5.2 The 80/20 preference point system will be applied. Points for price and B-BBEE status level certificate will be awarded in accordance with the stipulations in the Preference Point Claim Form in terms of the Preferential Procurement Regulations, 2017.

1.5.3 If appropriate, implied contract price adjustments will be made to the cost proposals of all remaining bids.

1.5.4 The point scored for the B-BBEE status level certificate for each acceptable bid will now be added to the price point.

1.5.5 The Evaluation Committee may recommend that the contract be awarded to the bidder obtaining the highest aggregate mark as determined by 1.5.4 or to a lower scoring bid on justifiable grounds.

**1.6 ADJUDICATION OF BID**

1.6.1 The relevant award structure will consider the recommendations and make the final award. The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid on justifiable grounds or no award at all.

## CONTRACT FORM: RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

### PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I/we hereby undertake to render services described in the attached bidding documents to NEMISA in accordance with the requirements and task directives/proposals specifications stipulated in Bid Number NEMISA/2017/SECURITY/RFB008 at the price/s quoted. My/our offer/s remain binding upon me/us and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
  
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - 2.1 Bidding documents, viz
    - Invitation to bid
    - Tax clearance certificate
    - Pricing schedule(s)
    - Filled in terms of reference/task directive/proposal
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017;
    - Declaration of interest
    - Declaration of bidder's past SCM practices
    - Special Conditions of Contract
  - 2.2 General Conditions of Contract
  - 2.3 Other (specify)
  
3. I/we confirm that I/we have satisfied myself as to the correctness and validity of my/our bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
  
4. I/we accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the principal liable for the due fulfilment of this contract.
  
5. I/we declare that I/we have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
  
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) ..... CAPACITY ..... SIGNATURE ..... NAME OF FIRM ..... DATE .....	WITNESSES 1 ..... 2 ..... DATE: .....
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## CONTRACT FORM: RENDERING OF SERVICES

### PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I ..... in my capacity as ..... accept your bid under reference number ..... dated ..... for the rendering of services indicated hereunder and/or further specified in the annexures.

1. An official order indicating service delivery instructions is forthcoming.

2. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (VAT INCL)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION

3. I confirm that I am duly authorised to sign this contract.

SIGNED AT ----- ON -----

NAME (PRINT) -----

SIGNATURE -----

OFFICIAL STAMP

WITNESSES

1 -----

2 -----

DATE: -----



# SECTION B

**This section must be completed and returned or supplied with bids as prescribed.**

**SPECIAL CONDITIONS OF BID AND CONTRACT**  
**Return as Part 1**

	<b>SPECIAL CONDITIONS</b>
<b>1</b>	<b>GENERAL</b>
1.1	The Bidder must clearly state if a deviation from these special conditions are offered and the reason therefor. If an explanatory note is provided, the paragraph reference must be indicated in a supporting appendix to the application submission.
1.2	Should Bidders fail to indicate agreement/compliance or otherwise, the NEMISA will assume that the Bidder is in compliance or agreement with the statement(s) as specified in this bid.
1.3	Bids not completed in this manner may be considered incomplete and rejected.
1.4	NEMISA shall not be liable for any expense incurred by the Bidder in the preparation and submission of a bid.
<b>2</b>	<b>CANCELLATION OF PROCUREMENT PROCESS</b>
2.1	This procurement process can be postponed or cancelled at any stage at the sole discretion of NEMISA provided that such cancellation or postponement takes place prior to entering into a contract with a specific service provider to which the bid relates.
<b>3</b>	<b>BID SUBMISSION CONDITIONS, INSTRUCTION AND EVALUATION PROCESS/CRITERIA</b>
3.1	The Bid submission conditions and instructions as well as the evaluation process/criteria have been noted.
<b>4</b>	<b>NEGOTIATION AND CONTRACTING</b>
4.1	NEMISA have the right to enter into negotiation with one or more Bidders regarding any terms and conditions, including price(s), of a proposed contract.
4.2	Under no circumstances will negotiation with any Bidders, including preferred Bidders, constitute an award <sup>1</sup> or promise/ undertaking to award the contract.
4.3	NEMISA shall not be obliged to accept the lowest or any bid, offer or proposal.
4.4	A contract will only be deemed to be concluded when reduced to writing in a formal contract and Service Level Agreement (if applicable) signed by the designated responsible person of both parties. The designated responsible person of NEMISA is the CEO.
4.5	NEMISA also reserves the right to enter into one contract with a Bidder for all required functions or into more than one contract with different Bidders for different functions.

<sup>1</sup> See GLOSSARY.

Section B 1: Special Conditions of Bid and Contract

<b>5</b>	<b>ACCESS TO INFORMATION</b>
5.1	All bidders will be informed of the status of their bid once the procurement process has been completed.
5.2	Requests for information regarding the bid process will be dealt with in line with the NEMISA SCM Policy and relevant legislation.
<b>6</b>	<b>REASONS FOR REJECTION</b>
6.1	NEMISA shall reject a proposal for the award of a contract if the recommended Bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
6.2	The NEMISA may disregard the bid of any bidder if that bidder, or any of its directors: <ul style="list-style-type: none"> <li><input type="checkbox"/> Have abused the SCM system of the NEMISA.</li> <li><input type="checkbox"/> Have committed proven fraud or any other improper conduct in relation to such system.</li> <li><input type="checkbox"/> Have failed to perform on any previous contract and the proof exists.</li> </ul> Such actions shall be communicated to the National Treasury.
<b>7</b>	<b>GENERAL CONDITIONS OF CONTRACT</b>
7.1	The General Conditions of Contract must be accepted.
<b>8</b>	<b>ADDITIONAL INFORMATION REQUIREMENTS</b>
8.1	During evaluation of the bids, additional information may be requested in writing from Bidders. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to your bid being disregarded.
8.2	No additional information will be accepted from any individual Bidder without such information having been requested
<b>9</b>	<b>CONFIDENTIALITY</b>
9.1	The bid and all information in connection therewith shall be held in strict confidence by Bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.
<b>10</b>	<b>INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT</b>
10.1	Copyright of all documentation relating to this contract belongs to the client. The successful Bidder may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.
10.2	This paragraph shall survive termination of this contract.
<b>11</b>	<b>NON-COMPLIANCE WITH DELIVERY TERMS</b>
11.1	As soon as it becomes known to the contractor that he/she will not be able to deliver the services within the delivery period and/or against the quoted price and/or as specified,

## Section B 1: Special Conditions of Bid and Contract

	NEMISA must be given immediate written notice to this effect. NEMISA reserves the right to implement remedies as provided for in the GCC.
<b>12</b>	<b>WARRANTS</b>
12.1	The Contractor warrants that it is able to conclude this Agreement to the satisfaction of NEMISA.
<b>13</b>	<b>PARTIES NOT AFFECTED BY WAIVER OR BREACHES</b>
13.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof.
13.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.
<b>14</b>	<b>RETENTION</b>
14.1	On termination of this agreement, the contractor shall, on demand hand over all documentation provided as part of the project and all deliverables, etc., without the right of retention, to NEMISA.
14.2	No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall also be in writing.
<b>15</b>	<b>CENTRAL SUPPLIER DATABASE</b>
15.1	It is a requirement that all suppliers/ services providers to NEMISA shall be registered on the National Treasury Central Supplier Database (CSD).
15.2	Bidders are therefore required to register as a supplier on the CSD before submitting a bid.  The CSD website can be accessed on the following link: <a href="http://ocpo.treasury.gov.za/Pages/default.aspx">http://ocpo.treasury.gov.za/Pages/default.aspx</a>
15.3	Bidders are therefore required to submit proof of their registration on the CSD, or if not yet registered, provide proof of their application to be registered, with their bid.
15.4	No bid will be awarded and a contract concluded with a bidder who is not registered on the CSD.
<b>16</b>	<b>FORMAT OF BIDS</b>
16.1	Bidders must complete all the necessary bid documents and undertakings required in this

## Section B 1: Special Conditions of Bid and Contract

	bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.
16.2	<b>Bidders are to set out their proposal in the format prescribed hereunder.</b> This means that the proposal must be structured in the parts noted below. <u>Information not submitted in the relevant part, may not be considered for evaluation purposes.</u>
16.3	<b>Part 1: Special Conditions of Bid and Contract</b>
16.3.1	Bidders must initial each page and sign the last page and return the Special Conditions of bid and Contract (Section B-1).  Bids submitted without a completed Special Conditions of Bid form <b>will</b> be deemed to be non-responsive.
16.4	<b>Part 2: SARS Tax Clearance Certificate(s)</b>
16.4.1	A valid SARS Tax Clearance Certificate, or a PIN No issued by SARS in order to verify the tax status, must accompany the proposal and must be valid at the date of closing of the submission. In case of a consortium/ joint venture, or where sub-contractors are utilised, proof must be provided for each consortium/ joint venture member <b>and/ or sub-contractor</b> (individual).  Quotes from respondents whose tax affairs are not in order <b>will</b> be deemed to be non-responsive.
16.5	<b>Part 3: Declaration of Interest</b>
16.5.1	<b>Each party</b> to the bid must complete and return the “Declaration of Interest” (Section B-2).  Bids submitted without a complete and signed Declaration of Interest <b>will</b> be deemed to be non-responsive.
16.6	<b>Part 4: Declaration of Bidder’s past Supply Chain Management practices</b>
16.6.1	<b>Each party</b> to the bid must complete and return the “Declaration of bidder’s past Supply Chain Management practices” (Section B-3).  Bids submitted without a completed and signed Declaration of bidder’s past Supply Chain Management practices <b>will</b> be deemed non-responsive.
16.7	<b>Part 5: Certificate of Independent Bid Determination</b>
16.7.1	<b>Each party</b> to the bid must complete and sign the Certificate (Section B-4).  Bids submitted without a completed and signed Certificate of Independent Bid Determination <b>will</b> be deemed non-responsive.
16.8	<b>Part 6: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2017</b>

Section B 1: Special Conditions of Bid and Contract

16.8.1	<p>Respondents must complete, sign and return the full “Preference Points Claim Form” (Section B-5) document.</p> <p>In addition, a valid BEE certificate must be submitted.</p> <p>Quotes submitted without a completed and signed Preference Points Claim Form and a valid BEE certificate will be awarded zero points for preference.</p>
16.9	<p><b>Part 7: Invitation to Bid</b></p>
16.9.1	<p>Bidders must complete, sign and return the full “Invitation to Bid” (Section B-6) document.</p> <p>Bids submitted without a completed and signed Invitation to Bid <b>will</b> be deemed to be non-responsive.</p>
16.10	<p><b>Part 8: Pricing Schedule</b></p>
16.10.1	<p>All costs related to this assignment are to be allowed for in the pricing schedule and in the formats prescribed and must be returned as part of the submission (Section B-7).</p> <p>Bids submitted without a price or with an incomplete price, <b>will</b> be deemed to be non-responsive.</p>
16.10.2	<p>Rates for the first year of the contract must be firm and must be indicated in the formats prescribed. <u>All normal operating costs and out of pocket expenses such as photocopies, telephone calls, printing, travel, etc. must be covered in the rates quoted.</u></p>
16.10.3	<p>A pricing schedule with one of the specified elements (fees and reimbursable costs) omitted from the costing, may be considered non-responsive.</p>
	<p><input type="checkbox"/> VAT: Value Added Tax must be included and shown separately.</p>
16.11	<p><b>Part 9: Technical approach</b></p>
16.11.1	<p>Bidders must submit a description of the methodology and approach that will be used to perform the work as set out in the Terms of Reference. This methodology and approach must demonstrate the Bidder’s understanding of the requirement and also of the environment.</p>
16.11.2	<p>Bidders must, at least cover the under-mentioned in their technical approach and return as part of their submission:</p>
	<ul style="list-style-type: none"> <li><input type="checkbox"/> Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. They should identify any possible problems that might hinder delivery and indicate how they will avoid, or overcome such problems.</li> <li><input type="checkbox"/> Describe how the work will be managed. Provide an organisation chart clearly indicating: <ul style="list-style-type: none"> <li>▪ The lines of reporting and supervision within the Bidder’s team.</li> <li>▪ The lines of reporting between the Bidder and the NEMISA and other</li> </ul> </li> </ul>

Section B 1: Special Conditions of Bid and Contract

	<p>stakeholders, if applicable.</p> <p><input type="checkbox"/> Identify the position(s) involved in the direct delivery of the service to be provided and in the overall management of the work and name the people who will fill these positions.</p>
16.12	<b>Part 10: Team details</b>
16.12.1	In this part that must be returned as part of the submission, Bidders must provide details of the management team named in the previous part.
16.12.2	For each management team member, there must be:
	<input type="checkbox"/> A complete curriculum vitae confirming suitability for the position. A format is provided as a guideline only for the compilation of the CVs.
16.13	<b>Part 11: Experience in this field</b>
16.13.1	<p>Bidders should provide in this part, and return as part the submission, at least the following information.</p> <p><input type="checkbox"/> Details of contracts for similar work within the last 5 years.</p> <p><input type="checkbox"/> Contact details of a minimum of 3 organisations for which work was done.</p>
16.14	<b>Part 12: Registration on the CSD</b>
16.14.1	<p>In this part, bidders must submit proof of their registration, or proof that they have applied for registration on the Central Supplier Database.</p> <p>Bids submitted without the required proof, <b>will</b> be deemed to be non-responsive.</p>
16.15	<b>Part 13: Registration Certificates</b>
16.15.1	<p>In this part, bidders must submit proof of their registration with PSIRA.</p> <p>Bids submitted without the required proof, <b>will</b> be deemed to be non-responsive.</p>

I/we herewith accept all the above-mentioned special conditions of the bid. If I/we do consider a deviation therefrom, I have noted those as per the instruction in paragraph 1 (General) above.

Name of Bidder: \_\_\_\_\_

Signature of Bidder: \_\_\_\_\_

Date: \_\_\_\_\_

Section B 2: Declaration of Interest

## DECLARATION OF INTEREST Return as Part 3

1. Any legal person, including persons employed by the State<sup>2</sup>, 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 bid, 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 –

1.1. The bidder is employed by the State; and/or

1.2. The bidder is a Management Board member of NEMISA and/or

1.3. 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, etc<sup>3</sup>): \_\_\_\_\_

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/ persal numbers must be indicated in paragraph 3 below

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:

<sup>2</sup> "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;
- (e) Parliament.

<sup>3</sup> "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



Section B 2: Declaration of Interest

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

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 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.)

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

2.8. Did you or your spouse, or any of the company's directors/shareholders/members or their spouses conduct business with the State in the previous twelve (12) months? YES / NO

2.8.1. If so, furnish the following 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

2.9.1. If so, furnish the following particulars.  
.....  
.....  
.....

2.10. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the 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 the following particulars.  
.....  
.....  
.....

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

2.11.1. If so, furnish the following particulars.

Section B 2: Declaration of Interest

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

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

Full Name	Identity Number	Personal Tax Reference No	State Employee Number/ Persal Number

**DECLARATION**

I, THE UNDERSIGNED (NAME) .....

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.

.....  
Signature Date

.....  
Position Name of bidder

Section B 3: Declaration of bidder's past SCM practices

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES Return as Part 4

- 1 This declaration will be used by institutions to ensure that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 2 The bid of any bidder may be disregarded if that bidder, or any of its directors have:
  - a. abused the NEMISA'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.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
3.1	Is the bidder or any of its directors listed on the National Treasury's database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? <b>(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> <b>The database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.reatury.gov.za">www.reatury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the homepage.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.1.1	If so, furnish particulars:		
3.2	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 the 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 homepage.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.2.1	If so, furnish particulars:		
3.3	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 <input type="checkbox"/>	No <input type="checkbox"/>
3.3.1	If so, furnish particulars:		
3.4	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 <input type="checkbox"/>	No <input type="checkbox"/>
3.4.1	If so, furnish particulars:		

### CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) .....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....

Section B 3: Declaration of bidder's past SCM practices

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Position

-----  
Name of Bidder

## CERTIFICATE OF INDEPENDENT BID DETERMINATION Return as Part 5

I, the undersigned, in submitting the accompanying bid:

**NEMISA/2017/SECURITY/RFB008 - REQUEST FOR BID FOR THE APPOINTMENT OF  
A SECURITY SERVICE PROVIDER FOR A PERIOD OF THREE YEARS**

(Bid Number and Description)

in response to the invitation for the bid made by:

**NEMISA**

(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:
  - has been requested to submit a bid in response to this bid invitation;
  - could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - 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>4</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:

<sup>4</sup> 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.

Section B 4: Certificate of Independent Bid Determination

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- prices;
- geographical area where product or service will be rendered (market allocation)
- methods, factors or formulas used to calculate prices;
- the intention or decision to submit or not to submit, a bid;
- the submission of a bid which does not meet the specifications and conditions of the bid; or
- 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

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

### Return as Part 6

**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 of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable;
- 1.3 Points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contributor.
- 1.4 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

- 1.5 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.
- 1.6 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”** includes 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 OR 90/10 PREFERENCE POINT SYSTEMS**

A maximum of 80 or 90 points is allocated for price on the following basis:

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

Where

- $P_s$  = Points scored for price of bid under consideration
- $P_t$  = Price of 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5. BID DECLARATION**

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

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor:= ..... (maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

Section B 5: Preference Points Claim Form ito the Preferential Procurement Regulations 2017

- 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 or QS

**(Tick applicable box)**

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of the Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>
Black people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>
Black people living in rural or underdeveloped areas or townships	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative owned by black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are military veterans	<input type="checkbox"/>	<input type="checkbox"/>
<b>OR</b>		
Any EME	<input type="checkbox"/>	<input type="checkbox"/>
Any QSE	<input type="checkbox"/>	<input type="checkbox"/>

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

- 8.1 Name of company/firm: .....
- 8.2 VAT registration number: .....
- 8.3 Company registration number: .....
- 8.4 TYPE OF COMPANY/ FIRM

**(Tick applicable box)**

- Partnership/ Joint Venture/ Consortium
- One person business/ sole propriety

Section B 5: Preference Points Claim Form into the Preferential Procurement Regulations 2017

- Close corporation
- Company
- (Pty) Limited

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

**(Tick applicable box)**

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

8.7 Total number of years the company/firm has been in business: .....

8.8 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-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 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) 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 paragraphs 1.4 and 6.1, 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 contributor 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

Section B 5: Preference Points Claim Form ito the Preferential Procurement Regulations 2017

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- result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>	<p>.....</p> <p style="text-align: center;">SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE: .....</p> <p>ADDRESS: .....</p> <p>.....</p> <p>.....</p>
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# INVITATION TO BID Return as Part 7

## YOU ARE HEREBY INVITED TO BID FOR REQUIREMENT OF NEMISA

**All Bidders must furnish the following particulars and include it in their submission  
(Failure to do so may result in your bid being disqualified)**

Name of Bidder: .....

Tax Clearance Certificate submitted YES / NO .....

Postal address: .....

Street address: .....

Telephone number: Code ..... Number .....

Cellular number: .....

Facsimile number: Code ..... Number .....

e-Mail address: .....

**In case of a consortium/joint venture, full details on consortium/joint venture members:**

Entity name ..... VAT registration number ..... Tax Clearance Certificate submitted YES / NO .....

Entity name ..... VAT registration number ..... Tax Clearance Certificate submitted YES / NO .....

Entity name ..... VAT registration number ..... Tax Clearance Certificate submitted YES / NO .....

**Name of contracting entity in case of a consortium/joint venture**

Entity name: .....

Postal address: .....

Street address: .....

**Contact details of responsible person who will act on behalf of the entity/consortium/joint venture for this bid**

Name and Surname .....

Telephone number: Code ..... Number .....

Cellular number: .....

Facsimile number: Code ..... Number .....

e-Mail address: .....

Section B 6: Invitation to Bid

**Contact details of alternative responsible person who will act on behalf of the person above should he/she not be available**

Name and Surname \_\_\_\_\_

Telephone number: Code \_\_\_\_\_ Number \_\_\_\_\_

Cellular number: \_\_\_\_\_

Facsimile number: Code \_\_\_\_\_ Number \_\_\_\_\_

e-Mail address: \_\_\_\_\_

**Domicilium**

NEMISA chooses the following as its domicilium citandi et executandi for all purposes of and in connection with the final contract:

2 Ernest Oppenheimer Avenue, Waterview Corner Office Park, Bruma, Johannesburg

**The Bidder must indicate its domicilium citandi et executandi for all purposes of and in connection with the final contract.**

**Confirmation**

Are you the accredited representative in South Africa for the services offered by you? YES / NO

**Declaration**

I/ We have examined the information provided in your bid documents and offer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. I/ We confirm the availability of the proposed team members. I/ We confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date.

**Signature of Bidder:** \_\_\_\_\_

Date: \_\_\_\_\_

Are you duly authorised to commit the Bidder? YES / NO

Capacity under which this bid is signed \_\_\_\_\_

TOTAL BID PRICE (INCLUSIVE OF VAT) \_\_\_\_\_

Section B 7: Pricing Schedule

**PRICING SCHEDULE  
Return as Part 8**

NAME OF RESPONDENT: _____ <b>OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF QUOTATION</b>
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Bidders must complete the pricing schedule below.

Failure to fully complete and submit the pricing schedule as per the format below will result in a bid being considered non-responsive and will not be considered for evaluation.

The rates for the first year shall be based on the Sectoral Determination 6 and shall include the estimated PSIRA increase as from 1 September 2017. Failure to include such estimated increase will result in a bid being considered non-responsive and will not be considered for evaluation.

Item No	Description	Unit	Quantity	Rate (Excl. VAT) Rand	Total (Excl. VAT) Rand
1.	Management including Grade B supervisor and control room (Head office charges)	Month	12		
2.	Transport costs	Month	12		
3.	Supply of uniforms and equipment as per the terms of reference including security aids and facilities	Month	12		
4.	Grade C Security officer (3 of) and Grade B Security officer (1 of) - Day shift	Shift	246		
5.	Grade C Security officer (1 of) and Grade B Security officer (1 of) - Night shift	Shift	196		
6.	Grade C Security officer (2 of) – Night/ Day shift over weekends	Shift	245		
7.	Grade C Security officer (2 of) (including fire arms) – Day shift	Shift	23		
8.	Grade C Security officer (2 of) (including fire arms) – Night shift	Shift	23		
9.	Attend meetings and keep minutes	Month	12		
10.	Security risk assessment	No	2		
11.	Incident Investigations	Hour	30		
Sub Total for 1 <sup>st</sup> Year (Excluding VAT)				R	
Value Added tax @ 14%				R	
<b>Total cost for 1<sup>st</sup> Year (Including VAT)</b>				<b>R</b>	

Would you require the rates above to be increased by the PSIRA regulated increases for the second and third year? (Rates for the second year will increase with the percentage effective 1 September 2018 and the rates for the third year will increase with the percentage effective 1 September 2019)	<b>YES / NO</b>
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Section B 7: Pricing Schedule

If the answer to the question above is “NO”, would you require an increase in the rates above at a different percentage than the PSIRA regulated increase?	<b>YES / NO</b>
If a different percentage increase is required, provide the percentage.	%

Provide the proposed nett monthly salary (i.e the ordinary time rate only), which shall not be less than prescribed in Sectoral Determination 6 for the following Grades of Security officers and which are included in the rates above.

Bids that do not comply with the minimum rates as set out in Sectoral Determination 6 will not be considered.

<b>Security Officer Grade</b>	<b>Nett monthly salary (Excluding VAT)</b>
Grade B	<b>R</b> .....
Grade C	<b>R</b> .....

Signature of Bidder: \_\_\_\_\_



## CV TEMPLATE GUIDELINE

Proposed role in the project: .....

1. Family name .....
2. First name: .....
3. Date of birth: .....
4. Nationality .....
5. Education

Institution (Date from - Date to)	Degree(s) or Diploma(s) obtained

6. Membership of professional bodies .....
7. Other skills (e.g. computer literacy, etc.) .....
8. Present position: .....
9. Years within the organisation: .....
10. Key qualifications (relevant to the project) .....

11. Professional experience

Date (From – To) (mm/yy)	
Organisation	
Location	
Position	
Description of duties	

Date (From – To) (mm/yy)	
Organisation	
Location	
Position	
Description of duties	

12. Other relevant information (e.g. Publications) .....
13. References .....