



**CONSTRUCTION EDUCATION AND TRAINING AUTHORITY**

BID No: 006-2018/2019

**APPOINTMENT OF A SOFTWARE DEVELOPMENT SERVICE PROVIDER FOR THE LEASING OF THE INTEGRATED MANAGEMENT INFORMATION SYSTEM (MIS) TO THE CETA**

<p>Issued by:</p> <p>Construction Education and Training Authority: Supply Chain Management Unit</p> <p><b>Midrand Builders Centre</b></p> <p><b>183 Kerk Street (Cnr Old Pretoria Main Road)</b></p> <p><b>Midrand</b></p> <p>Queries – Mr Lungisile Kuzana (Supply Chain Management Specialist)          Tel: (011 265 5900/19)  <a href="mailto:scmtenders@ceta.co.za">scmtenders@ceta.co.za</a></p>
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Full Name of Bidding/Tendering Entity: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Tel Number: \_\_\_\_\_

Total Bid Amount (incl. VAT): R \_\_\_\_\_

**Advert Date:** 21 September 2018

**Closing Date and Time:** 12 October 2018 @ 11:00am

Bidder's Authorised Signatory:

Initials and Surname: \_\_\_\_\_

Signature: \_\_\_\_\_



## COMPULSORY DOCUMENTS

Please note that failure to submit the following documents and/or proof will lead to immediate disqualification:

1. Proof of registration with National Treasury Central Supplier Database (CSD).
2. Completed and signed:
  - SBD 1
  - SBD 4
  - SBD 6.1
  - SBD 8
  - SBD 9

## BID CONDITIONS

- All bidders are required to register on the National Treasury Central Supplier Database (CSD). The CSD proof of registration will be used by CETA to verify the bidder's tax compliant status at the time of bid award.
- This tender will only be awarded to bidders who are tax compliant on National Treasury CSD prior to award.

## OTHER REQUIRED DOCUMENTS

Please note that failure to attach the following documents will result in the forfeiture of preference points:

- EMEs:  
  
Sworn affidavit confirming their annual total revenue of R10 million or less and level of black ownership or a B-BBEE level verification certificate
- QSEs  
  
Sworn affidavit confirming their annual total revenue of between R10 million and R50 million and level of black ownership or B-BBE level verification certificate
- Bidders other than EMEs and QSEs :  
  
Original and valid B-BBEE status level verification certificate verified by a SANAS accredited verification agency, or a certified copy thereof.

**Please double-check that you have attached all the above documents before submitting your Bid.**



**BID DOCUMENTS CHECK LIST:**

The contents of the BID/ TENDER document must be as follows, and numbered as per the numbering below, with each schedule punched, placed in a file and separated from the next schedule with a file divider.

Please complete the checklist below to verify your submission of the relevant documents:

Schedules	Description	Submitted – Indicate YES or NO
Schedule 1	Proof of registration with National Treasury Central Supplier Database (CSD).	
Schedule 2	Completed and signed SBD forms	
Schedule 3	Original cancelled cheque or stamped letter from the bank confirming banking details	
Schedule 4	B-BBEE Verification Certificate or sworn affidavit	
Schedule 5	Written Testimonials from Clients	
Schedule 6	Methodology and project approach	
Schedule 7	Understanding of relevant legislative and policy framework	
Schedule 8	Qualifications and CVs of key staff members to be used on the projects and company profile	
Schedule 9	Pricing Schedule	

**BID SUBMISSION**

Bidders are required to submit **one original and four copies** of the bid document.



## TERMS OF REFERENCE

### APPOINTMENT OF A SOFTWARE DEVELOPMENT SERVICE PROVIDER FOR THE LEASING OF THE INTEGRATED MANAGEMENT INFORMATION SYSTEM (MIS) TO THE CETA

#### 1. INTRODUCTION

The Construction Education and Training Authority (CETA) calls for bids to be submitted from System Software Development Service Providers to lease and maintain an integrated Management Information System (MIS) in support of the CETA's core business. The system must be compatible with existing CETA systems. The appointment will be up to 31 March 2020 as per the extended licenced period of CETA and there shall be option of renewing the contract annually based on performance. The appointed provider must understand the current requirements in terms of Department of Higher Education and Training (DHET) MIS compliance for Sector Education Training Authority (SETA) and be able to assist the CETA to meet these requirements within the set timeframes.

#### 2. BACKGROUND

The CETA is a Sector Education and Training Authority established in terms of the Skills Development Act, 1998 as amended. The National Skills Development Strategy (NSDS) III has eight strategic goals which guide the strategic plan and annual performance plan of the CETA.

The CETA is looking for an entity to **lease** to the CETA the management information system (MIS) which will fulfil the following requirements:

- Review
- Design
- Develop, and
- Maintain

The CETA Strategic Programmes are supported by the Management Information System. This relates to core business processes on Research and Skills Planning, Mandatory and Discretionary Grants Management, Learner Record Management, Strategic Project Management, Organizational Performance Monitoring and Evaluation, Stakeholder Relationship Management, Finance and Supply Chain.

The CETA has already developed standard operating procedure for all its functions. Furthermore, the CETA has identified a number of system related constraints which needs to be addressed through a modern, interactive and integrated MIS system.

Due to the advent of the QCTO, NAMB, DHET Labour Market Intelligence Project, MIS requirements and the occupational learning system, the CETA would like to ensure its current MIS system and its associated system, modules is compliant and current with the latest technologies and DHET reporting requirements. Please note that potential service providers are required to send their proposals which must be linked to each or selected MIS



Modules as per CETA functionality areas. CETA will consider its budget availability, service provider project plan proposal timelines versus timing of NSDS III end date as extended until 31 March 2020.

To this end, the CETA would like to appoint a suitable service provider within the prescribed supply chain processes to lease and maintain the CETA MIS System.

The integrated development and maintenance of the CETA MIS must transpire within the IT Governance framework as defined in King III and COBIT 5 standards and related systems development standards.

No internal expertise exist within the organization to support the diverse functionality and operational needs required.

### **3. OBJECTIVES OF THE CETA INTEGRATED MANAGEMENT INFORMATION SYSTEM**

CETA requires an MIS system that:

- Is an auditable modern interactive system
- ICT security with maximum data integrity and reliability
- Robust and user friendly
- Cater for internal and external stakeholder needs – inclusive of provincial offices
- Allow for integration with existing CETA systems where applicable
- Provide management information and performance dashboard functionality
- In support of deliverables of all CETA Core Business and associated Units and business processes
- Interface and align with national systems such as the DHET, SAQA and QCTO for detailed and compliant reporting
- Must be developed with provision of access to both external and internal users
- Support the implementation of the CETA website and/or other linked portals
- Fully supports reporting to external stakeholder systems such as those under the Department of higher Education and Training
- Complies with all audit requirements in terms of customized reports on all activities relating to learners entered and certified as well as detailed financial transactions for learners on projects
- Support of dedicated consultants that will support the CETA staff in drafting the specifications and provide after-sales support in terms of ensuring full functionality of the system by all users and where best to enhance

### **FUNCTIONALITY OF CETA MIS**

#### **2. SPECIFIC/TECHNICAL REQUIREMENTS**

##### **2.1 Central user access and profile administration**

- Complete user access control integration into the MIS system
- Detailed user access and performance reporting

## 2.2 Workplace Skills Plan (WSP) and Annual Training Report (ATR) automation module

- Complete Skills Development Facilitator (SDF) systems interface file upload and download processes managed by the MIS
- Complete employer and SDF management
- Generate the Sector Skills Plan (SSP) components of the SETA SSP
- Generate and supply source data file for the SDF/employer. This also contains payment history of grant disbursement, viewable by the employer on the SDF-WSP-ATR automation module.
- Approve or reject WSP-ATR submissions
- Supply and auto submit WSP Identifiers with receipt numbers
- Place all correspondence with employer and/or SDF into the “Liaison archive” module
- Update employer and SDF detail from upload data file supplied by the SDF during WSP and ATR submissions
- An interactive SDF functionality
- Comprehensive self-installable application to be installed at the employer/SDF for capturing WSP and ATR of an organization and generate WSP/ATR authorization at employer level for approval by the employer representative and employee representative
- Generate upload file for the SETA MIS
- Submit data file to MIS
- Retrieve data file from MIS containing WSP/ATR identifiers and receipt number, being supplied by the MIS WSP/ATR approval module
- Complete automation of data import from MIS system
- SDF does not have to be logged onto an online system to capture and compile the actual documents. Everything happens locally. Only when ready does the SDF need internet access to allow for the programme to submit the data files to the MIS.

## 2.3 Complete integrated and automated Mandatory Grants module

- Interface with the SETA financial system
- Complete automated process in terms of the levy income files
- Complete batch Electronic Funds Transfer (EFT) request with source approval from levy file import.
- Inform bank system regarding batch payment
- Auto notification to SDF or employer of grant disbursement
- Produce reports in line with Department of Higher Education and Training (DHET) reporting framework
- Automation of payment verification - both mandatory grants as well as discretionary grants - from implementation to supply chain to finance.
- Automated process to import monthly Skills Development Levy (SDL) files
- Complete levy management should cover the following:
  - SDL adjustments of prior scheme years and quarterly payment processing
  - Below threshold SDL indication and liability flagging.
  - Administration grants indication / budget availability notification.
  - Manage discretionary grant allocation
  - Manage allocation of penalty and interest into discretionary grant budget.

- Manage sweeping of unclaimed mandatory grant to discretionary budget.
- Second discretionary budget to SETA projects.
- Financial reports
- Manage SETA grants liabilities
- Scheme year indicators
- Project Budgets and SETA commitments
- The system should be able to generate :
  - Direct levy deposit journal/s
  - Mandatory grant disbursement journal/s
  - Discretionary grant disbursement journals
  - Electronic payment files for importing into accounting system and batch payment request to bank

## 2.4 Discretionary Grants module

- Interface with the SETA financial and accounting system
- Project managing and interfacing with the Education and Training Quality Assurance related to learner achievement.
- Complete levy management functionality.
- Detail account/budget allocation
- Allocation of total available discretionary grant to SETA projects and activates the interactive projects module
- Detail financial related reporting in terms of commitments
- Manage projects for different funding windows
- Integrate with the CETA's Discretionary Grant system and Finance
- Compile, update and maintain Commitment Schedule

## 2.5 Finance module

The finance module needs to provide:

- Monitoring of budgets and report
- Integration with the finance system

Requirements for Supply Chain Management

The module needs to be able to:

- Link with the Supply Chain Management Unit of the CETA
- Assist with the management of contracts

Requirements for Mandatory Grants

The module should be able to:

- Integrate with the CETA's Mandatory Grant system
- Facilitate, WSP approval and payment to companies
- Companies approved by the Skills Department should automatically and reliably be approved on the finance system.
- The system should be able to draw reports on information per company, per year.
- Facilitate bulk payments.

- Enable the grants system to obtain information on payments made.

## **2.6 Invoice tracking module**

- Complete tracking functionality on invoices
- Flagging and notification
- Supply auto correspondence to all parties

## **2.7 SETA projects management module**

- Interface with discretionary grants (DG) commitments and SETA call
- Interface with the DG module on the MIS
- Complete project management and reporting module linked to:
  - SETA strategic objectives
  - Service Level Agreement (SLA) objectives
  - Contract management and archiving of signed SLA's
  - ETQA / Learnerships
- Module supply order numbers
- Notify beneficiaries of payment requirements
- Recording of all evidence + store actual documents within the system
- Record project progress reports
- Request/interface with finance division to release tranche payments
- Supply auto correspondence to all parties

## **2.8 Skills planning, learning programme and Qualification Module**

- Cater for apprenticeships/Learnerships/skills programmes, etc.
- Cater for clustering unit standards in a Qualification
- Cluster unit standards formulating registered skills programmes
- Interface with the NLRD supplied ID's for Learnerships implementation with accurate information
- Generation: Quarterly Management Reports (QMR) and DHET SETA Management Information System (SETMIS)
- QMR to interface with the ATR and feed info to the ATR
- Variance report to include areas in which people were trained
- 1% Expenditure Report template to be populated on the system
- Upload of the authorization of the 1% Quarterly Expenditure report
- Bulk SMS under the Client Liaison module
- Learnerships Agreements: Captured
- Skills Programmes : Captured
- Generation of Learnerships Certificates
- Organised Framework for Occupations (OFO) drop down menu
- Inclusion of non-CETA service providers

## **2.9 Quality Assurance Module**

- Complete automated and integration to:
  - Apprenticeship achievement



- Learnerships achievement and tracking
- Qualification achievement and tracking
- Unit Standard achievement and tracking
- Provider / Employer (Workplace provider) accreditation and administration.
- Interface with NLRD supplied provider list for importing of secondary providers due to programme approval
- Total integrated NLRD Upload module and file processing aligned to the NLRD latest version specification.
- Assessor registration administration
- Moderator registration administration
- Learner and achievement administration and notification
- Accreditation certification request and administration
- Qualification achievement certification request and administration:
  - Apprenticeship achievement
  - National Qualification Framework (NQF) Qualification achievement
- Complete stand-alone provider management system for the providers of the SETA/ETQA to manage:
  - Learner enrolments
  - Learner achievements
  - DG project management and reporting
  - Upload to SETA MIS
- Request for endorsement and certification of learner achievement
  - Direct integration with and from the SETA system
  - Automate the submission of learner achievement data
  - Automation of certification after verification from the CETA side.
- Comprehensive report functionality for building own filters and queries.
- Comprehensive early warning flagging in terms of provider accreditation, assessor and moderator expiration
- MIS should be able to generate and send out professional letters of notification to stakeholders
- All the required business rules are managed by the module, which ensure that both the system users and providers follow the required processes. This key feature ensures the ETQA compliance with policy and legislation.

## **2.10 Certification and Hologram management Module**

- Complete automated Hologram number inserted management functionality
- Automate the management and distribution of holograms for:
  - Provider accreditation
  - Qualification achievement
- Automate the generation and batch printing of:
  - Provider accreditation
  - Qualification achievement
  - Apprenticeship
  - NQF Qualification Achieved
- Record and manage spoiled Holograms

### **2.11 Client liaison or Customer Relations module**

- Automate the correspondence to:
  - Employers
  - Providers
  - Assessors
  - Moderators
  - Learners
  - SDF
- Auto generates and supply the correspondence by means of MIS generated auto e-mails.
- Achieve all correspondence and create a DMS (Document Management System) entry and receipt number for future access and reference purposes.
- Automate the correspondence to providers

### **2.12 Provider learner management**

- Comprehensive learner management functionality for:
  - Management and administration of learner information and learner achievement/progress at the training provider and or the employer.
  - Direct integration with the SETA MIS system
  - Upload data file/s to the SETA MIS system
  - Receive data file/s from the SETA MIS system
  - Conform to the upload criteria of various SETA MIS systems
  - The provider does not have to be logged onto an online system to capture and administer learners, learner achievement and learning events. Everything happens locally. Only when needed does the provider upload the latest data files to the SETA MIS System, where a provider upload import module allows for the ETQA to accept the load or reject, based on QA and QC related criteria.
  - The MIS acknowledge receipt of the load with a detail analysis and feedback report of the load. This happens automatically and the correspondence is recorded against the provider on the “Liaison history” module

### **2.13 Complete integrated reporting module**

- Discretionary grants related reports
- Mandatory grants related reports
- WSP and ATR related reports
- Skills planning and Qualification related reports
- All ETQA related reporting
- NLRD Upload file
- Certification and Hologram distribution
- Finance related reports
- Generate custom reports for SSP development based on survey results
- Generation: Quarterly Monitoring Report and DHET SETMIS compatibility in terms of extraction of custom files
- Facility to track and trace modules for easy correspondence functionality
- Detailed filter and sorting functionality with the ability to export directly into Microsoft:



- Word
- Excel
- PowerPoint

#### **2.14 Complete integrated automated QMS system supplied as part of the MIS system**

- Scheduling and sharing a common calendar for organizational purposes:
  - Event planning
  - Bookings and flagging
  - Meetings
  - Use a Meeting Workspace to organize attendees, agendas, documents, minutes, and other details for meetings
  - Important dates
  - Integrate this calendar directly with end users Microsoft Outlook
- Share events and allow for individual notification.
- Task allocation, tracking progress, reporting and flagging
- Communication and information sharing.
- Remote access and remote management of user rights and user access.
- Sharing portal for documentation such as:
  - Policies for viewing purposes
  - Any type of document that a user would like to request input from other users
  - Informing system users of any amendments and alterations
- Portal for contacts and migrate directly to end users Microsoft Outlook contacts.
- Export functionality to export list to Excel
- Portal for important web-sites:
  - SETA web sites
  - SAQA
  - DHET, etc.

#### **2.15 Meeting management module**

- Log committees
- Log committee members
- Compile agenda and minutes
- Issue and notify members of tasks and responsibilities
- Store and secure minutes
- Secure the retrieval of previous minutes by specific identified users.

#### **2.16 QCTO processes and alignment**

- The MIS should be aligned to Quality Council for Trade and Occupations (QCTO) processes
- Integrated modules in relation to QCTO latest developments
- The provider must be prepared to further develop and/or modify the system in alignment with QCTO and any other skills related developments

### **2.17 Development of WSP and ATR monitoring module**

- The provider must be prepared to further develop and/or modify the system to monitor WSP and ATR
- This module will cover monitoring of learners not funded by the CETA and through Mandatory Grants

### **CROSS CUTTING FUNCTIONAL AREAS:**

- Organisational and stakeholder management (Customer Relationship Management Module)
- System enhancement and integration across CETA Business processes and other related ICT Platforms
- Continuous capacity building of CETA MIS user and stakeholder awareness and functionality training where relevant
- Provision of service within a sound ICT Governance framework relating to inter alia ICT Security, change management, ICT risk management and business continuity.
- Monitoring through regular engagements with business units and reporting to CETA ICT Steering Committee
- Provision of help desk and MIS Queries and log calling

### **PROVISION OF A HELPDISK FOR MIS QUERIES (TECHNICAL HELPDISK)**

- Ensure that the Help Desk is adequately resourced at all operational times.
- Receive CETA end-user requests, incidents and queries
- Open/Update requests and incidents
- Unless specifically agreed all contacts with the Help Desk (incidents, requests and queries) will be logged.
- Perform initial problem determination in support of standard in-scope services:
  - Dispatch of software and hardware engineer or specialist to site as required.
  - Initial incident categorisation (type of fault).
  - Incident investigation/diagnostics.
  - Provision of fault diagnosis tools (e.g. knowledge management).
- Manage/track maintenance requests and queries
- Provide weekly reports on progress Operations or CETA Management meeting

### **Call/Query Closure:**

- Define and document call / query-closure rules and parameters

### **Trends & statistics**

- Identify and report on trends.



- Include trend analysis in monthly reports.
- Trend analysis of incident/problems.
- Produce accurate and auditable statistics
- Produce meaningful and accurate reports and administer help desk systems.
- Produce ongoing Customer Satisfaction Reports.
- Develop a knowledge transfer project plan to support the transfer of some of the IT support functions to the CETA internal IT Unit
- Deleting and modifying end user accounts within the CETA ICT governance framework

**DURATION**

The CETA aims to go live As Soon As Possible (ASAP) and terminate on 31 March 2020.

**PRICING SCHEDULE**

**Year one (1)**

<b>Once off set up cost</b>	R
<b>Year 1 monthly fee (incl VAT)</b>	<b>Year 1 total fee ( for 12 months incl VAT)</b>
R	R
<b>Total</b>	

**Year two (2)**

<b>Year 2 monthly fee (incl VAT)</b>	<b>Year 2 total fee ( for 12 months incl VAT)</b>
R	R

<b>TOTAL BID AMOUNT (for 2 years incl VAT)</b>	R
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NB: Monthly fee should be fixed for 12 months

## EVALUATION CRITERIA

### Criterion 1 – Compulsory Requirements

Applicants will be evaluated in terms of the gatekeepers/minimum requirements on page 2 of this document. Applicants who do not meet all the requirements or do not submit the required documents will be disqualified. Those who meet all the requirements and who have submitted the required documents will be further evaluated on functionality.

### Criterion 2 – Functionality

Functionality is worth 90 points. The minimum threshold is 63 points. Applicants who score less than 63 points on functionality will therefore be disqualified. Those who score 63 points or more will be further evaluated on presentations. The functionality evaluation is broken down as follows:

<p>Past Relevant Experience (Attach reference letters for similar services rendered - on <b>client's letterhead and signed off by a Senior Manager or Director</b>)</p> <p>Please note the following: Applicants must have specific experience and submit at least three <b>recent</b> references (in a form of written proof on organization's letterhead including relevant contact person, nature of service, contract amount, commencement date, telephone number, fax number and email addresses) of similar work undertaken</p>	Total – 10 points
Submission of three (3) or more written testimonials demonstrating provable experience related to similar projects	10 points
Submission of two (2) written testimonials demonstrating provable experience related to similar projects	7 points
Submission of one (1) written testimonial demonstrating provable experience related to similar projects	3 points
<b>Methodology and Project Approach</b>	<b>Total – 55 points</b>
<p>Detailed project plan of deliverables (as per the terms of reference on page 4-12 of this document) including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• An in-house management information system (MIS) (hosted and owned by the CETA) 10 points</li> <li>• Availability of technical support to the CETA staff and external users 10 points</li> <li>• Training of internal and external users on the system functionality 5 points</li> <li>• Full integration with existing CETA systems where applicable 10 points</li> <li>• Fulfil all technical requirements in line with the below-mentioned critical modules but not limited to: 20 points <ul style="list-style-type: none"> <li>○ Central user access and profile administration</li> <li>○ Workplace Skills Plan (WSP) and Annual Training Report (ATR) automation module</li> <li>○ Complete integrated and automated Mandatory Grants module</li> <li>○ Invoice tracking module</li> <li>○ Projects management module</li> </ul> </li> </ul>	

<ul style="list-style-type: none"> <li>○ Skills planning, learning programme and Qualification Module</li> <li>○ Quality Assurance Module</li> <li>○ Certification and Hologram management Module</li> <li>○ Provider learner management</li> <li>○ Complete integrated reporting module</li> </ul>	
<b>Understanding of relevant legislative and policy framework</b>	<b>15 points</b>
Understanding of relevant legislative and policy framework relating to the implementation and compliance requirements of the system including but not limited to: <ul style="list-style-type: none"> <li>● Skills Development Act &amp; Skills Development Levies Act</li> <li>● National Skills Development Strategy</li> <li>● PFMA, Treasury Regulations &amp; King III</li> </ul>	5 points 5 points 5 points
<b>Qualifications and Skills of Human Resources</b>	<b>Total – 10 points</b>
Level and relevance of education of personnel to deliver the service: <ul style="list-style-type: none"> <li>● NQF Level 6 qualification/s and above</li> <li>● NQF Level 5 qualification/s</li> <li>● NQF Level 4 qualification/s and below</li> </ul>	5 points 3 points 1 point
Specific experience in developing and setting up a learner based Management Information System (MIS) within a SETA environment. Provide detail in the CV. <ul style="list-style-type: none"> <li>● 5 years or more</li> <li>● 2-5 years</li> <li>● 1-2 years</li> <li>● &lt;1 year</li> </ul>	5 points 3 points 2 points 1 point

### Criterion 3 – Presentation

Bidders who score 63 points or more on functionality will be invited for presentations, presentations will be worth 10 points and bidders need to score a minimum of 7 points to be further evaluated on price and preference.

Bidders who score less than 7 points will be disqualified.

<b>Criterion</b>	<b>Total Points - 10</b>
Demonstration of the proposed system and content of the presentation to address the identified needs of the CETA. <ul style="list-style-type: none"> <li>● Excellent</li> <li>● Good</li> <li>● Poor</li> </ul>	10 points 7 points 3 points



**Criterion 4 – Price and Preference Evaluation**

Bidders who score 7 points or more on presentations will be further evaluated in terms of Price and Preference points (B-BBEE status level of contributor). As per the table below, price is evaluated over 80 points and preference points over 20:

<b>Price Assessment</b>	<b>80 Points</b>
TOTAL	80
<b>Preferential Elements</b>	<b>20 Points</b>
B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

Whilst CETA is issuing this invitation in good faith, it reserves the right to cancel or delay the selection process at any time without providing reasons therefore, and reserves the right not to select any of the respondents to this invitation.





## INVITATION TO BID

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (CONSTRUCTION EDUCATION AND TRAINING AUTHORITY)**

BID NUMBER: **006- 2018/2019**

CLOSIN DATE: **12 October 2018**

CLOSING TIME: **11:00**

DESCRIPTION: **APPOINTMENT OF A SOFTWARE DEVELOPMENT SERVICE PROVIDER FOR THE LEASING OF THE INTEGRATED MANAGEMENT INFORMATION SYSTEM (MIS) FOR THE CETA**

**VALIDITY PERIOD: 120 DAYS FROM THE CLOSING DATE**

The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

BID DOCUMENTS MAY BE POSTED TO:

**P. O. Box 1955  
Halfway House  
1685**

OR

DEPOSITED IN THE BID BOX SITUATED AT (*STREET ADDRESS*):

**Midrand Builders Centre  
183 Kerk Street (Cnr Old Pretoria Main Road).  
Midrand**

Bidders should ensure that bids are delivered timeously to the correct address as stated above. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 24 hours a day, 7 days a week.

**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)**

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT



THE FOLLOWING PARTICULARS MUST BE FURNISHED  
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER.....

POSTAL ADDRESS.....

STREET ADDRESS.....

TELEPHONE NUMBER CODE.....NUMBER.....

.CELLPHONE NUMBER.....

FACSIMILE NUMBER.....CODE.....NUMBER.....

E-MAIL ADDRESS.....

VAT NUMBER..... REGISTRATION

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2) YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED?(SBD 6.1) YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS);  
.....

A REGISTERED AUDITOR .....  
[TICK APPLICABLE BOX]

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)**

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?  
YES or NO

[IF YES ENCLOSE PROOF]

SIGNATURE ..... OF ..... BIDDER

DATE .....

CAPACITY UNDER WHICH THIS BID IS SIGNED .....

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED.....



**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

**Department:** Supply Chain Management Unit  
**Contact Person:** Lungisile Kuzana  
**Tel:** 011 265 5900/5919  
**E-mail:** [scmtenders@ceta.co.za](mailto:scmtenders@ceta.co.za)

**ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:**

**E-mail address:** [scmtenders@ceta.co.za](mailto:scmtenders@ceta.co.za)

Kindly note that your technical enquiries will be facilitated by SCM between the service provider and the relevant CETA project lead.



## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					

<p>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/>Yes                      <input type="checkbox"/>No [IF YES ENCLOSE PROOF]</p>	<p>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/>Yes                      <input type="checkbox"/>No [IF YES, ANSWER PART B:3 ]</p>
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**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>DOES THE ENTITY HAVE A BRANCH IN THE RSA?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p><b>IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b></p>	

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<p><b>1. BID SUBMISSION:</b></p>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<p><b>2. TAX COMPLIANCE REQUIREMENTS</b></p>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”</p>



**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
 (Proof of authority must be submitted e.g. company resolution)

DATE: .....

**SBD 4**

**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state<sup>1</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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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<sup>2</sup>, member):  
 .....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:.....

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.

<sup>1</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; or
- (e) Parliament.

<sup>2</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.

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 attach proof of such authority to the bid document? **YES / NO**

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

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

2.8 Did you or your spouse, or any of the company's directors/ trustees / shareholders / members or their spouses conduct business with the 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**

2.9.1 If so, furnish particulars.  
 .....  
 .....  
 .....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the 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.**

Full Name	Identity Number	Personal Income Tax Reference Number	State Number/Persal Number	Employee Number

**4 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 SHOULD THIS DECLARATION  
 PROVE TO BE FALSE.

.....  
 Signature

.....  
 Date

.....  
 Position

.....  
 Name of Bidder

**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 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

a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or

b) The 80/20 preference point system will be applicable to this tender

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:

**80/20**

**or**

**90/10**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = 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 7.1 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"/>
-----	--------------------------	----	--------------------------

7.1.1 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 or QSE

**(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 Preferential Procurement Regulations,2017:

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

**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**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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 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.



WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....

**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.

Item	Question	Yes	No
------	----------	-----	----

4.1	<p>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?</p> <p>(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 audi alteram partem rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>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 home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	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

.....  
Position

.....  
Name of Bidder

**SBD 9**

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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

SBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.



8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

<sup>3</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.**

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