

# REQUEST FOR BID PROFESSIONAL SERVICES



## BID DETAILS

**BID NUMBER:** FAS/BM/OPS/OFFICE\_SPACE/CON971

**CLOSE**      **Date:** 04 June 2018  
                  **Time:** 11:00

**DESCRIPTION:** Fasset is looking to lease office space for a period of 5 years.

**COMPULSORY BRIEFING SESSION:**      Yes       No

See Section A and Section 2 on Bid Submission Conditions and Instructions that the bidder needs to take note of.

## DETAILS OF BIDDER

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

*Please indicated whether it is the original or copy, tick the applicable block*

ORIGINAL            COPY            NR:

**Procurement process administered by Fasset**

## GLOSSARY

Accredited	The certification of a provider by the relevant quality council or its delegated quality assurance partner, to deliver and/or assess one or more qualifications, as registered on the NQF.
Award	Conclusion of the procurement process and final notification to the effect to the successful bidder
B-BBEE	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 Fasset for the provision of goods, works or services
CEO	Chief Executive Officer
Contractor	Organisation with whom Fasset 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.
CSD	Central Supplier Database
Dti	Department of Trade and Industry
EME	Exempted Micro Enterprise in terms of the Codes of Good Practice
Fasset	Sector Education and Training Authority (SETA) for Finance, Accounting, Management Consulting and other Financial Services
GCC	General Conditions of Contract
IP	Intellectual Property
NIPP	National Industrial Participation Programme
NQF	National Qualifications Framework
Original Bid	Original document signed in original ink, or Copy of original document signed in original 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.
POPI	Protection of Personal Information Act 2013
QSE	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.
SAQA	South Africans Qualifications Authority
SCM	Supply Chain Management
SETA	Sector Education Training Authority
SLA	Service Level Agreement

SECTION A

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**DOCUMENTS IN THIS BID DOCUMENT PACK**

Bidders are to ensure that they have received all pages (36) of this document, which consists of the following sections:

**SECTION A**

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**Note: Documents in this section are for your information only, and are instructions to bidders. Do not return this information with bids.**

1. Background
2. Bid Submission Conditions and Instructions
3. Contract Form (Rendering of Services)  
(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**

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4. Special Conditions of Bid and Contract and POPI Act Consent : Special conditions that the bidder needs to accept
5. Declaration of Interest
6. Declaration of bidder's past SCM practices
7. Certificate of Independent Bid Determination
8. Preference Points Claim Form in terms of the Preferential Procurement Regulations 2011
9. Invitation to Bid
10. Tax Clearance Certificate
11. Additional Registration Certificates and CSD Summary Report
12. Pre-Compliance Checklist
13. Terms of Reference (ANNEXURE A)
14. Pricing Schedule (ANNEXURE B)

# SECTION A

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## SECTION A: BID SUBMISSION CONDITIONS AND INSTRUCTIONS

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### 1 BACKGROUND

- 1.1. Fasset is a statutory body established through the Skills Development Act of 1998 to enable its stakeholders to advance the national and global position of the industry for finance, accounting, management consulting and other financial services.
- 1.2. The members of a SETA include employers, trade unions, professional bodies, government departments and bargaining councils, where relevant, from each industrial sector. The SETA landscape was revised to 21 SETAs in April 2011.
- 1.3. The objectives of Fasset are:
  - 1.3.1. To develop the competence of employees and potential employees:
    - 1.3.1.1. Improving the quality of life of employees, their prospects of work and labour mobility
    - 1.3.1.2. Improving productivity in the workplace and the competitiveness of employers
    - 1.3.1.3. Promoting self-employment in situations where the sector is experiencing job shrinkage.
  - 1.3.2. To increase the levels of investment in education and training and to optimise the return on this investment.
  - 1.3.3. To position this sector as the sector of career choice for prospective learners and entrants into the labour market.
  - 1.3.4. To encourage employers and employees to adopt a culture of lifelong learning through:
    - 1.3.4.1. Using the workplace as an active learning environment
    - 1.3.4.2. Providing employees with the opportunities to acquire new skills
    - 1.3.4.3. Providing opportunities for new entrants and potential entrants into the sector labour market and enhancing access to opportunities to gain work experience.
  - 1.3.5. To support the objectives of the Employment Equity Act of 1998
  - 1.3.6. To enhance access to learning opportunities and to facilitate the recognition of prior learning
  - 1.3.7. To ensure the quality of education and training in the sector
  - 1.3.8. To expand the provision of education and training in this sector through sound partnerships with public and private sector service providers
  - 1.3.9. To encourage greater cooperation between the public and private sectors
  - 1.3.10. To co-operate with the South African Qualifications Authority and other SETAs, in support of the objectives of the Act

1.4. All the bids by Fasset are intended to promote the objectives of Fasset.

## **2 BID SUBMISSION CONDITIONS AND INSTRUCTIONS**

### **2.1 FRAUD AND CORRUPTION**

2.1.1. 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.

### **2.2 BRIEFING SESSION**

2.2.1 Bidders are required to attend a compulsory briefing session. Failure to attend the compulsory briefing session will automatically disqualify bids.

The briefing session is scheduled as follows:

**Date: 25 May 2018**

**Time: 10h00**

**Venue: Fasset Offices, Building 3, Ground Floor  
299 Pendoring Road, Blackheath**

Kindly confirm attendance by emailing Queen Maphoto at [queen.maphoto@fasset.org.za](mailto:queen.maphoto@fasset.org.za)

### **2.3 CLARIFICATIONS/ QUERIES**

2.3.1 Telephonic requests for clarification will not be accepted. 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 Bomkazi Mnombeli at [bomkazi.mnombeli@fasset.org.za](mailto:bomkazi.mnombeli@fasset.org.za) by not later than 16h00 on Tuesday, 29 May 2018. A reply will be forwarded within one (1) working day. All questions and answers will be published on the Fasset website. The bid number should be mentioned in all correspondence. If appropriate, the clarifying information will be made available to all bidders by e-mail only.

### **2.4 SUBMITTING BIDS**

2.4.1 One (1) original plus three (3) hard copies of the bid and the pricing sheet on a separate envelope, (If bidders are submitting an electronic copy for the pricing, it should be both in excel and secure PDF) i.e. four (4) documents and a soft copy

2.4.2 Bids must be handed in or delivered to:

DEPOSITED IN THE BID/TENDER  
BOX SITUATED AT  
(Street address)

Fasset, Building 3, Ground Floor, 299  
Pendoring Road, Blackheath,  
Randburg.

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OR

\* POSTED TO:

The Operations Manager, Fasset, P O  
Box 6801, Cresta, 2118, Gauteng.

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OR

HANDED IN AT RECEPTION  
SITUATED AT  
(Street address)

Fasset, Building 3, Ground Floor, 299  
Pendoring Road, Blackheath,  
Randburg, prior to the official closure  
time and the bidder must complete and  
sign the Register which is kept by the  
Receptionist.

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2.4.3 No faxed or e-mailed quotations will be accepted

2.4.4 Respondents should ensure that quotations are delivered to Fasset before the closing date and time to the correct physical address. If the quotation is late, it will not be accepted for consideration. Refer to Section 2.5 below.

2.4.5 Bids can be delivered and deposited into the tender box between 08h00 and 16h30, Mondays to Thursdays and 08h00 to 16h00 on Fridays, prior to the closing date, and between 08h30 and 11h00 on the closing date.

2.4.6 All bids must be submitted on the official forms (not to be re-typed).

2.4.7 Only bids that are submitted as one (1) original, three (3) copies will be accepted as valid and responsive. The original and copies will be distributed to the tender evaluation panel, and must contain the same information and must all be neatly marked and professionally presented.

2.4.8 NB: Bidders must indicate on the cover of each document whether it is the original or a copy. Copies must be numbered e.g. Copy 1.

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

- Bid number (**FAS/BM/OPS/OFFICE\_SPACE/CON971**)
- Closing date and time 11h00 on 04 June 2018
- The name and address of the bidder

SECTION A: BID SUBMISSION CONDITIONS AND INSTRUCTIONS

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

## 2.5 LATE BIDS

2.5.1 Bids received late shall not be considered. A bid will be considered late if it arrived even one second after 11h00 or any time thereafter. The tender (bid) box shall be locked at exactly 11h00 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.

Bidders are required to sign a register indicating the details of the company and the date and time of submission.

2.5.2 The official Telkom time (dial 1026) will be used to verify the exact closing time.

2.5.3 Bids sent to Fasset via normal post or any other mechanism shall be deemed to be received at the date and time of arrival at the Fasset 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.

## 2.6 DIRECTIONS TO FASSET OFFICES FOR DELIVERY OF BIDS/COMPULSORY BRIEFING

2.6.1 Respondents should allow time to access the premises due to security arrangements that need to be observed.

2.6.2 Directions from N1 Pretoria / Polokwane:

- Follow the N1 (Ben Schoeman) highway in a southerly direction towards Johannesburg, past Midrand
- At the Buccleuch Interchange, follow the signs toward Roodepoort / Bloemfontein onto the N1 highway
- Proceed straight on the N1 highway, past the following turnoffs: Rivonia Road, William Nicol, Malibongwe
- Take the next turnoff, Beyers Naude Drive and turn left into Beyers Naude Drive
- After ± 1.9kms, turn right into Pendoring Road
- Past McDonalds on your left. At the next traffic intersection, turn left into 299 Pendoring (± 300m from the corner).

2.6.3 Directions from O.R Tambo International Airport

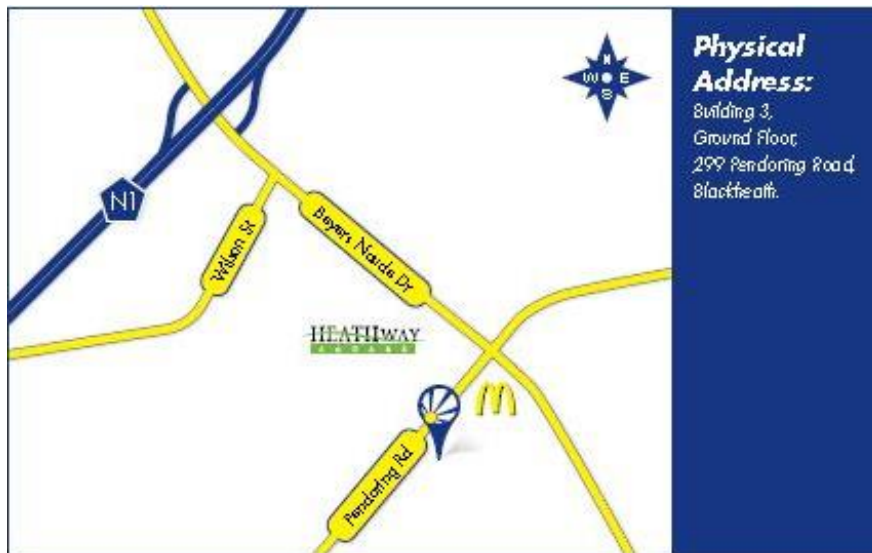
- On exiting the airport, follow the signs for Johannesburg, which will lead you onto the R24 highway
- The R24 highway links up with the N12 highway just before Gillooly's Interchange
- At Gillooly's Interchange, follow the signs for Pretoria, onto the N3 highway
- Travel north on the N3 highway, past the following turnoffs, Linksfield, Modderfontein, London Road and Marlboro Drive
- At the Buccleuch Interchange, the N3 highway will become the N1 highway. Follow the Roodepoort / Bloemfontein signs



SECTION A: BID SUBMISSION CONDITIONS AND INSTRUCTIONS

- Proceed straight on the N1 highway, past the following turnoffs: Rivonia Road, William Nicol, Malibongwe
- Take the next turnoff, Beyers Naude Drive and turn left into Beyers Naude Drive
- After ± 1.9kms, turn right into Pendoring Road
- Pass McDonalds on your left. At the next traffic intersection, turn left into 299 Pendoring (± 300m from the corner).

2.6.4 Directions to Fasset (Map)



2.6.5 Bidders should allow time to access the premises due to security arrangements that need to be observed.

**2.7 PAYMENTS**

- 2.7.1 Fasset 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 Fasset to the Contractor.
- 2.7.2 The Contractor shall from time to time during the currency of the contract, invoice Fasset for the services rendered.
- 2.7.3 The invoice must be accompanied by supporting source document(s) containing detailed information, as Fasset may reasonably require, for the purposes of establishing the specific nature, extent and quality of the services which were undertaken by the Contractor.
- 2.7.4 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 Fasset.
- 2.7.5 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

SECTION A: BID SUBMISSION CONDITIONS AND INSTRUCTIONS

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transferred into a South African bank account. (Banking details must be submitted as soon as the bid is awarded).

- 2.7.6 The Contractor shall be responsible for accounting to the appropriate authorities for its income tax, VAT or other monies required to be paid in terms of the applicable law.

## **2.8 GENERAL CONDITIONS OF CONTRACT**

- 2.8.1 The General Conditions of Contract (GCC) must be accepted. The GCC can be downloaded from the Fasset website. Please refer to link below:  
<http://www.fasset.org.za/Procurement/Procurement.aspx>

## **2.9 SAMPLE CONTRACT FORMS**

- 2.9.1 The contract forms to follow are a sample only.
- 2.9.2 If you are awarded a project, the following contract forms below must be signed.
- 2.9.2.1 The form below 'Rendering of Services' must be completed by the Service Provider.
- 2.9.2.2 The form below 'Rendering of Services' must be completed by the Purchaser.

# SECTION B

Compliance Documents.

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## **SECTION B: COMPLIANCE DOCUMENTS**

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### **1. BACKGROUND**

- 1.1. All the documents in this section must be completed and returned or supplied with bids as prescribed.
- 1.2. The submission template is compulsory and represents the minimum requirements for submission.
- 1.3. Incomplete submissions or omission of any of the required sections will result in the bid being deemed non-responsive.
- 1.4. Bidders may add any such additional information/documents as deemed applicable as annexures where appropriate.
- 1.5. Fasset may contact the bidder via email or telephone to clarify any discrepancy in respect of the bid document, and the bidder is expected to respond to this request.

### **2. SPECIAL CONDITIONS OF BID AND CONTRACT**

- 2.1. The sections below outline the special conditions of bid and contract which the bidder must understand and comply with, when submitting a bid.
- 2.2. The bidder must indicate acceptance of the Special Conditions of Bid and Contract by submitting the complete document (pages 12 to 18) signing in the space provided on each page. Any deviations should be indicated in the table provided on Page 18. Bidders must sign Page 18 even if there are no deviations.

### **3. GENERAL**

- 3.1. Fasset shall not be liable for any expense incurred by the bidder in the preparation and submission of a bid.

### **4. CANCELLATION OF PROCUREMENT PROCESS**

- 4.1. This procurement process can be postponed or cancelled at any stage at the sole discretion of Fasset, provided that such cancellation or postponement takes place prior to entering into of a contract with a specific service provider to which the bid relates.

### **5. BID SUBMISSION CONDITIONS, INSTRUCTIONS AND EVALUATION PROCESS/CRITERIA**

- 5.1. Bid submission conditions and instructions as well as the evaluation process/criteria have been noted.



## **6. NEGOTIATION AND CONTRACTING**

- 6.1. Fasset or its authorised representatives have the right to enter into negotiation with one or more bidders regarding any terms and conditions, including price(s), of a proposed contract.
- 6.2. Under no circumstances will negotiation with any bidders, including preferred bidders, constitute an award or promise/undertaking to award the contract.
- 6.3. Fasset shall not be obliged to accept the lowest of any bid, offer or proposal.
- 6.4. A contract will only be deemed to be concluded when reduced to writing in a formal contract or signing SBD 7 and Service Level Agreement (if applicable) signed by the designated responsible person of both parties. The designated responsible person of Fasset is the Chief Executive Officer (CEO).
- 6.5. Fasset 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.

## **7. ACCESS TO INFORMATION**

- 7.1. All bidders will be informed of the status of their bid once the procurement process has been completed.
- 7.2. Requests for information regarding the bid process will be dealt with in line with the Fasset SCM Policy and relevant legislation.
- 7.3. Fasset will facilitate such communication.

## **8. REASONS FOR REJECTION**

- 8.1. Fasset 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.
- 8.2. Fasset may disregard the bid of any bidder if that bidder, or any of its directors:
  - 8.2.1. Have abused the SCM system of Fasset.
  - 8.2.2. Have committed proven fraud or any other improper conduct in relation to such system.
  - 8.2.3. Have failed to perform on any previous contract and the proof exists.
- 8.3. The actions indicated in 8.1 shall be communicated to the National Treasury.

## **9. GENERAL CONDITIONS OF CONTRACT**

- 9.1. The General Conditions of Contract must be accepted.

Signature:

SECTION B: COMPLIANCE DOCUMENTS

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**10. ADDITIONAL INFORMATION REQUIREMENTS**

- 10.1. During the evaluation of the bids, additional information may be requested in writing from bidders. Replies to such request must be submitted, within 3 (three) working days or as otherwise indicated. Failure to comply, may lead to your bid being disregarded.
- 10.2. No additional information will be accepted from any individual bidder without such information having been requested.

**11. CONFIDENTIALITY**

- 11.1. 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.

**12. INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT**

- 12.1. Copyright of all documentation relating to this contract belongs to Fasset. No bidder may disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.
- 12.2. This paragraph shall survive termination of this contract.

**13. NON-COMPLIANCE WITH DELIVERY TERMS**

- 13.1. As soon as it becomes known to the contractor that he/she will not be able to deliver the professional services within the delivery period and/or against the quoted price and/or as specified, Fasset must be given immediate written notice to this effect. Fasset reserves the right to implement remedies as provided for in the GCC.

**14. WARRANTS**

- 14.1. The contractor warrants that it is able to conclude this agreement to the satisfaction of Fasset.
- 14.2. Although the contractor will be entitled to provide services to persons other than Fasset, the contractor shall not without the prior written consent of Fasset, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide services.

**15. PARTIES NOT AFFECTED BY WAIVER OR BREACHES**

- 15.1. 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 .
- 15.2. 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

Signature:

SECTION B: COMPLIANCE DOCUMENTS

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of such power or right nor shall any single or partial exercise of any such power or right under this agreement.

**16. RETENTION**

16.1. 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 Fasset.

16.2. 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.

**17. DTI REQUIREMENTS OF THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME (NIPP)**

17.1. In order to ensure effective implementation of the NIPP, the successful bidder will be required to immediately after the award of this contract in excess of R10 million, submit details of such contract to the **dti** for reporting purposes.

**18. LOGISTICS FOR PRESENTATIONS**

18.1. Fasset or its authorised representative reserves the right to invite bidders for presentations before the award of the bid.

18.2. Shortlisted bidders will be given three (3) days advance notice to attend the presentation. The date as well as the detail for the venue and the agenda for the presentations will be provided.

18.3. Presentations will be made to the full Bid Evaluation Committee.

18.4. Under no circumstances will a presentation by any bidder constitute and award or promise/undertaking to award the contract.

**19. FORMAT OF BIDS**

19.1. Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.

19.2. Bidders are to set out their proposal in the format prescribed hereunder. This means that the proposal must be structured in the parts noted below. Relevant information not submitted in the relevant part, may not be considered for evaluation purposes.

**19.2.1. Section B1: Special Conditions of Bid and Contract**

Signature:

SECTION B: COMPLIANCE DOCUMENTS

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19.2.1.1. Bidders must complete and accept the Special Conditions of Bid and Contract form. The complete document must be returned to Fasset. Any deviations must be indicated in the space provided.

19.2.1.2. Bids submitted without a completed and signed form will be deemed non-responsive and will be eliminated.

**19.2.2. Section B2: Declaration of Interest**

19.2.2.1. Each party to the bid must complete and return the SBD 4 form (Declaration of Interest) that can be found on Section 245 of this document.

19.2.2.2. Bids submitted without a completed and signed form will be deemed non-responsive and will be eliminated.

**19.2.3. Section B3: Declaration of Bidder’s Past Supply Chain Management Practices**

19.2.3.1. Each party to the bid must complete and return “Declaration of Bidder’s past Supply Chain Management Practices” form that can be found on Section 276 of this document.

19.2.3.2. Bids submitted without a completed and signed form will be deemed non-responsive and will be eliminated.

**19.2.4. Section B4: Certificate of Independent Bid Determination**

19.2.4.1. Each party to the bid must complete and sign the Certificate of Independent Bid Determination that can be found on Section 27 of this document.

19.2.4.2. Bids submitted without a completed and signed form will be deemed non-responsive and will be eliminated.

**19.2.5. Section B5: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2017**

19.2.5.1. Each party to the bid must complete and sign the Preference Points Claim Form that can be found on Section 28 of this document.

19.2.5.2. Bids submitted without a completed and signed form will be deemed non-responsive and will be eliminated.

**19.2.6. Compliance Option 1:**

19.2.6.1. Bidders other than Exempted Micro Enterprises (EME) in terms of the B-BBEE Act must provide proof of their B-BBEE status level in the form of a certificate.

19.2.6.2. Such certificate must be an original or a certified copy (the certification stamp and certification signature must be original) and issued by a SANAS accredited B-BBEE verification agency.

Signature:



SECTION B: COMPLIANCE DOCUMENTS

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**19.2.7. Compliance Option 2:**

19.2.7.1. EME's and QSE's can submit an **ORIGINAL** sworn affidavit or an originally certified affidavit issued by CIPC, obtained on an annual basis, confirming the following:

19.2.7.1.1. For an EME:

19.2.7.1.1.1. Annual Total Revenue of R10 million or less;

19.2.7.1.1.2. Level of black ownership

19.2.7.1.2. For a QSE:

19.2.7.1.2.1. Annual Total Revenue of between R10 million and R50 million; and

19.2.7.1.2.2. Level of black ownership.

19.2.7.2. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.

19.2.7.3. Non-compliance will result in a bidder scoring zero (0) for this element. (0) for this element.

**19.2.8. Section B7: Invitation to Bid**

19.2.8.1. Bidders must complete, sign and return the full "Invitation to Bid" document on Section 29.

19.2.8.2. Bids submitted without a completed and signed form will be deemed non-responsive and will be eliminated.

**19.2.9. Section B8: SARS Tax Clearance Certificate(s)**

19.2.9.1. A valid SARS Tax Clearance Certificate must accompany the proposal and must be valid at the date of closing of the bid or a pin provided by SARS needs to be provided to verify tax standing.

19.2.9.2. In case of a consortium/joint venture, or where sub-contractors are utilised, a valid SARS Tax Clearance Certificate for each consortium/ joint venture member and/or sub-contractor (individual) must be submitted or a pin provided by SARS needs to be provided to verify tax standing.

19.2.9.3. Tax exempt organisations are also required to provide an original valid Tax Clearance Certificate issued by SARS or a compliance report containing a pin.

19.2.9.4. Please note that Fasset will verify the bidder's tax status with SARS as part of the pre-compliance check. Bidders are urged to check with SARS if they are "Tax Compliant" before submitting bids.

**19.2.10. Section B9: Additional Registration Certificates**

Signature:

SECTION B: COMPLIANCE DOCUMENTS

- 19.2.10.1. A valid copy of business (company) registration certificate must be submitted, if applicable.
- 19.2.10.2. A CSD (Centralised Supplier Database) Summary Report containing the supplier number and the unique code must be submitted, failure to submit will be deemed to be non-responsive. Fasset, as a government entity, can only conduct business with service providers that are registered on the CSD.
- 19.2.10.3. A valid copy of VAT registration certificate (VAT103) must be submitted, if applicable.
- 19.2.10.4. Copy of company incorporation certificate(s) must be submitted, if applicable.
- 19.2.10.5. A list of the directors/ owners of the bidder or in the case of a consortium/ joint venture, a list of the directors/ owners of each party to the consortium/ joint venture. This list must be aligned to the company registration certificate, if applicable. Fasset reserves the right to request each bidder to, after closing, forward such list of directors/ owners to Fasset in electronic (word) format
- 19.2.11. **Section B14: Pre-Compliance Checklist**
  - 19.2.11.1. Bidders need to ensure that they have complied with the requirements of this tender as listed in the pre-compliance checklist. Failure to do so will result in elimination.
- 19.2.12. **Section B14: Terms of Reference and Pricing Schedule**
  - 19.2.12.1. Please refer to Annexures A and B accompanying this bid document.

**20. ACCEPTANCE OF SPECIAL CONDITIONS OF BID**

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 the table below.

Section Reference	Special Condition	Reason for Deviation	Proposed Deviation of Special Condition

Name of applicant: \_\_\_\_\_

Signature of applicant: \_\_\_\_\_

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

## 21. SUMMARY OF ELIMINATION REASONS

21.1. The table below summarises the reasons for bid elimination which may be imposed in the pre-compliance checking process. Prior to the bid being evaluated for functionality the tabulated areas below are assessed, and where the bid does not meet the criteria, the bid will be eliminated and will not be submitted to the next phase for the assessment of functionality.

Area	Fasset Requirement	Section Reference	If not met, then ...
1	Original and 3 copies of bid submitted	2.4.1	Bid will be eliminated
2.1	CSD Summary Report with the supplier number and the unique code	19.2.10.2	Contract can only be awarded to bidders on CSD
2.2	Vendor acceptable with reference to National Treasury "Restricted List"	19.2.9	Bid will be eliminated
2.3	Vendor acceptable with reference to National Treasury "Tender Defaulters List"	19.2.9	Bid will be eliminated
3.1	Section B1: Special Conditions of Bid and Contract completed and signed. The complete document must be returned to Fasset.	2	Bid will be eliminated
3.2	Bidder's Own Conditions specified	2	Indicate only if there are deviations to the Special Conditions above
4	POPI Act Consent form completed and signed	24	Fasset publishes tender information on public platforms, consent to share details about bidders is required
5	Section B2: Declaration of Interest completed and signed	25	Bid will be eliminated
6	Section B3: Declaration of Bidder's Past Supply Chain Management Practices completed and signed	26	Bid will be eliminated
7	Section B4: Certificate of Independent Bid Determination completed and signed	27	Bid will be eliminated
8.1	Section B5: Preference Points Claim Form completed and signed	19.2.5	Bid will be eliminated
8.3	Original valid BEE certificate, or <b>originally certified</b> copy thereof, issued by a SANAS accredited verification agency, or an <b>ORIGINAL</b> sworn affidavit or an <b>originally certified</b> affidavit issued by CIPC for EMEs and QSEs. A combined BEE certificate in the case of a Joint Venture.	19.2.6	No points will be awarded
8.3a	A Joint Venture Agreement is required in the case of a JV		Bidder will be required to submit an agreement between the two parties
10	Section B7: Invitation to Bid completed and signed	19.2.8	Bid will be eliminated
12	Section B8: SARS Tax Clearance Certificate(s)	19.2.9	Bid will not be eliminated
13	Section B9: Additional Business Registration Certificates	19.2.10	Bid will not be eliminated
13.4	VAT registration certificate (VAT103) must be submitted(where applicable)	19.2.10.3	VAT cannot be charged by bidders not registered for VAT

Area	Fasset Requirement	Section Reference	If not met, then ...
15	Pricing schedule in the template provided		Bid will be eliminated

**22. CONTRACT FORM: RENDERING OF SERVICES**

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER AND THE PURCHASER. 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.

**(TO BE FILLED IN BY THE SERVICE PROVIDER)**

1. I/we hereby undertake to render services described in the attached bidding documents to Fasset in accordance with the requirements and task directives/proposals specifications stipulated in Bid Number **FAS/BM/OPS/OFFICE\_SPACE/CON971** 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
- Valid Tax clearance certificate or SARS Pin to verify Tax Standing
- CSD ( Centralised Supplier Database) Report
- Pricing schedule(s)
- Technical Specification, 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 2011;
- Certificate: Local Production and Content (if applicable)
- Declaration of interest
- Declaration of bidder's past SCM practices
- Certificate of Independent Bid Determination
- Special Conditions of Contract

1.2 General Conditions of Contract

1.3 Other (specify)

2. 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.

3. 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.

4. 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.

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

NAME (PRINT) \_\_\_\_\_  
 CAPACITY \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_  
 NAME OF FIRM \_\_\_\_\_  
 DATE \_\_\_\_\_

<b>WITNESSES</b>	
1	_____
2	_____
DATE:	_____

**23. CONTRACT FORM: RENDERING OF SERVICES**

**(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.

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

3. 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 (ALL APPLICABLE TAXES INCL)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION

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

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

2 .....

DATE: .....

## **24. CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 2013 (POPI)**

This section sets out how personal information will be collected, used and protected by Fasset, as required by the Protection of Personal Information Act. The use of the words “the individual” for the purposes of this document shall be a reference to any individual communicating with Fasset and/or concluding any agreement, registration or application, with the inclusion of each of those individuals referred to or included in terms of such agreement, registration or application.

### **1. What is personal information?**

The personal information that Fasset requires relate to names and surnames, birth dates, identity numbers, passport numbers, demographic information, education information, occupation information, health information, addresses, memberships, and personal and work email and contact details.

### **2. What is the purpose of the collection, use and disclosure (the processing) of personal information?**

Fasset is legally obligated to collect, use and disclose personal information for the purposes of:

- reporting Fasset initiatives to the Department of Higher Education and Training;
- reporting to National Treasury all contracts awarded ;
- obtaining information related to Tax Clearance Certificates from SARS;
- Verifying information on the National Treasury database of defaulters;
- evaluating and processing applications for registration on the database;
- compiling statistics and other research reports;
- providing personalised communications;
- complying with the law; and/or
- for a purpose that is ancillary to the above.

Personal information will not be processed for a purpose other than what is identified (the purpose) above without obtaining consent beforehand.

### **3. How will Fasset process personal information?**

Fasset will only collect personal information for the purpose as stated above. Information will be collected in the following manner:

- directly from the individual;
- from an agent, work colleague or other duly authorised representative;
- from service providers that were provided with services or goods by the individual;
- from service providers who provided with services or goods to Fasset;
- from Fasset’s own records relating to previous supply of services or goods; and/or
- from a relevant public or equivalent entity.

### **4. To whom will personal information be disclosed?**

The personal information may be disclosed to other relevant public or other entities on whose behalf we act as intermediaries, other third parties referred to above in relation to the purpose or who are sources of personal information, service providers such as professional bodies who operate across the borders of this country (trans-border flow of information) where personal information must be sent in order to provide the information and/or services and/or benefits requested or applied for. In the event of another party/ies acquiring all of or a portion of Fasset’s mandate or functions, personal information will be disclosed to that party but they will equally be obliged as we are, to protect personal information in terms of this policy and the law.

### **5. Consent and Permission to process personal information:**

- I hereby agree with the policy and provide authorisation to Fasset to process the personal information provided for the purpose stated.

## SECTION B: POPI ACT CONSENT FORM

- I understand that withholding of or failure to disclose personal information will result in Fasset being unable to perform its functions and/or any services or benefits I may require from Fasset.
- Where I shared personal information of individuals other than myself with Fasset I hereby provide consent on their behalf to the collection, use and disclosure of their personal information in terms of this personal information policy and I warrant that I am authorised to give this consent on their behalf.
- To this end, I indemnify and hold Fasset not responsible in respect of any claims by any other person on whose behalf I have consented, against Fasset should they claim that I was not so authorised.
- I understand that in terms of POPI and other laws of the country, there are instances where my express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or when personal information is publicly available.
- I will not hold Fasset responsible for any improper or unauthorised use of personal information that is beyond its reasonable control.

**6. Rights regarding the processing of personal information:**

- The individual may withdraw consent to the processing of personal information at any time, and should they wish to do so, must provide Fasset with reasonable notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if Fasset agrees to same in writing. Fasset specifically draws to the attention that the withdrawal of consent may result in it being unable to provide the requested information and/or services and/or financial or other benefits.
- In order to withdraw consent, please contact the Information Officer at [popi@fasset.org.za](mailto:popi@fasset.org.za).
- A copy of the full Fasset policy is available at our offices, situated at Building 3 Ground floor, 299 Pendering Road, Blackheath, Randburg, South Africa.
- Individuals are encouraged to ensure that where personal information has changed in any respect to notify Fasset so that our records may be updated. Fasset will largely rely on the individual to ensure that personal information is correct and accurate.
- The individual have the right to access their personal information that Fasset may have in its possession and are entitled to request the identity of which third parties have received and/or processed personal information for the purpose. Please note however, that any request in this regard may be declined if:
  - the information comes under legal privilege in the course of litigation,
  - the disclosure of personal information in the form that it is processed may result in the disclosure of confidential or proprietary information,
  - giving access may cause a third party to refuse to provide similar information to Fasset,
  - the information was collected in furtherance of an investigation or legal dispute, instituted or being contemplated,
  - the information as it is disclosed may result in the disclosure of another person's information,
  - the information contains an opinion about another person and that person has not consented, and/or
  - the disclosure is prohibited by law.

**7. Requesting access and lodging of complaints:**

- Please submit any requests for access to personal information in writing to Fasset's information officer at [popi@fsset.org.za](mailto:popi@fsset.org.za).
- With any request for access to personal information, Fasset will require the individual to provide personal information in order to verify identification and therefore the right to access the information.
- There may be a reasonable charge for providing copies of the information requested.
- If any request has not been addressed to satisfaction a complaint may be lodged at the office of the Information Regulator.

Signature :

Date :

SECTION B: DECLARATION INTEREST, DECLARATION OF BIDDERS PAST, CERTIFICATE OF BID

**25. 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, limited bid or proposal or a 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 –

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

1.2. The bidder is a Management Board member of Fasset 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, member, etc<sup>2</sup>): .....

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

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 .....

<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;
- (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



SECTION B: DECLARATION INTEREST, DECLARATION OF BIDDERS PAST, CERTIFICATE OF BID

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.)

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

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

2.8. Did you or your spouse, or any of the company's directors/trustees/ 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 or Deloitte Consulting<sup>3</sup> (Pty) Ltd 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 any other bidder and any person employed by the **YES / NO**

<sup>3</sup> Deloitte Consulting (Pty) Ltd assists in the procurement administration

SECTION B: DECLARATION INTEREST, DECLARATION OF BIDDERS PAST, CERTIFICATE OF BID

State or Deloitte Consulting (Pty) Ltd who may be involved with the evaluation and or adjudication of this bid?

2.10.1. If so, furnish the following 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?

<b>YES / NO</b>
-----------------

2.11.1. If so, furnish the following particulars.

.....

.....

.....

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

Full Name	Identity Number	Personal Income 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 SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature Date

.....  
Position Name of bidder

SECTION B: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

**26. DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 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 Fasset'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.treasury.gov.za">www.treasury.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

.....  
 Position

Name of Bidder

## 27. CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

**FAS/BM/OPS/OFFICE\_SPACE/CON971**

---

in response to the invitation for the bid made by:

FASSET

---

(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:
  - 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.

---

<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: CERTIFICATE OF INDEPENDENT BID DETERMINATION

---

- 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

**28. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017**

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

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

	<b>POINTS</b>
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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

**2. DEFINITIONS**

- 2.1 “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.2 “**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;
- 2.3 “**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;
- 2.4 “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5 “**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;
- 2.6 “**functionality**” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.7 “**prices**” includes all applicable taxes less all unconditional discounts;
- 2.8 “**proof of B-BBEE status level of contributor**” means:
  - 2.1.1. B-BBEE Status level certificate issued by an authorized body or person;

SECTION B: PREFERENCE POINTS CLAIM FORM

2.1.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

2.1.3. Any other requirement prescribed in terms of the B-BBEE Act;

2.9 “**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;

2.10 “**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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)
 \end{array}$$

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 1.3.1 AND 4.1**

5.1 B-BBEE Status Level of contribution..... =.....(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**

a) Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

<b>YES</b>		<b>NO</b>	
------------	--	-----------	--

→ If yes, indicate:

b) Whether the sub-contractor is an EME or QSE

c) What percentage of the contract will be subcontracted.....%

d) The name of the sub-contractor.....

e) The B-BBEE status level of the sub-contractor.....

*(Tick applicable box)*

<b>YES</b>		<b>NO</b>	
------------	--	-----------	--

f) 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 last 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**

a) Name of company/firm:.....

b) VAT registration number:.....

c) Company registration number:.....

- d) TYPE OF COMPANY / FIRM
- Partnership/Joint Venture / Consortium
  - One person business/sole propriety
  - Close corporation
  - Company
  - (Pty) Limited

e) DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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



SECTION B: PREFERENCE POINTS CLAIM FORM

f) COMPANY CLASSIFICATION

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

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

h) 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 1.3.1 and 4.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.3.1 and 4.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
4. 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 –
  - 4.1. disqualify the person from the bidding process;
  - 4.2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
  - 4.3. 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;
  - 4.4. 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
  - 4.5. forward the matter for criminal prosecution.

**WITNESSES:**

1. ....

2. ....

\_\_\_\_\_  
SIGNATURE OF BIDDER (S)

DATE:.....

ADDRESS:.....

.....

## 29. INVITATION TO BID

Please complete all sections highlighted in yellow

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	FAS/BM/OPS/OFFICE_SPACE/CON971	CLOSING DATE:	04 June 2018	CLOSING TIME:	11h00
DESCRIPTION	Fasset is looking to lease office space for a period of 5 years.				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
<b>Fasset Offices, Building 3 Ground Floor, 299 Pendoring Road, Blackheath 2194</b>					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes  <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes  <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					

SECTION B: INVITATION TO BID

<p>ONLY CERTIFICATES ISSUED BY A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS) OR AN ORIGINAL SWORN AFFIDAVIT OR AN ORIGINALLY CERTIFIED AFFIDAVIT FROMCIPC WILL BE ACCEPTED</p>			
<p><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>			
<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</p> <p>[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</p> <p>[IF YES ANSWER PART B:3 BELOW ]</p>
<p>SIGNATURE OF BIDDER</p> <p>.....</p>		<p>DATE</p>	
<p>CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)</p>			
<p>TOTAL NUMBER OF ITEMS OFFERED</p>		<p>TOTAL BID PRICE (ALL INCLUSIVE)</p>	
<p><b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b></p>		<p><b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b></p>	
<p>DEPARTMENT/ PUBLIC ENTITY</p>	<p>Fasset</p>	<p>CONTACT PERSON</p>	<p>Bomkazi Mnombeli</p>
<p>CONTACT PERSON</p>	<p>Bomkazi Mnombeli</p>	<p>TELEPHONE NUMBER</p>	<p>011 476 8570</p>
<p>TELEPHONE NUMBER</p>	<p>011 476 8570</p>	<p>FACSIMILE NUMBER</p>	<p>011 476 5756</p>
<p>FACSIMILE NUMBER</p>	<p>011 476 5756</p>	<p>E-MAIL ADDRESS</p>	<p><a href="mailto:bomkazi.mnombeli@fasset.org.za">bomkazi.mnombeli@fasset.org.za</a></p>
<p>E-MAIL ADDRESS</p>	<p><a href="mailto:bomkazi.mnombeli@fasset.org.za">bomkazi.mnombeli@fasset.org.za</a></p>		

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
<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. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.5. 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 LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.</p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / 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>
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>
<p>3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/></span>                  NO</p> <p>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p><b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b></p>

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS WILL RENDER THE BID INVALID.**