



**REQUEST FOR BIDS**

**BID DETAILS**

<b>BID NUMBER:</b>		<b>FB-SETA (22-23) T0012</b>
<b>CLOSING</b>		
<b>Date:</b>	<b>24 March 2023</b>	
<b>Time:</b>	<b>11:00 am</b>	
<b>DESCRIPTION:</b>		<b>THE APPOINTMENT OF A SUITABLY QUALIFIED PROJECT MANAGER TO MANAGE AND OVERSEE THE FOODBEV SETA PARTICIPATION IN THE WORLD SKILLS SOUTH AFRICA NATIONAL, CONTINENTAL, AND INTERNATIONAL COMPETITIONS AND CONFERENCES</b>
<b>VIRTUAL COMPULSORY BRIEFING SESSION:</b>		
<b>Date</b>	<b>14 March 2023</b>	
<b>Time</b>	<b>10:00 am</b>	
<b>Location</b>	<b>Microsoft Teams</b>	
<b>Validity Period</b>	<b>120 days</b>	

**DETAILS OF BIDDER**

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

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

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

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

**TOTAL BID PRICE (inclusive of VAT)** .....

**GLOSSARY**

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<b>AWARD</b>	<b>Conclusion of the procurement process and final notification to the effect to the successful bidder</b>
<b>B-BBEE</b>	<b>Broad-based Black Economic Empowerment in terms of the Broad-based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) and the Codes of Good Practice issued thereunder by the Department of Trade and Industry</b>
<b>BID</b>	<b>Written offer in a prescribed or stipulated form in response to an invitation by FOODBEV SETA for the provision of goods, works or services</b>
<b>SERVICE PROVIDER</b>	<b>Organisation with whom FOODBEV SETA will conclude a contract and potential service level agreement after the final award of the contract based on this Request for Bid</b>
<b>CORE TEAM</b>	<b>The core team are those members who fill the non-administrative positions against which the experience will be measured.</b>
<b>DTI</b>	<b>Department of Trade and Industry</b>
<b>EME</b>	<b>Exempted Micro Enterprise in terms of the Codes of Good Practice</b>
<b>GCC</b>	<b>General Conditions of Contract</b>
<b>GRAP</b>	<b>A set of concepts that function as guidelines for the accounting processes in the public sector</b>
<b>IP</b>	<b>Intellectual Property</b>
<b>FOODBEV SETA (FBS)</b>	<b>Food and Beverage Manufacturing Sector Education and Training Authority</b>
<b>ORIGINAL BID</b>	<b>Original document signed in ink, or Copy of original document signed in ink,</b>
<b>ORIGINALLY CERTIFIED</b>	<b>To comply with the principle of originally certified, a document must be both stamped and signed in original ink by a commissioner of oaths.</b>
<b>SCM</b>	<b>Supply Chain Management</b>
<b>SLA</b>	<b>Service Level Agreement</b>
<b>SCHEDULE 3A ENTITY</b>	<b>As per the classification by National Treasury these refer to other National public entities</b>
<b>WZA</b>	<b>World Skills South Africa</b>

**TABLE OF CONTENTS**

**SECTION A .....3**

**1. Introduction.....3**

**2. Objectives .....3**

**3. Scope of work .....4**

**4. Duraton of the services .....4**

**SECTION B .....4**

**5. The Bid Evaluation Process .....4**

**6. Stage 1: Mandatory Requirements.....4**

**7. Functional evaluation criteria:.....5**

**8. Pricing schedule .....6**

**9. Preference points system .....7**

**SECTION C .....7**

**10. Tender submission instructions.....7**

**11. Response format.....8**

**SECTION D .....9**

**12. COMPLIANCE DOCUMENTS AND CONDITIONS TO TENDER .....9**

**SBD 1 - invitation to bid ..... ERROR! BOOKMARK NOT DEFINED.**

**SBD 3.3: Pricing Schedule: Professional Services.....ERROR! BOOKMARK NOT DEFINED.**

**SBD 7.1 Contract Form..... ERROR! BOOKMARK NOT DEFINED.**

**GENERAL CONDITIONS OF CONTRACT ..... ERROR! BOOKMARK NOT DEFINED.**

**RFP NUMBER: FB-SETA (22-23) FB SETA T0012**

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**THE APPOINTMENT OF A SUITABLY QUALIFIED PROJECT MANAGER TO MANAGE AND OVERSEE THE FOODBEV SETA PARTICIPATION IN THE WORLD SKILLS SOUTH AFRICA NATIONAL, CONTINENTAL, AND INTERNATIONAL COMPETITIONS AND CONFERENCES****SECTION A****1. INTRODUCTION**

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- 1.1** FoodBev SETA is one of 21 sector education and training authorities (SETAs) across the economy mandated to deliver on the National Skills Development Plan (NSDP) outcomes. FoodBev SETA is a Schedule 3A Public Entity established in terms of the Skills Development Act 97 of 1998. FoodBev is currently operating in Johannesburg at number 07 Wessel Street, Rivonia. FoodBev SETA's function is to promote, facilitate and incentivize skills development in the food and beverages manufacturing sector.
- 1.2** The World Skills Competition is the global hub for skills excellence and development. This is done through international cooperation and development between industry, government, organizations, and institutions to promote the benefits of and need for skilled professionals through grass-roots community projects, regional skill competitions, and knowledge exchange. It shows how important skills education and training is for the youth, industries and society by challenging young professionals around the world to become the best in the skill of their choice.
- 1.3** The World Skills Competition serves as a collective voice for skills excellence in vocational, technological, and service oriented careers around the globe. Since 1950 it has raised the awareness among youth, as well as their parents, teachers and employers, that the future depends on an effective skills training system. Today World Skills Competition represents more than 45 skills in over 75 member countries and regions, all working together with youth, educators and industries to help prepare the workforce and talent of today for the jobs of the future. World Skills competition means showcasing the value of skills and raising the recognition of skilled professional trades worldwide.
- 1.4** Based on the above, FoodBev SETA envisages to support learners in in the following trades at the World Skills Competition.
  - 1.4.1** Mobile Robotics
  - 1.4.2** Industrial Mechanics
  - 1.4.3** Patisserie and Confectionery
  - 1.4.4** Baking
  - 1.4.5** CNC Turning
  - 1.4.6** CNC Milling

**2. OBJECTIVES**

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- 2.1.** The objective of the tender is to appoint a suitably qualified project manager to manage and oversee the FoodBev SETA participation in the World Skills South Africa National, Continental, and International Competitions and Conferences.

### 3. SCOPE OF WORK

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- 3.1. FoodBev SETA invites bids from suitably qualified project management service provider for a period of three (3) years. The Project Manager will be responsible for the following (but not limited) to the:
- 3.3.1. Recruitment of experts in each of the designated trades (listed in 1.4 above)
  - 3.3.2. Create a report, budget, and project plan.
  - 3.3.3. Make certain FoodBev takes part in provincial WZA organizations to:
    - 3.3.3.1. Plan the regional, provincial, national, continental, and international contests.
    - 3.3.3.2. Finding or recruiting learners who will compete in the designated trades.
  - 3.3.4. Source and secure industry sponsorship, when necessary.
  - 3.3.5. Ensure that learners are properly trained to compete in national, continental, and international contests for experts and competitors.
  - 3.3.6. Facilitate FoodBev to participation in other conferences/competitions to benchmark the SETAs interventions towards artisan development.
  - 3.3.7. Oversee the delivery of equipment, tools, and the proper PPE for the participants in their respective trades.
  - 3.3.8. Oversee the competitors' and the experts' traveling, lodging, stipends, and food needs during the competitions.
  - 3.3.9. In order to fully comprehend, the service provider must become completely engrossed in the project's details and content. This remains the responsibility of each prospective bidder to avers themselves with the details of the competition.

### 4. DURATON OF THE SERVICES

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- 4.1. The contract period will be for a period of three (3) years from the date of appointment.

## SECTION B

### 5. THE BID EVALUATION PROCESS

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- 5.1. Bid submissions will be evaluated in accordance with the below tender evaluation stages:

### 6. STAGE 1: MANDATORY REQUIREMENTS

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- 6.1. Bids that do not comply with the mandatory requirements will not be considered for stage 2 evaluation.

No	Description of the Criteria	Means of verification
1.	<b>The Bidder(s) must have a physical office within the Gauteng Province.</b>	Proof must be submitted in the form of a lease agreement, rental office agreements, sale agreement, or municipal statements.
2.	<b>Submission format &amp; compliance documents</b>	The Potential bidder must submit three (3) bid proposals as follows: <ul style="list-style-type: none"> <li>i. Two (2) hard copies; and</li> <li>ii. One (1) electronic copy in PDF format saved in a memory stick, clearly marked, and indexed.</li> </ul>

No	Description of the Criteria	Means of verification
		iii. Bid proposals must be properly bonded, punched and numbered in line with the response format detailed in this bid document.  iv. Submit fully completed and signed documents required in this bid document.

**7. FUNCTIONAL EVALUATION CRITERIA:**

7.1. Bidders must meet the minimum functionality of 75 points out of 100 points to be evaluated further in terms of stage 3. Any bid that does not meet the minimum threshold will be automatically disqualified. See detailed scoring criteria below.

DETAILED FUNCTIONALITY EVALUATION CRITERIA		WEIGHTING	
1	<b>EXPERIENCE OF THE PROJECT MANAGER IN MANAGING PROJECTS RELATED TO SKILL DEVELOPMENT OR TRAINING</b>		
	The proposed consultant must possess a NQF level 7 qualification in Project Management, Business Management, or Financial Management as well as a minimum of five (5) years' experience managing projects involving the implementation of skills development. The CV of the proposed project manager must contain the following:		
	i. Detailed Experience of the Proposed Project Manager, and		
	ii. Academic Qualifications Achieved (Copy of qualifications must be attached)		
	CV submitted reveals more than 10 (ten) years' experience in providing project management services in a training and development environment.	30,00	30,00
	CV submitted reveals more than 5 (five) years' experience but less than less than 10 (ten) years' experience in providing project management services in a training and development environment.	15,00	
	CV submitted reveals less than 5 (five) years' experience in providing project management services in a training and development environment.	0,00	
2	<b>EXPERIENCE OF THE BIDDER IN IMPLEMENTING PROJECTS OF A SIMILAR NATURE</b>		
	Bidders must provide a minimum of three (3) written reference letters (not older than five (5) years) on the bidder's client letterhead (excluding FoodBev SETA) to whom the implementation of skills development services or similar project management services were provided. The reference letters must include:		
	i. Contact person,		
	ii. Confirmation of services rendered; and		
	iii. whether the client/s were satisfied of the service rendered		
	Five (5) and above reference letters submitted	40,00	40,00
	Four (4) reference letters submitted	30,00	
	Three (3) reference letters submitted	20,00	
	Less than three (3) reference letters submitted	0,00	
3.	<b>PROJECT IMPLEMENTATION PLAN</b>		
	The bidder must provide a detailed proposal indicating how the bidder will implement this project from inception to completion. The proposal must detail the following, amongst others, list not meant to be exhaustive: (a) Recruitment of subject matter experts (b) Recruitment of learners		

(c) Understand and implementation of DHET application processes. (d) Identify Industry Partners, and (e) Reporting to the SETA on the progress of the learners (f) Provide roadmap/journey map of how to implement the project projecting the next skills competition September 2024. The proposal must include the resource team organogram (maximum of four (4) members excluding the Project Manager) and an abridged description of the role(s) of the resource(s)		
Proposal is very good and covers all five requirements of scope of work	<b>20,00</b>	<b>20,00</b>
Proposal is good as it covers four of the five requirements of scope of work	<b>15,00</b>	
Proposal is average as it covers three of the five requirements of scope of work	<b>10,00</b>	
Proposal is below average it covers two or less of the five requirements in the scope of work	<b>5,00</b>	
Proposal is not unacceptable as it does not cover any requirements of scope of work	<b>0,00</b>	
<b>TOTAL</b>		<b>100,00</b>

**8. PRICING SCHEDULE**

- 8.1. Bidders are expected to submit competitive price quotes for each resource to be deployed in this project considering that the actual project management fee is limited to 7.5% of the total project cost.
- 8.2. The proposed project management fee should consider the following key activities pertinent to the project:
  - 8.2.1. Expert hiring,
  - 8.2.2. Learner recruitment,
  - 8.2.3. Coordinating of regional, provincial, National, InterContinental competitions.
  - 8.2.4. Coordinating international immersions for international work experience
  - 8.2.5. Strategic Partnership agreements for local Work experience
  - 8.2.6. International World Skills Competition
- 8.3. The rates to be proposed will be fixed for the duration of the appointment and will form part of the Services Agreement excluding disbursements.
- 8.4. The proposed project management costs must incorporate all resources required to successfully execute the project.
- 8.5. Pricing Format:

No	Project Management Fee	Hourly rate	*No of Hours	Monthly rate	Yearly rate
1			100		

\*The number of hours proposed above are for evaluation purposes only not the actual hours to be worked on the project.

- 8.6. The proposed rates must be all inclusive (VAT, etc)

**9. PREFERENCE POINTS SYSTEM**

9.1. The 80/20 preference points system will be utilised for this bid. This preference points system is for the acquisition of goods or services with a Rand value up to R50 million as follows:

CRITERIA	MEANS OF VERIFICATION	POINTS
Price	Proposed Bid Price	80,00
Preference Points	Specific Goals	20,00
<b>Total Points</b>		<b>100,00</b>

9.2. The following allocation will determine the specific goals (20.00 points) for this tender process:

Category	% Allocation for each category	Points allocated
Black People Ownership (>51%)	60%	12,00
Women Ownership	30%	6,00
Black Youth Ownership	10%	2,00
<b>Total</b>	<b>100%</b>	<b>20,00</b>

9.3. Bidders must submit the following documents as a means of verification for specific goals:

9.3.1. CIPC documents (company registration documents),

9.3.2. Shareholder certificates, and

9.3.3. Copy/ies of Identity document(s) for shareholder(s).

9.4. Bidders who fail to submit the required documents in 9.3 above will not qualify for points allocated for specific goals.

**SECTION C**

**10. TENDER SUBMISSION INSTRUCTIONS**

10.1. Tenders should be submitted in triplicate consisting of Two hard copies (one original and one copy) and one electronic copy, all bound in a sealed envelope endorsed **FB-SETA (22-23) T0012**: The appointment of a service providers to bid for the appointment of a suitably qualified project manager to manage and oversee the **FoodBev SETA** participation in the World Skills South Africa National, Continental, and International Competitions and Conferences. The sealed envelope must be placed and be deposited in the FoodBev SETA Tender Box, Ground Floor, 07 Wessel St, Rivonia, Sandton, 2128 no later than closing time and date.

10.2. Bids must be submitted in a prescribed response format herewith enclosed as 'Response Format'.

10.3. The closing date, company name and the return address must also be endorsed on the envelope.

10.4. If a courier service company is being used for delivery of the tender document, the tender description must be endorsed on the delivery note/courier packaging and the courier must ensure that documents are placed / deposited into the tender box. FoodBev SETA will not



be held responsible for any delays where tender documents are handed to the FoodBev SETA Receptionist and/or arrives late.

- 10.5. No bids received by telegram, telex, email, facsimile, or similar medium will be considered.
- 10.6. Where a tender document is not in the tender box at the time of the tender closing, such a tender document will be regarded as a late tender. FoodBev SETA reserves the right not to consider/evaluate any late tender response.
- 10.7. All the documentation submitted in response to this bid must be in English.
- 10.8. The bidder is responsible for all the costs that they shall incur related to the preparation and submission of the tender document.
- 10.9. Bids submitted by bidders must be signed by a person or persons duly authorised thereto by a resolution of a Board of Directors (if applicable), a copy of which Resolution, duly certified be submitted with the Tender.
- 10.10. Bidders should check the numbers of the pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by FoodBev SETA regarding anything arising from the fact that pages are missing or duplicated.
- 10.11. A valid tax clearance certificate or confirmation of pin must be included in the bid response.
- 10.12. A copy(s) of certificates from the organizations/ bodies that the bidder is affiliated to must be included in the bid response.

## 11. RESPONSE FORMAT

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**Bidders are requested to note that this is a mandatory criteria and failure to comply with the requirements as set below will result in a bidder's submission being rejected. The soft and hard copy responses from all bidders must be prepared in line with the following section:**

- Bidders shall submit their responses in accordance with the response format specified below (each schedule must be clearly marked, indexed and /or numbered):

**11.1. Cover Page:** The cover page must clearly indicate the bid reference number, bid description and the bidder's name.

**11.2. Schedule 1:**

- 11.2.1. Executive Summary/Cover Letter – The cover letter should be brief (not more than two pages maximum). Describe why your company/consortium considers it to be best qualified to achieve any of the services listed in scope of work.
- 11.2.2. Brief company profile (Five pages maximum)
- 11.2.3. List of relevant contracts completed within the past five years.
- 11.2.4. References from each respective in relation to the above listed contracts.
- 11.2.5. Qualifications and Experience – This section shall contain relevant information on qualifications and experience related to the relevant profession.
- 11.2.6. List of Project Personnel – This list should include the identification of the contact person who will have primary responsibility for the FoodBev SETA contracts, other personnel to be used for project planning, documentation, and supervision, including partners and/or sub-consultants.
- 11.2.7. Signature Requirements: All bids must be signed. A bid may be signed by an officer or other agent of a registered vendor, if authorised to sign contracts on its behalf; a member of a consortium or joint venture or other agent authorised by a Power of

Attorney. The name and title of the individual(s) signing the bid must be clearly shown immediately below the signature.

**11.2.8.** Rejection of bids: FoodBev SETA reserves the right not to proceed with the award of the proposal.

**11.2.9.** Standard Bidding Documents (duly completed and signed)

**11.3. Schedule 2:**

**11.3.1.** Valid tax clearance certificate or confirmation of pin.

**11.3.2.** Copies of the bidders CIPC / or company registration documents listing all members with percentages.

**11.3.3.** Latest certified copies of all share certificates in case of a company.

**11.3.4.** (If applicable) Copy/ies of the company’s professional accreditation

**11.3.5.** Certified ID copies of all directors.

**11.3.6.** Submission of proof of the bidder’s registration on the CSD (Full report)

**11.3.7.** Please Note: If a Consortium, Joint Venture or Subcontractor, the documents listed above must be submitted for each Consortium/ JV member or subcontractor. A consolidated B-BBEE certificate is required for Joint Venture bidders.

**SECTION D**

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**12. Compliance Documents and Conditions to Tender**

<b>1)</b>	<b>GENERAL</b>
1.1	The Bidder must clearly state if a deviation from these special conditions are offered and the reason therefor. If an explanatory note is provided, the paragraph reference must be indicated in a supporting appendix to the application submission.
1.2	Should Bidders fail to indicate agreement/compliance or otherwise, the FoodBev SETA will assume that the Bidder is complying or in agreement with the statement(s) as specified in this bid.
1.3	Bids not completed in this manner may be considered incomplete and rejected.
1.4	FoodBev SETA shall not be liable for any expense incurred by the Bidder in the preparation and submission of a bid.
<b>2)</b>	<b>CANCELLATION OF PROCUREMENT PROCESS</b>
2.1	This procurement process can be postponed or cancelled at any stage at the sole discretion of FoodBev SETA provided that such cancellation or postponement takes place prior to entering a contract with a specific service provider to which the bid relates.
<b>3)</b>	<b>BID SUBMISSION CONDITIONS, INSTRUCTION AND EVALUATION PROCESS/CRITERIA</b>
3.1	The Bid submission conditions and instructions as well as the evaluation process/criteria have been noted. Noncompliance to any of these will result in a bid being rejected.
<b>4)</b>	<b>NEGOTIATION AND CONTRACTING</b>
4.1	FoodBev SETA have the right to enter negotiation with one or more Bidders regarding any terms and conditions, including price(s), of a proposed contract.

4.2	Under no circumstances will negotiation with any Bidders, including preferred Bidders, constitute an award <sup>1</sup> or promise/ undertaking to award the contract.
4.3	FoodBev SETA shall not be obliged to accept the lowest or any bid, offer or proposal.
4.4	A contract will only be deemed to be concluded when reduced to writing in a formal contract and Service Level Agreement (if applicable) signed by the designated responsible person of both parties. The designated responsible person of FoodBev SETA is the CEO.
4.5	FoodBev SETA also reserves the right to enter one contract with a Bidder for all required functions or into more than one contract with different Bidders for different functions.
<b>5)</b>	<b>ACCESS TO INFORMATION</b>
5.1	All bidders will be informed of the status of their bid once the procurement process has been completed.
5.2	Requests for information regarding the bid process will be dealt with in line with the FoodBev SETA SCM Policy and relevant legislation.
<b>6)</b>	<b>REASONS FOR REJECTION</b>
6.1	FoodBev SETA shall reject a proposal for the award of a contract if the recommended Bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
6.2	The FoodBev SETA may disregard the bid of any bidder if that bidder, or any of its directors: <ul style="list-style-type: none"> <li><input type="checkbox"/> Have abused the SCM system of the FoodBev SETA.</li> <li><input type="checkbox"/> Have committed proven fraud or any other improper conduct in relation to such system.</li> <li><input type="checkbox"/> Have failed to perform on any previous contract and the proof exists.</li> </ul> Such actions shall be communicated to the National Treasury.
<b>7)</b>	<b>GENERAL CONDITIONS OF CONTRACT</b>
7.1	The General Conditions of Contract must be accepted.
<b>8)</b>	<b>ADDITIONAL INFORMATION REQUIREMENTS</b>
8.1	During evaluation of the bids, additional information may be requested in writing from Bidders. Replies to such request must be submitted, within 2 working days or as otherwise indicated. Failure to comply, may lead to your bid being disregarded.
8.2	No additional information will be accepted from any individual Bidder without such information having been requested
<b>9)</b>	<b>CONFIDENTIALITY</b>
9.1	The bid and all information in connection therewith shall be held in strict confidence by Bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.
<b>10)</b>	<b>INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT</b>
10.1	Copyright of all documentation relating to this contract belongs to the client. The successful Bidder may not disclose any information, documentation, or products to other clients without the written approval of the accounting authority or the delegate.
10.2	This paragraph shall survive termination of this contract.
<b>11)</b>	<b>NON-COMPLIANCE WITH DELIVERY TERMS</b>

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<sup>1</sup> See GLOSSARY.

11.1	As soon as it becomes known to the contractor that he/she will not be able to deliver the services within the delivery period and/or against the quoted price and/or as specified, FoodBev SETA must be given immediate written notice to this effect. FoodBev SETA reserves the right to implement remedies as provided for in the GCC.
<b>12)</b>	<b>WARRANTS</b>
12.1	The bidder warrants that it can conclude this Agreement to the satisfaction of FoodBev SETA.
<b>13)</b>	<b>PARTIES NOT AFFECTED BY WAIVER OR BREACHES</b>
13.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof.
13.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.
<b>14)</b>	<b>RETENTION</b>
14.1	On termination of this agreement, the bidder shall, on demand hand over all documentation provided as part of the project and all deliverables, etc., without the right of retention, to FoodBev SETA.
14.2	No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall also be in writing.
<b>15)</b>	<b>CENTRAL SUPPLIER DATABASE</b>
15.1	It is a requirement that all suppliers/ services providers to FoodBev SETA shall be registered on the National Treasury Central Supplier Database (CSD).
15.2	Bidders are therefore required to register as a supplier on the CSD before submitting a bid. The CSD website can be accessed on the following link: <a href="http://ocpo.treasury.gov.za/Pages/default.aspx">http://ocpo.treasury.gov.za/Pages/default.aspx</a>
15.3	Bidders are therefore required to submit proof of their registration on the CSD, or if not yet registered, provide proof of their application to be registered, with their bid.
15.4	No bid will be awarded, and a contract concluded with a bidder who is not registered on the CSD.
<b>16)</b>	<b>FORMAT OF BIDS</b>
16.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.
16.2	<b>Bidders are to set out their proposal in the format prescribed hereunder.</b> This means that the proposal must be structured in the parts noted below. <u>Information not submitted in the relevant part, may not be considered for evaluation purposes.</u>
16.3	<b>Part 2: SARS Tax Clearance Certificate(s)</b>
16.3.1	Bidders must ensure compliance with their tax obligations. 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>Application for tax compliance status (TCS) or PIN may also be made via e-filing. To use this provision, taxpayers will need to register with SARS as e-filers through the website <a href="http://www.sars.gov.za">www.sars.gov.za</a>.</p> <p>Bidders may also submit a printed TCS together with the bid.</p> <p>In bids where consortia/ joint ventures/ sub-contractors are involved; each party must submit a separate proof of TCS/ PIN/ CSD number.</p> <p>Where no TCS is available, but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided.</p> <p>Bids submitted without any one of the above, will be deemed to be non-responsive.</p>
<b>16.4</b>	<b>Declaration of Interest</b>
<b>16.4.1</b>	<b>Each party</b> to the bid must complete and return the “Declaration of Interest” Bids submitted without a complete and signed Declaration of Interest <b>will</b> be deemed to be non-responsive.
<b>16.5</b>	<b>Declaration of Bidder’s past Supply Chain Management practices</b>
<b>16.5.1</b>	<b>Each party</b> to the bid must complete and return the “Declaration of bidder’s past Supply Chain Management practices” Bids submitted without a completed and signed Declaration of bidder’s past Supply Chain Management practices <b>will</b> be deemed non-responsive.
<b>16.6</b>	<b>Certificate of Independent Bid Determination</b>
<b>16.6.1</b>	<b>Each party</b> to the bid must complete and sign the Certificate Bids submitted without a completed and signed Certificate of Independent Bid Determination <b>will</b> be deemed non-responsive.
<b>16.7</b>	<b>Invitation to Bid</b>
<b>16.7.1</b>	Bidders must complete, sign and return the full “Invitation to Bid” document. Bids submitted without a completed and signed Invitation to Bid <b>will</b> be deemed to be non-responsive.
<b>16.8</b>	<b>Pricing Schedule</b>
<b>16.8.1</b>	Any budget amount that may be indicated in this document shall be deemed to be a guide only and Bidders are expected to submit a costing that is fair and reasonable.
<b>16.8.2</b>	All costs related to this assignment are to be allowed for in the pricing schedule and in the formats prescribed and must be returned as part of the submission. Bids submitted without a price or with an incomplete price, <b>will</b> be deemed to be non-responsive.
<b>16.8.3</b>	A pricing schedule with one of the specified elements (fees and reimbursable costs) omitted from the costing, may be considered non-responsive.
<b>16.9</b>	<b>Registration on the CSD</b>
<b>16.9.1</b>	In this part, bidders must submit proof of their registration, or proof that they have applied for registration on the Central Supplier Database. Bids submitted without the required proof, <b>will</b> be deemed to be non-responsive.
<b>16.10</b>	<b>Registration Certificates</b>
<b>16.10.1</b>	Registration with professional bodies Bids submitted without proof <b>will</b> be deemed to be non-responsive.

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 above.

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

Signature of Bidder:

Date:

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SBD 1 - Invitation to Bid

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FOOD AND BEVERAGE MANUFACTURING SETA</b>					
BID NUMBER:	FB-SETA (19-20) T0026	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:		OR	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	

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]
---	--	--	---

**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  
 YES  NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?  
 YES  NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  
 YES  NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?  
 YES  NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?  
 YES  NO

**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.**

**PART B**

**TERMS AND CONDITIONS FOR BIDDING**

**1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 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.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 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.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.

2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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."

**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 3.3.  
Pricing Schedule: Professional Services**

NAME OF BIDDER: .....  
BID NO. ....  
CLOSING TIME .....  
CLOSING DATE .....

OFFER TO BE VALID FOR .....DAYS FROM THE CLOSING DATE OF BID

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
1.	The accompanying information must be used for the formulation of proposals.	
2.	Bidders are required to indicate a ceiling price based on the total estimated time for completion of all	R.....

phases and including all expenses inclusive of all applicable taxes for the project.

3. PERSONS WHO WILL BE INVOLVED WITH THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST RENDERED IN TERM HEREOF)

4. PERSONS AND POSITION	HOURLY RATE	DAILY RATE
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN DAYS TO BE SPENT

.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....
.....	R.....	R.....

5.1. Travel expenses (specify, for example rate/km and total km, class of air travel, etc.). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF THE EXPENSES	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....

5.2. Other expenses, for example accommodation (specify, e.g. Three-star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). Based on these, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF THE EXPENSES	RATE	QUANTITY	AMOUNT
.....	.....	.....	
.....	.....	.....	
.....	.....	.....	
.....	.....	.....	

TOTAL: R.....

6. Period required for commencement with the project after acceptance of bid

.....

7. Estimated man-days for completion of project

R.....

8. Are the rates quoted firm for completion of project? \*YES/NO

9. If not firm for the period, provide details of the basis on which adjustments will be applied for, for example consumer index.'

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

Any enquiries regarding bidding process may be directed to –

FoodBev SETA  
13 Autumn street  
Rivonia, Sandton  
2128

Tel:  
Or for technical information –  
(Name and contact person)  
Tel:

**SBD 4.1 - Declaration of Interest**

1. Any legal person, including persons employed by the State<sup>2</sup>, or persons having a kinship with persons employed by the State, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price bid, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the State, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/ adjudicating authority where –

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

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

<sup>2</sup> "State" means

- (a) Any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No 1 of 1999);
- (b) Any municipality or municipal entity;
- (c) Provincial legislature;
- (d) National Assembly or the National Council of Provinces;
- (e) Parliament.

1.3. The legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1. Full Name of bidder or his or her representative: .....

2.2. Identity Number: .....

2.3. Position occupied in the Company (director, trustee, shareholder, etc<sup>3</sup>): .....

2.4. Company Registration Number: .....

2.5. Tax Reference Number: .....

2.6. VAT Registration Number: .....

2.6.1. The names of all directors/ trustees/ shareholders/ members, their individual identity numbers, tax reference numbers and, if applicable, employee/ persal numbers must be indicated in paragraph 3 below

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

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

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: .....

<sup>3</sup> "Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise

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/shareholders/members or their spouses conduct business with the State in the previous twelve (12) months? YES / NO

2.8.1. If so, furnish the following particulars.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2.9. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the State and who may be involved with the evaluation and or adjudication of this bid? YES / NO

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

2.10. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by the State who may be involved with the evaluation and or adjudication of this bid?

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

2.10.1. If so, furnish the following particulars.

.....

.....

.....

2.11. Do you or any of the directors/shareholders/members of the company have any interest in any other related companies whether or not they are bidding for this contract?

<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 Tax Reference No	State Employee Number/ Peral Number


**DECLARATION**

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

**SBD 6.1 - 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.**

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**1. GENERAL CONDITIONS**

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

1.3 Points for this bid shall be awarded for:

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

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

	<b>POINTS</b>
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:

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5. BID DECLARATION**

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

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

6.1 B-BBEE Status Level of Contributor: = ..... (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

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

**(Tick applicable box)**

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

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 the 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**

8.1 Name of company/firm: .....

8.2 VAT registration number: .....

8.3 Company registration number: .....

8.4 TYPE OF COMPANY/ FIRM

**(Tick applicable box)**

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

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

**(Tick applicable box)**

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

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

8.8/ 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.

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>	<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE: .....</p> <p>ADDRESS:</p> <p>.....</p> <p>.....</p> <p>.....</p>
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**SBD 8 - 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 the FoodBev SETA'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). 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

**SBD 9 - Certificate of Independent Bid Determination**

I, the undersigned, in submitting the accompanying bid:

FB-SETA (22-23) T00 - [Abstract]

\_\_\_\_\_  
(Bid Number and Description)

in response to the invitation for the bid made by:

FOODBEV SETA

\_\_\_\_\_  
(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. 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.
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

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<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.



