



**NRF**  
National Research  
Foundation

**SAAO**

South African  
Astronomical Observatory

## REQUEST FOR QUOTE (RFQ)

**(SBD 1)**

SAAO seeks quotations for Goods/Services below five hundred thousand rand (R500 000).

### PART A

<b>QUOTATION NUMBER:</b>	NRF/SAAO/2021/007	<b>VALIDITY PERIOD FROM DATE OF CLOSURE:</b>	90 days
<b>CLOSING DATE:</b>	14 July 2021 11:00	<b>All Bids/Quote must be submitted on the official forms in this invitation with additional information supplied on attached supporting schedules.</b>	
<b>QUOTATION (BID) DESCRIPTION</b>			
<b>Aluminium for Lead Pots</b>			
<p>“BID” Definition - “bid” includes written price quotations, advertised competitive bids or proposals It is acknowledged that late quotations (bids) are not considered. Acceptance of this quotation is through receipt of a duly authorised and signed written offer form (SBD7 contract form) or Purchase Order from SAAO.</p>			
<b>Briefing Session/Visit</b>	None	<b>Date and time:</b>	
	Not Compulsory	<b>Location:</b>	
<b>Preferential Procurement System applicable: - 80:20</b> <p>This quotation (bid) is subject to the Preferential Procurement Policy Framework Act and its 2017 Regulations, including the National Treasury General Conditions of Contract which can be found on the National Treasury website &amp; on SAAO website (<a href="https://www.saa0.ac.za/gcc/">https://www.saa0.ac.za/gcc/</a>) and, if applicable, any other special conditions of contract stipulated in this invitation.</p> <p>As a Service Provider you are deemed to have read and accepted these condition</p>			
Invitation to quote documents may be submitted in an electronic format (PDF) to: <a href="mailto:bids@saa0.ac.za">bids@saa0.ac.za</a>			
<b>Enquiries</b> can be directed to : Grant Southey: <b>Telephone No.:</b> 021 4470025 <b>Email:</b> <a href="mailto:grant@saa0.ac.za">grant@saa0.ac.za</a>			

NAME OF SUPPLIER/SERVICE PROVIDER:			
REPRESENTED BY:			
POSTAL ADDRESS:			
PHYSICAL ADDRESS:			
TELEPHONE NUMBER	CODE	NUMBER	
CELL PHONE NUMBER			
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
COMPANY REGISTRATION NUMBER			
DESCRIBE PRINCIPAL BUSINESS ACTIVITIES:			
<b>TYPE OF COMPANY/FIRM</b> <i>[Tick applicable box]</i>			
Partnership/Joint Venture/Consortium	<input type="checkbox"/>	One person business/sole proprietor	<input type="checkbox"/>
Close Corporation	<input type="checkbox"/>	Company	<input type="checkbox"/>
(Pty) Limited	<input type="checkbox"/>	Other	<input type="checkbox"/>
<b>COMPANY CLASSIFICATION</b> <i>[Tick applicable box]</i>			
Manufacturer	<input type="checkbox"/>	Supplier	<input type="checkbox"/>
Professional Service Provider	<input type="checkbox"/>	Other service providers e.g. transporter, etc.	<input type="checkbox"/>
<b>PREFERENCE POINTS CLAIMED</b> <i>[Tick applicable boxes]</i>			
Has a Preference Claim form claiming your Preference Points (SBD6.1) been submitted (a B-BBEE status level verification certificate must support preference points claimed)		<b>Yes</b>	<input type="checkbox"/>
		<b>No</b>	<input type="checkbox"/>
If Yes, who was the B-BBEE certificate issued by			
• An accounting officer as contemplated in the Close Corporation Act (CCA)			<input type="checkbox"/>
• A verification agency accredited by the South African Accreditation System (SANAS)			<input type="checkbox"/>
• A registered auditor: Name of Auditor: _____			<input type="checkbox"/>

**ACCREDITED REPRESENTATIVE** *[Tick applicable box]***ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?**

If Yes, please enclose proof.

Yes

No

**ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?**

IF YES ANSWER PART B:3 BELOW

Yes

No

**LEGAL IDENTITY PROOF** *[Tick applicable box]*

Certified copies of Certificate of Incorporation (as per entity type) enclosed?

Yes

No

**REGISTERED SUPPLIER** *[Tick applicable box]*

In order for a service provider/supplier to do business with an organ of the state they must be registered on the National Treasury Central Supplier Database (CSD).  
Registration on the CSD will provide a supplier with an opportunity to do business with all state organisations. No bid will be awarded unless the Supplier/Service Provider is registered.

**Registration Process**

Register your company on [www.csd.gov.za](http://www.csd.gov.za). For support, please send an email to [csd.support@treasury.gov.za](mailto:csd.support@treasury.gov.za) or alternatively call 012-406-9222.

Once registered you are required to provide SAAO with the **Supplier Unique Number** and an **Access Reference**. Contact person for assistance at SAAO: SCM Department – [scm@saa.ac.za](mailto:scm@saa.ac.za) (telephone: 021 4470025)

Supplier is registered on the Treasury Central Supplier Database (CSD)

If yes, provide the:

Yes

No

**Supplier Number****MAAA** \_\_\_\_\_**SBD1 Signature**

Signature of Bidder:

Date:

Capacity under which this bid is signed  
(Attach proof of authority to sign this bid e.g. resolution of directors etc.)

## PART B

### 1. TAX COMPLIANCE REQUIREMENTS

- 1.1 Bidders must ensure compliance with their tax obligations.
- 1.2 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.
- 1.3 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](http://www.sars.gov.za)
- 1.4 In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate proof of TCS / Pin / CSD number.
- 1.5 Where no TCS is available but the bidder is registered on the central supplier database (csd), a csd number must be provided.

### 2. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 2.1 Is the bidder a resident of the republic of South Africa (RSA)?  yes  no
- 2.2 Does the bidder have a branch in the RSA?  yes  no
- 2.3 Does the bidder have a permanent establishment in the RSA?  yes  no
- 2.4 Does the bidder have any source of income in the RSA?  yes  no

**If the answer is “no” to all of the above, then, it is a requirement to obtain a tax compliance status/ tax compliance from SARS contacting [GovernmentInstitute@sars.gov.za](mailto:GovernmentInstitute@sars.gov.za) and supplying:**

- Details of the foreign entity
- Description of the goods or service being provided
- Name of the South African government institution to whom the service will be provided

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

## **1. Background to the National Research Foundation and its Business Units**

The National Research Foundation (“NRF”) is a juristic person established in terms of Section 2 of the National Research Foundation Act, Act 23 of 1998 and a Schedule 3A Public Entity in terms of the Public Finance Management Act. The NRF is the government’s national agency responsible for promoting and supporting research and human capital development through funding, the provision of National Research Facilities and science outreach platforms and programs to the broader community in all fields of science and technology, including natural science, engineering, social science and humanities.

The South African Astronomical Observatory (SAAO) is a facility of the National Research Foundation and is the national centre for optical and infrared astronomy in South Africa. Its prime function is to conduct fundamental research in astronomy and astrophysics by providing a world-class facility and by promoting astronomy and astrophysics in Southern Africa. SAAO headquarters are in the suburb of Observatory in Cape Town. The main telescopes used for research are located at the SAAO observing station (32°22.795’S 20°48,657’E) near Sutherland in the Northern Cape, a 4-hour drive from Cape Town.

## **2. Scope of Work**

The SAAO is looking to appoint a service provider to supply Aluminium for the manufacture of their “Lead Pots”. The material must be delivered to the SAAO Site, Observatory Road, Observatory, Cape Town, 7925. The supply is triggered by a request from the SAAO which may lead to sporadic supplies such as multiple batches one month and none in another month.

The contract will include the removal of worked material from the SAAO site. The waste material is to be weighed and credited to the SAAO account.

Pricing must include delivery to the SAAO site

## **3. Specification of Goods / Works / Services being procured**

The specification for the required material for one set is:

### **Round bar**

140 Dia x 168mm – 20 off

140 Dia x 86mm – 20 off

### **Plate**

600mm x 300mm x 20mm plate - 2 off

All aluminium must be 6082-T6 grade

The pricing is to be per set and the SAAO requires 10 sets and six spare units of each (except plate) until 31 March 2022.

There must be allowance for individual pieces and this must be priced individually.

## **4. Installation / Delivery / Logistics Specification**

### **(a) Local Content Requirements for Designated and Non-Designated Sectors**

No local content has been specified for the products/services supplied in this contract other than the contracted suppliers being required to be based locally in South Africa.

### **(b) Downstream, Maintenance, Services and After Sales Service**

The SAAO may require associated material which The SAAO will advise the supplier as and when required. The material must be of a quality acceptable to the SAAO and the supplier is to address all return within one week (7 days).

### **(c) Installation / Delivery / Logistics Specification**

Delivery must be within one week of receipt of notification by the supplier at the following address:

SAAO Site

Observatory

Cape Town

7925

### **(d) Health and Safety Requirements**

The contracted supplier shall be solely responsible for the safety and well-being of its employees in accordance with the Occupational Health & Safety Act (OHS Act 85 of 1993).

Ensure that all work performed and/or all equipment used on site are in compliance with the Occupational Health and Safety Act No. 85 or 1993 and any regulations promulgated in terms of this Act

## **5. Selection and Awarding of Contract**

This Quote/Bid is evaluated through a two-stage process.

### **Stage 1 – Selection of Qualified Bidders (from the compliant & technically qualified bids received)**

Procurement response/submission are evaluated against the Bid invitation specifications in accordance with the evaluation criteria and scoring set published in this procurement document. Respondents are required to read specification in conjunction with the corresponding evaluation selection criteria.

### **Stage 2 – Awarding of the Contract**

The qualifying response(s) / submissions(s) are evaluated on a fair and equal comparison basis taking into account all aspects of the proposals. The contract award criteria are:

**Price** - with the lowest priced Bid on an equal and fair comparison basis receiving the highest price score as set out in the 2017 Preference Regulations.

**Preference** - preference points as claimed in the preference claim form are added to the price ranking scores

and the highest combined score is nominated for the contract award.

**Administration** - Contracts are awarded where Bidders have supplied the relevant administrative documentation.

**Objective Reasons** – Contracts are awarded in terms of PPPFA section 2(f)

## **6. Due Diligence of Supply Capacity and Capability**

### **1.1. Bidder's profile**

Bidder is required to provide a profile of themselves for evaluation of their capacity to supply the required equipment including resources, details of agency or distribution agreements that they hold as well as details of equipment that they manufacture.

### **1.2. Written references of good supply practices**

Bidder is required to provide written reference of its ethical and good practices through completion of the SBD8 in this procurement invitation.

### **1.3. Written references of good pricing practices**

Bidder is required to provide written reference of its non-involvement in price collusion through completion of the SBD9 in this procurement invitation.

### **1.5 Written declaration of interest between any parties in this procurement**

Bidder is required to provide written reference of its non-involvement with members of government and the National Research Foundation through completion of the SBD4 in this procurement invitation.

## **7. Qualifying Thresholds for Selection (Stage 1) Evaluation**

Only procurement responses/submissions that are 100% acceptable in terms of the Returnable Document List are evaluated.

Bids are scored utilising the following scoring systems set in each evaluation criteria:

**Binary scoring** - where GO/NO GO scoring is applied, scores of "NO GO" are marked as failed  
Bidders that do not qualify in stage 1 are not considered in stage 2 – awarding.

## 8. Stage 1 - Selection on Specifications, Capabilities and Capacities

The following scoring system is utilised for this evaluation, setting the points to be awarded and what this represents for each criteria in the matrix or to the entire matrix:

### Total Evaluation Score

.= [Score x weighting x No. of Evaluators]/[Maximum Score x 100 x No. of Evaluators]

SELECTION CRITERIA			To be completed by Bidders	
No	GO/NO GO CRITERIA	GO / NO GO	Yes	No
1	All returnable documents of this bid invitation have been provided and included in the bid submission.	GO/NO GO		
2	All relevant SBDs have been completed	GO/NO GO		
Bidders must score "GO" on all of the above to be considered for the next stage of evaluation.				

## 9. Contract Management

The award of this procurement is only completed once the contract or the contract form (SBD7) has been signed by the NRF and the appointed supply provider.

The contract is inclusive of services and contract conditions as specified in this document. Where the nature and quantity of supplies are not determinable at the commencement of this contract, this is detailed in the specification section. Where supplies are delivered quantity is variable as and when required, this is detailed in the specification section.

All supplies required in this procurement contract are supplied in accordance with the following sub-processes:

- Request a detailed quotation/information/up to date information of the supply required,
- Evaluation of the supply quotation/information received against the contract and as and when required, requirements as specified on the request for information,
- Where necessary, request either further detail,
- Where necessary, negotiate upon value of supply quoted, and
- The issue of an official Works/Supply Instruction Purchase Order for the agreed supply prior to the commencement of the delivery of such required supply.
- The Purchase Order above specifies the exact description including catalogue numbers and unit pricing as in this contract as well as the quantity, date of the required delivery and location of the delivery.

## 10. Contract Period

The contract commences with immediate effect upon the signing of the Contract Form – SBD7 and will continue until 28 February 2019. The agreement may be terminated with one months' notice by either party or by mutual agreement the contract may be transferred to a company nominated by the supplier.

## 11. Delivery Verification

NRF representative verifies both delivery and performance prior to signing a certificate of delivery / installation / progress milestone / commissioning evidencing such performance. The Contractor must ensure such signed approved verification accompanies the subsequent supplier invoice.



## 12. Supply Performance Management

NRF's representative measures the performance of the supplier in terms of the levels set in the procurement invitation. Performance is also subject to an annual review. Poor performance is managed with the supplier as per the general clauses section. Penalties are applied for poor performance.

## 13. Payment

The NRF undertakes to pay performance verified invoices in full within thirty (30) days from the receipt of the contractors invoice(s).

No invoices for outstanding deliverables or for any unproductive or duplicated time spent by the service provider will be validated for payment. The NRF does not accept predating of invoices.

## 14. Pricing Schedule for the duration of the Contract

**(SBD 3.1)**

Only firm prices will be accepted. The price quoted is fully inclusive of all costs and taxes. No changes or extensions or additional ad hoc costs are accepted once the contract has been awarded.				
Acceptable annual price variations to be negotiated through an annual agreement with the Supplier.				
We have the right to cancel the contract if it is felt that prices are not market-related.				
Detailed information is optional and is provided as annexures to the details provided below.				
Bid price in South African currency, foreign exchange risk is for the account of the Bidder.				
Pricing is subject to the addition of Preference Points as stipulated in the section below - Standard Bidding Document 6.1 Preference claim form				
OFFER TO BE VALID FOR		90 days	FROM THE CLOSING DATE OF BID.	
BID PRICE IN RSA CURRENCY (ALL APPLICABLE TAXES INCLUDED)				
ITEM NO	QUANTITY (unit of measure)	DESCRIPTION OF SUPPLIES	RATE/UNIT PRICE (per unit of measure)	BID/QUOTE PRICE
1	10 ea	140Dia x 168mm Aluminium Round Bar		
2	10 ea	140Dia x 86mm Aluminium Round Bar		
3	2 ea	600mm x 300mm x 20 mm plate		
TOTAL (inclusive of VAT) (this will be for one set supply)				
The above quantities constitute one set which will be required monthly. 12 Sets will be required.				
Products and services which will be required over the duration of the contract is dependent on circumstance which cannot be determined in advance and are not restricted to the items included in the initial purchase.				
The total value of the contract is limited to R500 000 over the contract period.				
B-BBEE STATUS LEVEL OF CONTRIBUTION (Per SBD 6.1 below)			Level	Preference Points Claimed
Are detailed price schedules attached?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
Does the offer comply with the specification(s)?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
If the offer does not comply to specification, indicate deviation(s) in a separate attached schedule.				

## 15. Preference points claim form

A:

(SBD 6.1)

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

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

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

#### 1. GENERAL CONDITIONS

- 1.1. The following preference point systems are applicable to all bids:
  - 1.1.1. the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - 1.1.2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2.
  - 1.2.1. The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80 / 20 preference point system shall be applicable; or
- 1.3. Points for this bid shall be awarded for:
  - 1.3.1. Price; and
  - 1.3.2. B-BBEE Status Level of Contributor.
- 1.4. The maximum points for this bid are allocated as follows:

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

- 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

- 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:
  - 2.8.1. B-BBEE Status level certificate issued by an authorized body or person;
  - 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 2.8.3. 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 PREFERENCE POINT SYSTEMS**

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

$$80/20 \quad P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- Ps = Points scored for price of bid under consideration
- Pt = Price of bid under consideration
- Pmin = Price of lowest acceptable bid

**4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

- 4.1. In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	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 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

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

(Tick applicable box)

YES		NO	
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7.1.1. If yes, indicate:

7.1.1.1. What percentage of the contract will be subcontracted.....%

7.1.1.2. The name of the sub-contractor.....

7.1.1.3. The B-BBEE status level of the sub-contractor.....

7.1.1.4. Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
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7.1.1.5. Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

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

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

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

8.2. VAT registration number: .....

8.3. Company registration number :.....

8.4. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6. COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

8.8. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- 8.8.1. The information furnished is true and correct;
- 8.8.2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- 8.8.3. 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;
- 8.8.4. 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 –
  - 8.8.4.1. disqualify the person from the bidding process;
  - 8.8.4.2. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - 8.8.4.3. 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;
  - 8.8.4.4. 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
  - 8.8.4.5. forward the matter for criminal prosecution.

WITNESSES

1. ....

2. ....

.....

SIGNATURE(S) OF BIDDERS(S)

DATE: .....

## 16. Conditions of Contract

a) NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT

General Conditions of Contract, as issued by National Treasury and published on their website and on the NRF's website ([www.nrf.ac.za](http://www.nrf.ac.za) Click on "Procurement" and select "Supplier Registration"), are part of this contractual agreement as set out in the Contract Form SBD7.

b) CLAUSES IN THIS BID INVITATION CONDITIONS OF CONTRACT

All clauses stipulated in this quotation in accordance with the Contract Form SBD7 form part of the Contract.

c) BID RESPONSE PREPARATION COSTS

The NRF is **NOT** liable for any costs incurred by a bidder in the process of responding to this Bid, including on-site presentations and the proposal a service provider may make and/or submit.

d) CANCELLATION PRIOR TO CONTRACTING

The NRF has the right to withdraw and cancel this procurement invitation prior to signing the SBD7 contract form.

e) LATE BIDS/OFFERS/QUOTATIONS ARE NOT CONSIDERED

f) COLLUSION, FRAUD AND CORRUPTION IS PROSECUTED TO THE FULL EXTENT OF THE LAW

g) CONFIDENTIALITY OF CONTRACT IS MAINTAINED BY BOTH PARTIES INCLUSIVE OF INFORMATION PROVIDED IN THE PROCUREMENT INVITATION

h) ALL SUBMITTED DOCUMENTATION IS PERMITTED TO BE VALIDATED BY THE RESPECTIVE TECHNICAL BODY OR ORGANISATION

i) PRESENTATIONS AND PROOF OF FUNCTIONALITY IS PROVIDED WHERE REQUESTED

j) INTELLECTUAL PROPERTY PROVIDED IN THE BID INVITATION

The ownership and intellectual property rights of all designs, specifications, programming code and all other documentation provided by the NRF to the Contractor remain the property of the NRF

k) INTELLECTUAL PROPERTY CONTAINED IN THE DELIVERABLES

The ownership and intellectual property rights of all designs, specifications, programming code and all other documentation required as part of the delivery to the NRF is transferred to the NRF.

## 17. Supplier due diligence

### 17.1 DECLARATION OF INTEREST

**(SBD 4)**

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

- The Bidder is employed by the State; and/or
- The legal person on whose behalf the Bidding Document is signed, has a relationship with persons/s person who is/are 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.

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

Full Name of Bidder or his/her representative:				
Identity Number:				
Position occupied in the Company (director, trustee, shareholder <sup>2</sup> , member):				
Registration number of company, enterprise, close corporation, partnership agreement or trust:				
Tax Reference Number:				
VAT Registration Number:				
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 last paragraph of this SBD4 document.				
Schedule attached with the above details for all directors/members/shareholders	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Are you or any person connected with the Bidder presently employed by the state? If so, furnish the following particulars in an attached schedule:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Name of person/ director/ trustee/ shareholder/member:				
Name of state institution at which you or the person connected to the Bidder is employed				
Position occupied in the state institution				
Any other particulars:				

<p>If you are presently employed by the State, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? If Yes, did you attach proof of such authority to the Bid document? If No, furnish reasons for non-submission of such proof as an attached schedule</p> <p><i>(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the Bid.)</i></p>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
<p>Did you or your spouse or any of the company's directors/ trustees /shareholders /members or their spouses conduct business with the State in the previous twelve months? If so, furnish particulars as an attached schedule:</p>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
<p>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? If so, furnish particulars as an attached schedule.</p>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
<p>Are you, or any person connected with the Bidder, aware of any relationship (family, friend, other) between any other Bidder and any person employed by the State who may be involved with the evaluation and or adjudication of this Bid? If so, furnish particulars as an attached schedule:</p>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
<p>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? If so, furnish particulars as an attached schedule:</p>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Full details of directors/trustees/members/shareholders				
Full Name	Identity Number	Personal Income Tax Reference	State Employee Number / Payroll	
Schedule attached with the above details for all directors/members/shareholders			YES	NO



**17.2 DECLARATION OF BIDDER'S PAST SCM PRACTICES****(SBD 8)**

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? If Yes, furnish particulars as an attached schedule.	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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)? If Yes, furnish particulars as an attached schedule.	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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? If Yes, furnish particulars as an attached schedule.	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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? If Yes, furnish particulars as an attached schedule:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
The Database of Restricted Suppliers and Register for Tender Defaulters 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 their home page.				

### 17.3 CERTIFICATE OF INDEPENDENT BID DETERMINATION

(SBD 9)

I, the undersigned, in submitting this Bid in response to the invitation for the Bid made by the **NATIONAL RESEARCH FOUNDATION**, do hereby make the following statements that I certify to be true and complete in every respect:

I have read and I understand the contents of this Certificate;

I understand that the Bid will be disqualified if this Certificate is found not to be true and complete in every respect;

I am authorised by the Bidder to sign this Certificate, and to submit the Bid, on behalf of the Bidder;

Each person whose signature appears on the Bid has been authorised by the Bidder to determine the terms of, and to sign, the Bid on behalf of the Bidder;

For the purposes of this Certificate and the accompanying Bid, I understand that the word "competitor" shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder, who:

- a) Has been requested to submit a Bid in response to this Bid invitation;
- b) Could potentially submit a Bid in response to this Bid invitation, based on their qualifications, abilities or experience; and
- c) Provides the same goods and services as the Bidder and/or is in the same line of business as the Bidder

The Bidder has arrived at the accompanying Bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.

In particular, without limiting the generality of paragraphs above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- a) Prices;
- b) Geographical area where product or service will be rendered (market allocation);
- c) Methods, factors or formulas used to calculate prices;
- d) The intention or decision to submit or not to submit, a Bid;
- e) The submission of a Bid which does not meet the specifications and conditions of the Bid; or
- f) Bidding with the intention not to win the Bid.

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.

The terms of this 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.

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

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

**SIGNATURE SECTION OF THE STANDARD BIDDING DOCUMENT**

I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to the **NATIONAL RESEARCH FOUNDATION** in accordance with the requirements and specifications stipulated in this Bid document at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of Bid.

The following documents shall be deemed to form and be read and construed as part of this agreement even where integrated in this document:

Invitation to Bid (SBD1)	Technical Specification(s);
Bidder's responses to technical specifications, capability requirements and capacity as attached to this document	
Pricing Schedule(s) (SBD3.1 and 3.2);	
Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017 (SBD6.1); If required Local Content (SBD6.2)	
Declaration of Interest (SBD4);	Declaration of Bidder's past SCM practices (SBD8);
Certificate of Independent Bid Determination (SBD9)	General Conditions of Contract

I confirm that I have satisfied myself as to the correctness and validity of my Bid; that the price(s) and rate(s) quoted cover all the goods and/or works 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.

I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.

I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other Bid.

I certify that the information furnished in these declarations (SBD4, SBD6.1, SBD 6.2 where applicable, SBD8, SBD9) is correct and I accept that the state including the NRF may reject the Bid or act against me should these declarations prove to be false.

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

NAME (PRINT)	
CAPACITY	
SIGNATURE	
NAME OF FIRM	
DATE	

WITNESSES	
1	_____
2	_____
Date	_____