



REQUEST FOR PROPOSAL

RFP REFERENCE NO: GGB/RFP/002/2021

**APPOINTMENT OF A PANEL OF SERVICE
PROVIDERS TO PROVIDE TRANSPORTATION OF
ILLEGAL GAMBLING EQUIPMENT FOR GAUTENG
GAMBLING BOARD FOR A PERIOD OF 36 MONTHS**

DATE OF ISSUE: 26 November 2021

CLOSING DATE: 07 January 2022

CLOSING TIME: 11:00am

CONTENTS

GAUTENG GAMBLING BOARD – REQUEST FOR PROPOSAL

	Pg.
Acronyms.....	6
Definitions.....	7
 RFP PART A	
Introduction.....	8
RFP Objectives.....	9
Indicative Timetable.....	9
Submission of tenders.....	10
Rules governing this RFP and the Tendering Process	
Application of rules.....	11
 REQUEST FOR PROPOSAL	
Status.....	11
Accuracy.....	11
Additions and amendments to RFP.....	12
Representations.....	12
Confidentiality.....	12
Communication during the tender process	
Requests for clarification and further information.....	12
Unauthorised communications.....	13

Improper assistance, fraud and corruption.....	13
Anti-competitive conduct.....	14
Complaints about the tendering process.....	14
Conflict of interest.....	14
Late Tenders.....	15
Tender documents	
Bidders Responsibilities.....	15
Preparation of tenders.....	16
Illegible content, alterations and erasures.....	16
Obligation to notify errors.....	16
Responsibility for tendering costs.....	16
Disclosure of tender contents and tender information.....	17
Use of tenders.....	17
Period of validity.....	17
Status of tender.....	18
Tender Response	
Compliance with Terms of Reference.....	18
General.....	19
.....	19

Innovative Solutions.....	19
Contract Disclosure Requirements	
Disclosure of information.....	20
Trade secrets.....	20-29
Unreasonable disadvantage.....	30
Evaluation of tenders	
Evaluation process.....	31
Evaluation criteria format.....	31
Functionality evaluation.....	32-33
Price evaluation.....	34
B-BBEE evaluation.....	34
Clarification of tenders.....	35
Discussion with Bidders.....	35
Successful Tenders	
No legally binding contract.....	36
Pre-contractual negotiations.....	36
No obligation to enter into contract.....	36
Additional Rules.....	36

Bidder		37
Warranties.....		
GGB's		37
Rights.....		
Governing		37
Laws.....		
Inconsistency.....		38
RFP PART B – TENDER	TERMS OF	39-
REFERENCE.....		62
RFP PART C – BIDDERS DECLARATION AND		63-
RESPONSE.....		65
SBD 2	Tax Compliance status Pin	66
	Requirements.....	
SBD 3.1	Pricing	67
	Schedule.....	
SBD 3.2	Pricing	68-
	Declaration.....	69
SBD 4	Declaration of	70-
	Interest.....	73
SBD 6	Preferential Points Claim	74-
	Form.....	79
SBD 7	Contract form: Rendering of	80-
	Services.....	81
SBD 8	Declaration of Bidders Past SCM	82-
	practices.....	83
SBD 9	Certificate of Independent Bid	84-
	Determination.....	86
	POIA FORM	
CHECKLIST	87

LIST OF ACRONYMS

AG	Auditor General
CPIX	Consumer Price Index
CV	Curriculum Vitae
GGB	Gauteng Gambling Board
HDI	Historical Disadvantaged Individual
MEC	Member of the Executive Council
P.a.	Per annum
PFMA	Public Finance Management Act
PPPFA	Preferential Procurement Policy Framework Act
PSP	Professional Service Provider
RFP	Request for Proposal
SARS	South African Revenue Service
SBD	Standard Bidding Document
SCM	Supply Chain Management
SMME	Small, Medium and Micro Enterprise
SP	Service Provider
TA	Technical Assistance
TOR	Terms of Reference as provided in RFP Part B (terms of reference)

DEFINITIONS

In this Request for Proposal, unless a contrary intention is apparent:

Business Day means a day which is not a Saturday, Sunday or public holiday.

Bid means a written offer in a prescribed or stipulated form lodged by a Bidder in response to an invitation in this Request for Proposal, containing an offer to provide goods, works or services in accordance with the Terms of Reference as provided in RFP Part B.

Closing Time means the time, specified as such under the clause “Indicative Timetable” of this RFP Part A, by which Tenders must be received.

Evaluation Criteria means the criteria set out under the clause “Evaluation Criteria Format” of this RFP Part A.

GGB means the Gauteng Gambling Board; a PFMA Schedule 3(C) listed Provincial Public Entity, established in terms of the *Gauteng Gambling Act, No 4 of 1995 as amended*.

Intellectual Property Rights includes copyright and neighbouring rights, and all proprietary rights in relation to inventions (including patents) registered and unregistered trademarks (including service marks), registered designs, confidential information (including trade secrets and know how) and circuit layouts, and all other proprietary rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.

Member means an employee of the GGB.

Proposed Contract means the agreement including any other terms and conditions contained in or referred to in this RFP that may be executed between the GGB and the successful Bidder.

Request for Proposal or **RFP** means this document (comprising each of the parts identified under RFP Part A, Part B and Part C) including all annexure and any other documents so designated by the GGB.

Services means the services required by the GGB, as specified in this RFP Part B.

Terms of Reference means any Terms of Reference or description of the GGB’s requirements contained in this RFP Part B.

State means the Republic of South Africa.

Statement of Compliance means the statement forming part of a Tender indicating the Bidders compliance with the Terms of Reference.

Bidder means a person or organisation that submits a Bid.

Tendering Process means the process commenced by the issuing of this Request for Proposal and concluding upon formal announcement by the GGB of the selection of a successful Bidder(s) or upon the earlier termination of the process.

Website means the website administered by GGB located at www.ggb.org.za

In this RFP, unless expressly provided otherwise:

A reference to:

- (a) “includes” or “including” means includes or including without limitation; and
- (b) “R” or “Rand” is a reference to the lawful currency of the Republic of South Africa.

RFP - PART A:

INTRODUCTION

The Gauteng Gambling Board is a statutory body established in terms of Section 3 of the Gauteng Gambling Act, No 4 of 1995, as amended (the Act).

The Board falls under the definition of “provincial public entity” in terms of Section 1 of the Public Finance Management Act, No 1 of 1999 (“PFMA”), and is listed in Schedule 3 to that Act as being one of the public entities in respect of which the legislation applies.

Prior to August 1996, betting on horse-racing and other sporting events was the only form of legal gambling in Gauteng. During August 1996, the Act was promulgated. This Act legalised other forms of gambling in the Province and provided for the establishment of the GGB Board.

The following forms of activities are regulated by the GGB in Gauteng:

- Casino gaming
- Betting on horse-racing and sporting events
- Bingo
- Limited payout gaming machines (Route and site operators)
- The manufacturing and supply of gambling equipment

The GGB is inviting responses to this Request for Proposal (reference number RFP/GGB/002/2021) to render transportation services as stated in RFP PART B – Terms of Reference. Interested bidders are required to provide a detailed response to be evaluated accordingly.

The appointment of a successful service providers is subject to the conclusion of a service level agreement between the GGB and the service providers.

RFP OBJECTIVES

The objective of the tender is to find suitable and capable service providers to provide transportation of illegal gambling equipment and labour for GGB on a rotational basis as and when required.

PROJECT TIMETABLE *

ACTIVITY	DATE
Advertisement of RFP	26 November 2021
Closing Date and Time	7 January 2022 at 11:00am

**This timetable is provided as an indication of the timing of the tender process. It is indicative only and subject to change by the GGB.*

SUBMISSION OF TENDERS

Hardcopy Submission

Physical Address of Tender Box	125 Corlett Drive, Waverly
Hours of access to Tender Box	During office hours only 08H00 – 16H30
Information to be marked on envelope containing Tender	Gauteng Gambling Board SCM Unit RFP Ref. No. GGB/RFP/002/2021 Name of Bidder

1. Bidders are to provide one (1) original and one (1) hard copy of the Bidders Response (Bid) plus one electronic copy in a CD or USB Drive that are labelled well.
2. Bidders must include an electronic copy of the Bidders Response for each proposal in PDF or Microsoft Office 2010 format as part of the hardcopy submission. All responses must be submitted in a sealed envelope in accordance with the conditions of Tendering and on the official forms included in this document. **PLEASE DO NOT e-mail your responses**
3. All documents must be virus checked by the Bidder before lodgement. In this case of inconsistency between the electronic and hardcopy submissions, the hardcopy submission will prevail.

RULES GOVERNING THIS RFP AND THE TENDERING PROCESS

APPLICATION OF RULES

4. Participation in the tender process is subject to compliance with the rules contained in this RFP Part A.
5. All persons (whether a Participant in this tender process) having obtained or received this RFP may only use it, and the information contained therein, in compliance with the rules contained in this RFP Part A.
6. All Bidders are deemed to accept the rules contained in this RFP Part A.
7. The rules contained in this RFP Part A apply to:
 - a. the RFP and any other information given, received or made available in connection with this RFP, and any revisions or annexure.
 - b. the Tendering Process; and
 - c. any communications (including any briefings, presentations, meetings and negotiations) relating to the RFP or the Tendering Process.

REQUEST FOR PROPOSAL

STATUS OF REQUEST FOR PROPOSAL

8. This RFP is an invitation for service provider/s to submit a proposal(s) for the provision of the services as set out in the terms of reference (TOR) Terms of Reference contained in this RFP Part B. Accordingly, this RFP must not be construed, interpreted, or relied upon, whether expressly or implied, as an offer capable of acceptance by any person(s), or as creating any form of contractual, promissory or other rights.
9. No binding contract or other understanding for the supply of the Services will exist between the GGB and any Bidder unless and until the GGB has executed a formal written contract with the successful Bidder.

ACCURACY OF REQUEST FOR PROPOSAL

10. Whilst all due care has been taken in connection with the preparation of this RFP, the GGB makes no representations or warranties that the content in this RFP or any information communicated to or provided to Bidders during the Tendering Process is, or will be, accurate, current or complete. The GGB, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete.

11. If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the GGB (other than minor clerical matters), the Bidder must promptly notify the GGB in writing of such discrepancy, ambiguity, error or inconsistency in order to afford the GGB an opportunity to consider what corrective action is necessary (if any).
12. Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the GGB will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice.

ADDITIONS AND AMENDMENTS TO THE RFP

13. The GGB reserves the right to change any information in, or to issue any addendum to this RFP before the Closing Date and Time. The GGB and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.

REPRESENTATIONS

14. No representations made by or on behalf of the GGB in relation to this RFP will be binding on the GGB unless that representation is expressly incorporated into the contract ultimately entered into between the GGB and the successful Bidder.

CONFIDENTIALITY

15. All persons (including all Bidders) obtaining or receiving this RFP and any other information in connection with this RFP or the Tendering Process must keep the contents of the RFP and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this RFP.

COMMUNICATIONS DURING THE TENDERING PROCESS

REQUESTS FOR CLARIFICATION OR FURTHER INFORMATION

16. All communication and attempts to solicit information of any kind relative to this tender should be in writing and channelled to the Supply Chain Management Unit via email to: tenders@ggb.org.za
17. Any communication by a Bidder to the GGB will be effective upon receipt by the SCM Unit (provided such communication is in the required format).
18. The GGB has restricted the period during which it will accept questions or requests for further information or clarification and reserves the right not to respond to any enquiry or

request, irrespective of when such enquiry or request is received. Such restricted times are Mondays to Thursdays from 9 am to 4H30 pm and on Fridays from 9 am to 3 pm. The GGB will only respond to such requests from 26 Nov 2021 until 06 Jan 2022, as 07 Jan 2022 is the closing date for bids and bidders would then be too late to act upon responses.

19. Except where the GGB is of the opinion that issues raised apply only to an individual Bidder, questions submitted and answers provided will be made available to all Bidders by e-mail, as well as on the GGB's website without identifying the person or organisation which submitted the question. Such responses/clarifications will be posted on the GGB website no later than 07 January 2022 at 11:00.
20. In all other instances, the GGB may directly provide any written notification or response to a Bidder by email to the address of the Bidder (as notified by the Bidder to the SCM Unit).
21. A Bidder may, by notifying the SCM Unit in writing, withdraw a question submitted in accordance with clause 30, in circumstances where the Bidder does not wish the GGB to publish its response to the question to all Bidders.

UNAUTHORISED COMMUNICATIONS

22. Communications (including promotional or advertising activities) with staff of the GGB or advisors assisting with the Tendering Process are not permitted during the Tendering. Nothing in this clause is intended to prevent communications with staff of, or advisors of the GGB to the extent that such communications do not relate to this RFP or the Tendering Process.
23. Bidders must not otherwise engage in any activities that may be perceived as, or that may have the effect of, influencing the outcomes of the Tendering Process in any way.

IMPROPER ASSISTANCE, FRAUD AND CORRUPTION

24. Bidders may not seek or obtain the assistance of employees, contractors or advisors of the GGB in the preparation of their tender responses.
25. The GGB may in its absolute discretion, immediately disqualify a Bidder that it believes has sought or obtained such improper assistance.
26. Bidders are to be familiar with the implications of contravening the Prevention and Combating of Corrupt Activities Act, No. 12 of 2004 and any other relevant legislation.

ANTI-COMPETITIVE CONDUCT

27. Bidders and their respective officers, employees, agents and advisors must not engage in any collusion, anti-competitive conduct or any other similar conduct in respect of this Tendering Process with any other Bidder or any other person(s) in relation to:
- a. The preparation or lodgement of their Tender
 - b. the evaluation and clarification of their Tender; and
 - c. the conduct of negotiations with the GGB.
28. For the purposes of clause 38, collusion, anti-competitive conduct or any other similar conduct may include disclosure, exchange and clarification of information whether or not such information is confidential to the GGB or any other Bidder or any other person or organisation.
29. In addition to any other remedies available to it under law or contract, the GGB may, in its absolute discretion, immediately disqualify a Bidder that it believes has engaged in any collusive, anti-competitive conduct or any other similar conduct during the entire Tendering Process.

COMPLAINTS ABOUT THE TENDERING PROCESS

30. Any complaint about the RFP or the Tendering Process must be submitted to the CEO in writing, (preferably by email), immediately upon the cause of the complaint arising or becoming known to the Bidder.
31. The written complaint must set out:
- a. The basis for the complaint, specifying the issues involved;
 - b. how the subject of the complaint affect the organisation or person making the complaint;
 - c. any relevant background information; and
 - d. the outcome desired by the person or organisation making the complaint.
32. If the matter relates to the conduct of an official, employee or advisor of the GGB, the complaint should be addressed in writing marked for the attention of the Chief Executive Officer of the GGB, and delivered to the physical address of the GGB, as notified.

CONFLICT OF INTEREST

33. A Bidder must not, and must ensure that its officers, employees, agents and advisors do not, place themselves in a position that may give rise to actual, potential or perceived conflict of interest between the interests of the GGB and/or the Gauteng Provincial Government and the Bidders interests during the Tender Process.

34. The Bidders Response in this RFP Part C requires the Bidder to provide details of any interests, relationships or clients which may or do give rise to a conflict of interest in relation to the supply of the services under any contract that may result from this RFP.
35. If the Bidder submits its Tender and a subsequent conflict of interest arises, or is likely to arise, which was not disclosed in the Tender, the Bidder must notify the GGB immediately in writing of that conflict.
36. The GGB may immediately disqualify a Bidder from the Tendering Process if the Bidder fails to notify the GGB of the conflict as required.

LATE TENDERS

37. Tenders must be lodged by the Closing Time. Where a tender document is not in the tender box at the time of the bid closing, such a bid document will be regarded as a late bid. Late bids will not be considered.
38. Tenders lodged after the Closing Time or lodged at a location or in a manner that is contrary to that specified in this RFP will be disqualified from the Tendering Process and will be ineligible for consideration.
39. The determination of the GGB as to the actual time that a Tender is lodged is final. All Tenders lodged in the Tender Box after the Closing Time will be recorded by the GGB and will only be opened for the purposes of identifying a business name and address of the Bidder. The GGB will inform a Bidder whose Tender was lodged after the Closing Time of its ineligibility for consideration. The general operating practice is for the late tender to be returned within 5 (Five) working days of receipt or within 5 (Five) working days after determination not to accept a late tender.

BIDDERS RESPONSIBILITIES

45. Bidders are responsible for:
 - a. Examining this RFP and any documents referenced or attached to this RFP and any other information made or to be made available by the GGB to Bidders in connection with this RFP;
 - b. fully informing themselves in relation to all matters arising from this RFP, including all matters regarding the GGB's requirements for the provision of the Services, as well as general conditions and specific conditions of contract;
 - c. ensuring that their Tenders are accurate and complete;
 - d. making their own enquiries and assessing all risks regarding this RFP, and fully considering and incorporating the impact of any known and unknown risks into their Tender;
 - e. ensuring that they comply with all applicable laws in regards to the Tendering Process particularly as specified by National Treasury Regulations, Guidelines, Instruction Notes and Practice Notes and other relevant legislation as published from time to time in the Government Gazette;

- f. Submitting an Original Valid Tax Clearance Certificate; and failure to provide the required information could result in disqualification of the bidder.

PREPARATION OF TENDERS

- a. Bidders must ensure that their Tender is submitted in the required format as stipulated in this RFP Part C; and
- b. all the required information fields in RFP Part C are completed in full and contain the information requested by the GGB.

Note to Bidders: The GGB may in its absolute discretion reject a Tender that does not include the information requested.

- 46. Unnecessarily elaborate responses or other presentations beyond that which is sufficient to present a complete and effective tender proposal are not desired or required. Elaborate and expensive visual and other presentation aids are not necessary.

ILLEGIBLE CONTENT, ALTERATION AND ERASURES

- 47. Incomplete Tenders may be disqualified or evaluated solely on information contained in the Tender.
- 48. The GGB may disregard any content in a Tender that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.
- 49. The GGB is entitled to amend any bid conditions, validity period, Terms of References, or extend the closing date of bids before the closing date. All bidders, to whom the bid documents have been issued, will be advised in writing of such amendments in good time to enable them to respond effectively / positively.

OBLIGATION TO NOTIFY ERRORS

- 50. Amended bids may be sent, together with the original bid, in an envelope marked "Amendment to bid" and should be placed in the bid box before the closing date and time. An amendment bids without the original bid document will not be considered.

RESPONSIBILITY FOR TENDERING COSTS

- 51. The Bidders participation or involvement in any stage of the Tendering Process is at the Bidders sole risk, cost and expense. The GGB will not be held responsible for, or pay for, any expense or loss that may be incurred by Bidders in relation to the preparation or lodgement of their Tender.
- 52. The GGB is not liable to the Bidder for any costs on the basis of any contractual, or promissory or restitutionary grounds whatsoever as a consequence of any matter relating to the Bidders participation in the Tendering Process, including without limitation, instances where:

- a. The Bidder is not engaged to perform under any contract; or
- b. The GGB exercises any right under this RFP or at law.

DISCLOSURE OF TENDER CONTENTS AND TENDER INFORMATION

53. All Tenders received by the GGB will be treated as confidential. The GGB will not disclose any Tender contents and Tender information, except:
- a. As required by law;
 - b. for the purpose of investigations by other government authorities having relevant jurisdiction;
 - c. to external consultants and advisors of the GGB engaged to assist with the Tendering Process; or
 - d. for the general information of Bidders required to be disclosed as per National Treasury Regulations, Guidelines, Instruction Notes or Practice Notes.

USE OF TENDERS

54. Upon submission in accordance with the requirements of submission of Tenders, all Tenders submitted become the property of the GGB. Bidders will retain all ownership rights in any intellectual property contained in the Tender.
55. Each Bidder, by submission of their Tender, is deemed to have licensed the GGB to reproduce the whole, or any portion, of their Tender for the purposes of enabling the GGB to evaluate the Tender.
56. Further, in submitting a Tender, the Bidder accepts that the GGB shall, in accordance with the requirements of Treasury Regulation No. 16A.6.3(d) and the National Treasury Instruction Note on *Enhancing Compliance Monitoring and Improving Transparency and Accountability in Supply Chain Management*, publish (on the internet or otherwise):
- a. The names of all Bidders that submitted bids in relation to this RFP within 10 (Ten) working days after the closing date of this RFP, if the bid is above the threshold value of R500 000; and
 - b. on award of the bid, the name of the successful Bidder, the contract price, B-BBEE level of contribution status, the contract number and description of the contract awarded.

PERIOD OF VALIDITY

57. All Tenders received must remain valid and open for acceptance for a minimum of **90** (Ninety) days from the Closing Time. This period may be extended by written mutual agreement between the GGB and the Bidder.

STATUS OF TENDER

58. Each Tender constitutes an irrevocable offer by the Bidder to the GGB to provide the Services required and otherwise to satisfy the requirements of the Terms of Reference as set out in this RFP Part B.
59. A Tender must not be conditional on:
- a. The Board approval of the Bidder or any related governing body of the Bidder being obtained;
 - b. the Bidder conducting due diligence or any other form of enquiry or investigation;
 - c. the Bidder (or any other party) obtaining any regulatory approval or consent;
 - d. the Bidder obtaining the consent or approval of any third party; or
 - e. the Bidder stating that it wishes to discuss or negotiate any commercial terms of the contract.
60. The GGB may, in its absolute discretion, disregard any tender that is, or is stated to be, subject to any one or more of the conditions detailed above (or any other relevant conditions).
61. The GGB reserves the right to accept a Tender in part or in whole or to negotiate with a Bidder in accordance with the clause 81 (Unreasonable disadvantage) of this RFP Part A.

TENDER RESPONSE

COMPLIANCE WITH TERMS OF REFERENCE

62. Under Part C of this RFP, a Bidder must submit a tabulated statement showing its level of compliance to the Terms of Reference contained in this RFP Part B.
63. In particular, Bidders must state if they will not comply with the Terms of Reference, or will only comply with the Terms of Reference subject to conditions. Full details of the non-compliance (including the nature and extent of the non-compliance and any reasons for such non-compliance) must be stated in the space provided in the tabulated statement.
64. No response is required in respect of a particular section of the Terms of Reference where Bidders will comply with the Terms of Reference. Only sections that Bidders have not complied with, or will only comply with subject to conditions, should be noted in the tabulated statement.
65. The GGB is prepared to contemplate minor variations or departures from the Terms of Reference proposed by Bidders.
66. However, Bidders should note that significant or substantive variations or departures from the Terms of References will not be viewed favourably unless the Bidder is able to clearly demonstrate to the satisfaction of the GGB the necessity for such variations or departures.

Note to Bidders: The GGB will assume that a Bidders Response complies in all relevant respects with the Terms of Reference unless the Bidder states otherwise. Failure to notify the GGB of any non-compliance may result in a Bidders Response being disregarded.

GENERAL

- 67. Indefinite responses such as “noted”, “to be discussed” or “to be negotiated” are not acceptable.
- 68. Where the Bidder is unwilling to accept a specified condition, the non-acceptance must be clearly and expressly stated. Prominence must be given to the statement detailing the non-acceptance. It is not sufficient that the statement appears only as part of an attachment to the Tender or be included in a general statement of the Bidders usual operating conditions.
- 69. An incomplete Tender may be disqualified or assessed solely on the information completed or received with the Tender.

INNOVATIVE SOLUTIONS

- 70. Bidders are encouraged to offer options or solutions which may, in an innovative way, contribute to the GGB’s ability to carry out its operations in a more cost-effective manner.
- 71. These options or solutions may be related to:
 - a. The outputs, functional, performance and technical aspects of the requirement; or
 - b. Opportunities for more advantageous commercial arrangements.
- 72. Any such options or solutions will be considered by the GGB on a “commercial in confidence” basis if so requested by the Bidder.
- 73. Where a Bidder submits an offer which meets the requirements of this RFP in an alternative and practical manner, the Tender must also include any supplementary material (including such pricing and costing details as may be necessary to enable the GGB to fully assess the financial impact of the alternative proposal), which demonstrates in detail that such an alternative will fully achieve and/or exceed all the specified requirements, together with references as to why the additional features may be advantageous.
- 74. The GGB reserves the right to consider such offers on their merits or not to consider them at all.

CONTRACT DISCLOSURE REQUIREMENTS

DISCLOSURE OF INFORMATION

75. The Conditions of Tendering include a provision for the disclosure of contract information (refer to this RFP Part A dealing with “Use of Tenders”).
76. If a Bidder wishes to withhold the disclosure of specific contract information, the Bidder must clearly outline how the release of this information will expose trade secrets, business strategy or unique methodologies that may expose the business unreasonably to disadvantage.

TRADE SECRETS

77. In considering whether specific information should be categorised as a trade secret, Bidders’ should assess:
- a. The extent to which it is known outside of the Bidders business;
 - b. the extent to which it is known by the persons engaged in the Bidders business;
 - c. any measures taken to guard its secrecy.
 - d. its value to the Bidders business and to any competitors.
 - e. the amount of money and effort invested in developing the information; and
 - f. the ease or difficulty with which others may acquire or develop this information.

UNREASONABLE DISADVANTAGE

78. In determining whether disclosure of specific information will expose a Bidders business unreasonably to disadvantage, the following should be considered:
- a. Whether the information is generally available to competitors; and
 - b. Whether it could be disclosed without causing substantial harm to the competitive position of the business.

GGB will consider these applications in the Tender evaluation and negotiations (if any) with Bidders.

EVALUATION OF TENDERS

EVALUATION PROCESS

79. Following the Closing Time, the GGB intends to evaluate the Tenders received.
80. Tenders will be evaluated against the Evaluation Criteria specified under the section “Evaluation Criteria Format”.
81. Without limiting the GGB’s rights in the RFP, the GGB may at any time during the Tendering Process choose to:
- a. Shortlist one or more Bidders; and
 - b. Accept one or more of the Tenders.

82. Unless the Evaluation Criteria explicitly require, the GGB may, but is not in any way bound to, shortlist, to select as successful, or to accept the Tender offering the lowest price.
83. Should the GGB choose to include a short-listing stage in its evaluation process, the GGB is not, at any time, required to notify Bidders or any other person or organisation interested in submitting a Tender.
84. A Bidders Response will not be deemed to be unsuccessful until such time as the Bidder is formally notified of that fact by the GGB. The commencement of negotiations by the GGB with one or more other Bidders is not to be taken as an indication that any particular Bidders Response has not been successful.

EVALUATION CRITERIA FORMAT

85. The evaluation criteria are weighted to reflect the importance of project requirements noted in the Terms of Reference.
86. In evaluating Bidders Responses, the GGB will have regard to:
- a. Specific evaluation criteria identified in the list below;
 - b. the overall value for money proposition presented in the Bidders Response; and
 - c. particular weighting assigned to any or all of the evaluation criteria specified below.
87. For the purposes of this RFP clause 90, 'value for money' is a measurement of financial and non-financial factors, including:
- a. Quality levels; and
 - b. performance standards.
88. Value for money will be assessed on a 'whole of life' basis (including the transitioning-in, the contract term and the transitioning-out phases of the relationship between the GGB and a Bidder), with a view to long-term sustainability of the value for money proposition and with a focus on ensuring that value for money outcomes are promoted and protected following the conclusion of any contract that may result from this RFP.
89. Administrative compliance will be determined in accordance with the conditions listed in this RFP.
90. The evaluation criteria will be in line with the PPPFA, 2000 (Act No. 5 of 2000) and Preferential Procurement Regulations 2017 as amended.
91. Evaluation will be based on a point system and two-stage evaluation process. As a pre-requisite, a bid must comply with the requirements of the bid solicitation and meet the minimum threshold of the functionality evaluation criteria to be declared responsive and qualify to the next evaluation stage.

92. The value of this bid is estimated to be less than R 50 000 000.00 and therefore the 80/20 preference point system shall apply. The following is the weighting awarded for each element, and the threshold score.

Evaluation element	Weighting	Threshold score
Technical proposal (Functionality)	100	70 Points

Evaluation element	Weighting	Threshold score
Price proposal	80	N/A
BBBEE proposal	20	N/A
Total	100	

EVALUATION CRITERIA

Evaluation of the bids will be conducted in one stage as per Preferential Procurement Regulations, 2017 issued in terms of section 5 of the Preferential Procurement Policy Framework Act, Act number 5 of 2000 (PPPFA) as follows:

Stage One (1) will consist of the evaluation of bids on Administrative Compliance and Functional Evaluation.

Stage 1A - Mandatory Administrative Evaluation criteria:

The following qualification criteria will apply for this bid:

- (a) Bidders must provide a list of all vehicles specifying the tons and certified copies of registration for the listed vehicles.
- (b) Bidders must provide the latest roadworthy certificate for each vehicles provided.
- (c) Bidders must provide proof of vehicle insurance. Comprehensive insurance should cover for the valuable tools and equipment (Goods in transit insurance), fire, explosion, collision, derailment, theft and hi-jack as well as third parties

NB: None submission of the above will lead to the bid being non-responsive and will be disqualified from any further evaluation.

Other Administrative Documents

- (a) Bidders must provide original/certified copies of valid SANAS accredited B-BBEE certificate.
 - Any Trust, Consortium or Joint Venture must submit a consolidated B-BBEE Status Level Verification Certificate.
- (b) A bidder who qualify as an Exempted Micro Enterprises (EME) or Qualifying Small Enterprise (QSE) must submit a valid sworn affidavit signed by the EME or QSE representative and attested by a Commissioner of Oaths.
- (c) Bidders must provide a valid tax compliance status pin issued by SARS.
- (d) Bidders must provide completed and signed SBD forms (SBD1; SBD 4; SBD 6.1; SBD 7.1; SBD 8; SBD 9).

Bidders will have to register on the National Treasury Central Supplier Database (CSD) as per National Circular No. 3 of 2015/6 and submit their latest available CSD Report.

Stage 1B - Evaluation Criteria for Functionality

A total of 100 points is allocated for this stage of the evaluation. The minimum threshold for the evaluation is 70 points. Any bidder who fails to meet this minimum requirement shall be deemed non-responsive and eliminated from the tender going forth.

FUNCTIONALITY & CAPABILITIES	EVIDENCE/ SUPPORTING INFORMATION REQUIRED	MAXIMUM POINTS	POINTS SCORED
1. RELEVANT KEY PERSONNEL EXPERIENCE		50	
1.1. Partner / Director/ Owner <ul style="list-style-type: none"> ➤ Below 3 years = 0 points ➤ 3 - 5 years' experience = 10 points ➤ 6 - 8 years' experience = 20 points ➤ Above 8 years' experience = 30 points 	Bidder to submit Company Profile/Ownership, which includes number of years which person have been in transportation business including CV's for Partner / Director/ Owner as per the company.	30	
1.2. Drivers Experience <ul style="list-style-type: none"> ➤ Below 3 years = 0 points ➤ 3 - 5 years' experience = 3 points ➤ 6 - 8 years' experience = 6 points ➤ Above 8 years' experience = 10 points 	A valid code 8 or 10 Driver's License (Certified copy)	10	
1.3 Ownership Scores will be allocated for Company/Ownership details Women owned, township owned, youth owned, and people with disability owned companies <ul style="list-style-type: none"> ➤ Women owned company = 2.5 points ➤ Township owned company = 2.5 points ➤ Youth owned = 2.5 points ➤ People with disability = 2.5 points 	Bidders should submit these documents: Women owned (ID or CIPC documents), Township (Municipality account) or affidavit Youth (ID or CIPC) People with disability (affidavit or medical report)	10	
2. CONTACTABLE REFERENCE LETTER(S) (All letter(s) should be relevant to the tender scope & for the work done over the last 8 years)		25	

FUNCTIONALITY & CAPABILITIES	EVIDENCE/ SUPPORTING INFORMATION REQUIRED	MAXIMUM POINTS	POINTS SCORED
2.1. Contactable reference letters NB: 3 points to a maximum of 15 points will be allocated for each *valid letter submitted *Valid – means a letter on letterhead of the client signed, with contactable details and clear description of service that was rendered. <ul style="list-style-type: none"> • 1 x letter = 5 points • 2 x letters = 10 points • 3 x letters = 15 Points • 4 x letters = 20 points • 5 x letters = 25 points 	Provide copy(s) of a signed reference letter(s) on the client's letterhead with contactable details and clear description of service that was rendered in relation transportation.	25	
3. NUMBER OF LABOURERS		10	
3.1. Labourers <ul style="list-style-type: none"> ➤ 1 labour = 3 points ➤ 2 labourers = 6 points ➤ 3 labourers = 10 Points 	Company Profile	10	
4. Comprehensive Vehicle Insurance cover and Roadworthy certificate		15	
<ul style="list-style-type: none"> ➤ Third Party Insurance = 5 points ➤ Comprehensive Insurance = 5 points ➤ Roadworthy certificate = 5 points <p>Comprehensive Insurance should cover for the valuable tools and equipment (Goods in transit insurance), fire, explosion, collision, derailment, theft and hi-jack as well as third parties.</p>	Submit a valid copy of the insurance policy, copy of valid roadworthy certificate	15	
TOTAL POINTS		100	
MINIMUM POINTS REQUIRED		70 points	

PLEASE NOTE: The minimum threshold points for functionality is 70 points out of 100 points and any bidder scoring less than 70 points will not be considered for further evaluation. Bidder to address &

respond to all areas of the evaluation criteria.

CRITERIA FOR BREAKING DEADLOCK IN SCORING

GGB intends to select bidders who scored the highest points during the Stage 1B: Evaluation Criteria for Functionality as per table listed.

In accordance with Regulation 10 of the Preferential Procurement Regulation, 2017,

- *“10.(1) If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for B-BBEE.*
- *10.(2) If functionality is part of the evaluation process and two or more tenderers score equal total points and equal preference points for B-BBEE, the contract must be awarded to the tenderer that scored the highest points for functionality.*
- *10.(3) If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.”*

In accordance with Regulation 10.(1) of the PPR, 2017, the determining of Preference Point will be in line with Regulation 6.(2) of the PPR, 2017, to which the following table will be applied.

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

93. A minimum threshold for functionality of seventy (70) points is required. Bids that do not meet this threshold will automatically be disqualified from further evaluation.

94. Thereafter, only the qualifying bids will be evaluated in terms of the 80/20 preference point system, where a maximum of 80 points are allocated for price and a maximum of 20 points are allocated in respect of the level of B-BBEE contribution of the bidder.

PRICE EVALUATION

95. 80 points for price will be calculated on the quotations requested from the appointed panel

B-BBEE EVALUATION

96. 20 points are allocated to B-BBEE rating certificates and applicable points allocated in terms of the Preferential Procurement Regulation 2017 as indicated in the table below.

Bidders must submit valid BBBEE Certificates

POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

97. The preference points claimed by each bidder for attaining the B-BBEE Status Level of Contributor will be allocated to each qualifying bid when determining the total bid score under the preference points system. The points scored by a bidder in respect of the level of B-BBEE contribution contemplated in Annexure E, will be added to the points scored for price, calculated as described in Annexure E.

B-BBEE Status Level of Contributor	Number of points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

CLARIFICATION OF TENDERS

98. The GGB may seek clarification from and enter into discussions with any or all of the Bidders in relation to their Tender. The GGB may use such information in interpreting the Tender and evaluating the cost and risk in accepting the Tender. Failure to supply clarification to the satisfaction of the GGB may render the Tender liable to disqualification.
99. The GGB is under no obligation to seek clarification of anything in a Tender and reserves the right to disregard any clarification that the GGB considers to be unsolicited or otherwise impermissible in accordance with the rules set out in this RFP.

DISCUSSION WITH BIDDERS

100. The GGB may elect to engage in detailed discussions with any one or more Bidders, with a view to maximising the benefits of this RFP as measured against the evaluation criteria and in fully understanding a Bidders offer.
101. In its absolute discretion, the GGB may invite some or all Bidders to give a presentation to the GGB in relation to their submissions, that may include a demonstration of software, programs or unique methodologies proposed, if applicable.
102. The GGB is under no obligation to undertake discussions with, or to invite any presentations from Bidders.
103. In addition to presentations and discussions, the GGB may request some or all Bidders to:
- a. Conduct a site visit, if applicable;
 - b. provide references or additional information; and/or
 - c. make themselves available for panel interviews.

SUCCESSFUL TENDERS

NO LEGALLY BINDING CONTRACT

104. Selection as a successful Bidder does not give rise to a contract (express or implied) between the successful Bidder and the GGB for the supply of the Services. No legal relationship will exist between the GGB and a successful Bidder for the supply of the Services until such time as a binding contract is executed by them.

PRE-CONTRACTUAL NEGOTIATIONS

105. The GGB may, in its absolute discretion, decide not to enter into pre-contractual negotiations with a successful Bidder.
106. A Bidder is bound by its Tender and all other documents forming part of the Bidders Response and, if selected as a successful Bidder, must enter into a contract on the basis of the Tender without negotiation.

NO OBLIGATION TO ENTER INTO CONTRACT

107. The GGB is under no obligation to appoint a successful Bidder or Bidders (as the case may be), or to enter into a contract with a successful Bidder or any other person, if it is unable to identify a Tender that complies in all relevant respects with the requirements of the GGB, or if due to changed circumstances, there is no longer a need for the Services requested, or if funds are no longer available to cover the total envisaged expenditure. For the avoidance of any doubt, in these circumstances the GGB will be free to proceed via any alternative process.
108. The GGB may conduct a debriefing session for all Bidders (successful and unsuccessful). Attendance at such debriefing session is optional.

ADDITIONAL RULES

109. It is a condition of the tendering process that Bidders will be required to complete all the forms annexed to this RFP Part C.
110. A Bidder who does not submit all the information as required by the GGB will be disqualified from the Tendering Process.

BIDDER WARRANTIES

111. By submitting a Tender, a Bidder warrants that:

- a. In lodging its Tender it did not rely on any express or implied statement, warranty or representation, whether oral, written, or otherwise made by or on behalf of the GGB, its officers, employees, or advisers other than any statement, warranty or representation expressly contained in the RFP;
- b. it did not use the improper assistance of GGB employees or information unlawfully obtained from the GGB in compiling its Tender;
- c. it is responsible for all costs and expenses related to the preparation and lodgement of its Tender, any subsequent negotiation, and any future process connected with or relating to the Tendering Process;
- d. it otherwise accepts and will comply with the rules set out in this RFP; and
- e. it will provide additional information in a timely manner as requested by the GGB to clarify any matters contained in the Tender.

GGB'S RIGHTS

112. Notwithstanding anything else in this RFP, and without limiting its rights at law or otherwise, the GGB reserves the right, in its absolute discretion at any time, to:

- a. Cease to proceed with, or suspend the Tendering Process prior to the execution of a formal written contract;
- b. alter the structure and/or the timing of this RFP or the Tendering Process;
- c. vary or extend any time or date specified in this RFP for all or any Bidder or other persons;
- d. terminate the participation of any Bidder or any other person in the Tendering Process;
- e. require additional information or clarification from any Bidder or any other person or provide additional information or clarification;
- f. call for new Tenders;
- g. reject any Tender received after the Closing Time;
- h. reject any Tender that does not comply with the requirements of this RFP; or
- i. consider and accept or reject any alternative tender.

GOVERNING LAWS

113. This RFP and the Tendering Process is governed by the laws / legislation applicable to public sector SCM in the Republic of South Africa.

114. Each Bidder must comply with all relevant laws in preparing and lodging its Tender and in taking part in the Tendering Process.

115. All tenders must be completed using the English language and all costing must be in South African Rand.

INCONSISTENCY

128 If there is any inconsistency between any parts of this RFP, a descending order of precedence must be accorded to:

- (a) the conditions of tendering in Part A and Part B of this RFP, and any annexure or attachments;
- (b) the Bidders response in Part C of this RFP;
- (c) any other part of this RFP, so that the provision in the higher ranked document, to the extent of the inconsistency, prevails.

RFP - PART B:

TENDER TERMS OF REFERENCE



TERMS OF REFERENCE

THE APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO PROVIDE TRANSPORTATION OF ILLEGAL GAMBLING EQUIPMENT FOR GAUTENG GAMBLING BOARD FOR A PERIOD OF 36 MONTHS

TERMS OF REFERENCE

THE APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO PROVIDE TRANSPORTATION OF ILLEGAL GAMBLING EQUIPMENT FOR GAUTENG GAMBLING BOARD FOR A PERIOD OF 36 MONTHS

1. INTRODUCTION

The Gauteng Gambling Board (GGB) is a Schedule 3C Public Entity in terms of the Public Finance Management Act, 1999 (Act 1 of 1999) (PFMA). The GGB has been established in terms of section 3 of the Gauteng Gambling Act, 1995 as amended ("the Act").

2. OBJECTIVE

- 2.1 The objective of this tender is to invite and appoint suitable service providers to provide transportation of illegal gambling equipment and labour for GGB on a rotational basis as and when required. Based on the quality of the proposals submitted, GGB intends to select ten (10) service providers to form part of the panel of service providers. The panel will be limited to the top ten (10) bidders based on the highest points scored during Stage 1B - Evaluation Criteria for Functionality only.
- 2.2 The preferred bidder(s) will be appointed as part of a panel of service providers to provide transportation of illegal gambling equipment and labour and will enter into an agreement with GGB on terms and conditions to be agreed upon. The duration of the approved panel will be a period of 36 months effective from the date of contracting.
- 2.3 The panel of service provider(s) shall provide services to GGB on a non-exclusive basis and GGB is not obliged to procure

services from the service provider(s).

- 2.4 This request for proposals sets out clear specifications of services required in terms of which assignments will be awarded on a Request for Quotation (RFQ) basis. Compliance with the specifications will ensure that the panel of service providers are allocated work assignments in accordance with the supply chain management processes. The request for a clear profile from the bidders as outlined in the scope of work is to ensure that GGB acquires the necessary skills and expertise over the contractual period when necessity dictates.

3 BACKGROUND

- 3.1.1 GGB is a Schedule 3C Public Entity in terms of the PFMA, governed by applicable legislative frameworks and it is accountable to the Gauteng Provincial Legislature through the Member of Executive Council (MEC) of the Department of Economic Development, who is the Executive Authority.
- 3.1.2 GGB regulates and controls gambling in Gauteng Province and therefore has an obligation to eradicate illegal gambling operations. In doing so GGB provides support to the South African Police Service (SAPS) during raids on illegal gambling operations by providing transportation for all equipment seized during the raid.
- 3.1.3 The seized gambling equipment is transported either to GGB's storage facility, any SAPS in Gauteng Province for evidence purposes or to a recycling site for destruction. The SAPS therefore seizes equipment that could serve as evidence in the criminal matter and hand it over to GGB for testing and safe storage until the exhibits are no longer required as evidence by the court.

3.1.4 Once the criminal matter is finalised the SAPS will instruct GGB to destroy the exhibits that are no longer required as evidence and GGB then transports the equipment from GGB's storage facility to the destruction site for demolition.

3.2 The functions of GGB are to:

- a) Oversee and control gambling activities in Gauteng Province, including:
 - (i) Licensing of individuals and entities to conduct gambling and related activities;
 - (ii) Registering of persons engaged in such activities;
 - (iii) Approving and registering of all gaming devices; and
 - (iv) Collecting prescribed taxes and levies for the Gauteng Province and other specified beneficiaries.
- b) Managing and administering the Sports Development Fund (SDF);
- c) Advising the MEC on matters relating to gambling;
- d) Supervising and enforcing compliance with the requirements of the Financial Intelligence Centre Act (FICA) by the gambling industry,
 - (i) Conducting FICA inspections;
 - (ii) Taking disciplinary action in instances of non-compliance; and
 - (iii) Reporting to the Financial Intelligence Centre on enforcement.
 - (iv)
- e) Supervising and enforcing compliance with the requirements of the National Gambling Act by the gambling industry, including:

- (i) Investigation and issuing of national entity and employment licences;
- (ii) Ensuring continuous suitability and compliance with the legislative prescripts by the national licensees.

Copies of the latest Annual Reports are available on the website. Additional information can be requested from Supply Chain Management Office on 011 581 4800 or at tenders@ggb.org.za.

4 TENDER SCOPE

4.1 The service providers will be required to provide services in the following regions in Gauteng:

- a) Johannesburg**
- b) Tshwane**
- c) Ekurhuleni**
- d) West Rand**
- e) Sedibeng**

4.2 The service providers will be required to adhere to the following requirements:

- To provide transportation for equipment seized during raids on illegal gambling operations. It should be noted that the equipment varies from one machine to all equipment at the premises including but not limited to gambling equipment, computers, furniture, etc.
- A variety of vehicles are therefore required from 1 ton to 3.5 ton capacity.
- The transportation could be from anywhere in Gauteng Province to the premises of GGB or any police station for evidence purposes or to a recycling site for destruction.
- The transportation must be available 24 hours of the day, 7 days of the week and at a very short notice. This is due to the anonymous tip offs that happen spontaneously.
- Provide sufficient labourers and equipment necessary to safely and without causing any damage, load all seized equipment onto vehicles and off-load where required.
- Be available to work continuously from the start of the operation until its finalised, which operation may continue for more than 24 hours.
- The service provider must quote per kilometre (as per the Department of Transport approved rates).
- The service provider must submit the car registration certificate to prove roadworthy.

- The service providers will be contracted on a rotation and as and when basis required for a period of three years.
- The service provider must quote labour per hour.
- Service provider must provide vehicle insurance. Comprehensive insurance should cover for the valuable tools and equipment (Goods in transit insurance), fire, explosion, collision, derailment, theft and hi-jack as well as third parties.

5 APPOINTMENT, COMMENCEMENT AND DURATION

The service provider will be appointed for a maximum of 36 months, commencing from effective date of contracting.

The approved panel should be available to commence with the provision of services from the contracting date.

Preferred bidder(s) will have to enter into a Service Level Agreement (SLA) with GGB which will include amongst others, the pricing schedule, the rate of each labour, kilometre (KM) travelled, the cost of driver will be borne by the service provider.

This bid is subject to the Preferential Procurement Policy Framework Act, No. 5 of 2000 (PPPFA) and the Preferential Procurement Regulations, 2017, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract.

The contract may be terminated by either party by giving the other party 30 (thirty) days written notice.

6 SPECIAL CONDITIONS

GGB has the right to appoint a transport service provider outside the panel in cases where services required are not part of the scope of work provided for in this tender. In such cases, GGB will follow

the SCM processes in appointing such transport service provider(s).

GGB has a discretion to condone immaterial non-compliance with the requirements of this specification.

7 BID EVALUATION CRITERIA

Evaluation of the bids will be conducted in one stage as per Preferential Procurement Regulations, 2017 issued in terms of section 5 of the PPPFA as follows:

Stage One will be the evaluation of bids on Administrative Compliance and Functionality Evaluation.

Stage two will be the contractual process. Service Level Agreement will be entered to with approved panel of suppliers.

Stage 1A - Mandatory Administrative Evaluation criteria:

The following qualification criteria will apply for this bid:

- (d) Bidders must provide a list of all vehicles specifying the tons and certified copies of registration for the listed vehicles.
- (e) Bidders must provide the latest roadworthy certificate for each vehicles provided.
- (f) Bidders must provide proof of vehicle insurance. Comprehensive insurance should cover for the valuable tools and equipment (Goods in transit insurance), fire, explosion, collision, derailment, theft and hi-jack as well as third parties.

NB: None submission of the above will lead to your bid being non-responsive and will be disqualified for any further evaluation process.

Other Administrative Documents

- (e) Bidders must provide original/certified copies of valid SANAS accredited B-BBEE certificate.
 - Any Trust, Consortium or Joint Venture must submit a consolidated B-BBEE Status Level Verification Certificate.
- (f) A bidder who qualifies as an Exempted Micro Enterprises (EME) or Qualifying -Small Enterprise (QSE) must submit a sworn affidavit signed by the EME or QSE representative and attested by a Commissioner of Oaths.
- (g) Bidders must provide tax clearance certificates or tax pin numbers.
- (h) Bidders must provide completed and signed SBD forms (SBD1; SBD 4; SBD 6.1; SBD 7.1; SBD 8; SBD 9).

Bidders will have to register on the National Treasury Central Supplier Database (CSD) as per National Circular No. 3 of 2015/6 and submit their latest available CSD Report.

Stage 1B - Evaluation Criteria for Functionality

A total of 100 points is allocated for this stage of the evaluation. The minimum threshold for the evaluation is 70 points. Any bidder who fails to meet this minimum requirement shall be deemed non-responsive and eliminated from the tender going forth.

FUNCTIONALITY & CAPABILITIES	EVIDENCE/ SUPPORTING INFORMATION REQUIRED	MAXIMUM POINTS	POINTS SCORED
5. RELEVANT KEY PERSONNEL EXPERIENCE		50	
5.1. Partner / Director/ Owner <ul style="list-style-type: none"> ➤ Below 3 years = 0 points ➤ 3 - 5 years' experience = 10 points ➤ 6 - 8 years' experience = 20 points ➤ Above 8 years' experience = 30 points 	Bidder to submit Company Profile/Ownership, which includes number of years which person have been in transportation business including CV's for Partner / Director/ Owner as per the company.	30	
5.2. Drivers Experience <ul style="list-style-type: none"> ➤ Below 3 years = 0 points ➤ 3 - 5 years' experience = 3 points ➤ 6 - 8 years' experience = 6 points ➤ Above 8 years' experience = 10 points 	A valid code 8 or 10 Driver's License (Certified copy)	10	
1.3 Ownership Scores will be allocated for Company/Ownership details Women owned, township owned, youth owned, and people with disability owned companies <ul style="list-style-type: none"> ➤ Women owned company = 2.5 points ➤ Township owned company = 2.5 points ➤ Youth owned = 2.5 points ➤ People with disability = 2.5 points 	Bidders should submit these documents: Women owned (ID or CIPC documents), Township (Municipality account) or affidavit Youth (ID or CIPC) People with disability (affidavit or medical report)	10	
6. CONTACTABLE REFERENCE LETTER(S) (All letter(s) should be relevant to the tender scope & for the work done over the last 8 years)		25	

FUNCTIONALITY & CAPABILITIES	EVIDENCE/ SUPPORTING INFORMATION REQUIRED	MAXIMUM POINTS	POINTS SCORED
2.1. Contactable reference letters NB: 3 points to a maximum of 15 points will be allocated for each *valid letter submitted *Valid – means a letter on letterhead of the client signed, with contactable details and clear description of service that was rendered. <ul style="list-style-type: none"> • 1 x letter = 5 points • 2 x letters = 10 points • 3 x letters = 15 Points • 4 x letters = 20 points • 5 x letters = 25 points 	Provide copy(s) of a signed reference letter(s) on the client's letterhead with contactable details and clear description of service that was rendered in relation transportation.	25	
7. NUMBER OF LABOURERS		10	
7.1. Labourers <ul style="list-style-type: none"> ➤ 1 labour = 3 points ➤ 2 labourers = 6 points ➤ 3 labourers = 10 Points 	Company Profile	10	
8. Comprehensive Vehicle Insurance cover and Roadworthy certificate		15	
<ul style="list-style-type: none"> ➤ Third Party Insurance = 5 points ➤ Comprehensive Insurance = 5 points ➤ Roadworthy certificate = 5 points <p>Comprehensive Insurance should cover for the valuable tools and equipment (Goods in transit insurance), fire, explosion, collision, derailment, theft and hi-jack as well as third parties.</p>	Submit a valid copy of the insurance policy, copy of valid roadworthy certificate	15	
TOTAL POINTS		100	
MINIMUM POINTS REQUIRED		70 points	

PLEASE NOTE: The minimum threshold points for functionality is 70 points out of 100 points and any bidder scoring less than 70 points will not be considered for further evaluation. Bidder to address & respond to all areas of the evaluation criteria.

3 STAGE 2 OF EVALUATION

Bidders who scored a minimum of 70% and upwards will be included on the panel. Service Level Agreement will be entered to with approved panel of suppliers.

Once Service Level Agreement are concluded, RFQ will be issued amongst the approved panel of suppliers to compete on Price and Preference.

Points will be awarded in accordance with the Preferential Procurement Policy Framework Act during RFQ process as follows.

Price and Preferential points

Price Points = 80

BBBEE Status Level Contributor = 20

Total = 100

CHECKLIST OF BIDDING DOCUMENTATION BEFORE SUBMITTING

NB: Has the following forms been completed, signed and submitted with your proposal?		
Documentation	Checked by Tenderer	Checked by Procurement Specialist
Invitation to bid - SBD 1		
Valid, Original Tax Clearance Certificate–SBD2		
Declaration of interest –SBD4		
Preference point claim– SBD6.1		
Contract Form (rendering of services)– SBD7.1		
Declaration of Tenderers past Supply Chain Management Practices–SBD8		
Certification of Independent Bid Declaration –SBD9		
POPIA form- Completed and signed		
CV's for Partner / Director/ Owner as per the company profile.		
Proof of insurance policy		
Roadworthy Certificate		
Proof of valid code 8 and 10 driver's licences (certified copy)		
Reference letters from current and previous clients		
Company Registration Documents		
Company Profile, including personnel (Labourers) and list of Partners, Directors or Owner should be submitted.		

*Certification as a "true copy of the original" must comply with the requirements outlined in the Justice of the Peace and Commissioners of Oaths Act, No 16 of 1963 and its Regulations promulgated in Government Notice GNR 1258 of 21 July 1972 Justices of the Peace and Commissioners of Oaths Act. No 16 of 1963.

Note: The submitted information must be accompanied with an index, and the bidding documents must be numbered, labelled and tabbed as per index.

RFP - PART C:

BIDDERS DECLARATION

All responses must be provided within the specified boxes, must comply with the word and page limits imposed and must respond to this RFP Part B in accordance with the Conditions of Tendering in this RFP Part A. All Annexures form part of the Bidders Response and must be completed in full and signed.

BIDDERS DECLARATION	
I the undersigned _____ (full name) hereby certify that:	
<input type="checkbox"/> I have read, understood and accept the conditions contained in this RFP.	
<input type="checkbox"/> I have supplied all the required information, and all the information submitted as part of the RFP is true and correct.	
NAME OF THE BIDDER	
IDENTITY NUMBER	
POSITION	
AUTHORISED SIGNATORY	

BIDDERS RESPONSE				
FULL NAME				
POSTAL ADDRESS				
PHYSICAL ADDRESS				
ENTITY REGISTRATION NUMBER				
VAT REGISTRATION NUMBER				
CONTACT PERSON'S FULL NAME				
TELEPHONE NUMBER 1	CODE		NUMBER	
TELEPHONE NUMBER 2	CODE		NUMBER	
FACSIMILE NUMBER	CODE		NUMBER	
CELLULAR PHONE NUMBER				
E-MAIL ADDRESS				
TAX CLEARANCE CERTIFICATE	YES		NO	
FULL NAME OF AUTHORISED AGENT				
TITLE OF AUTHORISED AGENT				
SIGNATURE OF AUTHORISED AGENT				
DATE OF SIGNATURE				

TOTAL BID PRICE	
CONFLICT OF INTEREST	
Provide details of any interests, relationships or clients which may give rise to a conflict of interest and the area of expertise in which that conflict of interest may arise.	<i>Complete as attached in SBD 4</i>

TAX COMPLIANCE REQUIREMENTS

A tax compliance status pin issued by SARS is required.

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

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

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

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

2.2 Identity
Number:.....

2.3 Position occupied in the Company (director, trustee, shareholder, member):.....

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

2.5 Tax Reference Number:.....

2.6 VAT Registration Number:

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

2.7 Are you or any person connected with the bidder

YES/NO

Are you or any person connected with the bidder presently employed by the state?

YES/NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member/Name of state institution at which you or the person connected to the bidder is employed:

.....

Position occupied in the state institution:

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES/NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document? **YES/NO**

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

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

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous 12 months **YES/NO**

2.8.2 If so, furnish particulars:

.....

.....

.....

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

2.9.1 If so, furnish particulars.

.....

.....

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.10.1 If so, furnish particulars.

.....

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

2.11.1 If so, furnish particulars:

.....

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

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

DECLARATION

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

- ☐ CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT.
- ☐ I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

NAME OF BIDDER	
IDENTITY NUMBER	
POSITION	
SIGNATURE OF AUTHORISED SIGNATORY	
DATE	

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

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

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

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

Where

- P_s = Points scored for price of bid under consideration
- P_t = Price of bid under consideration
- P_{min} = Price of lowest acceptable bid

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

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

4.2

B-BBEE Status Level of Contributor	Number of points (90/10 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 10 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(***Tick applicable box***)

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

- 7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%?
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(***Tick applicable box***)

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

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>

Black people who are women		
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		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One person business/sole propriety

☐ Close corporation

☐ Company

☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

☐ Manufacturer

☐ Supplier

☐ Professional service provider

☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

WITNESSES	
NAME OF BIDDER	
IDENTITY NUMBER	
POSITION	
AUTHORISED SIGNATORIES OF BIDDERS	
WITNESS 1	
WITNESS 2	
DATE	
ADDRESS	

CONTRACT FORM - RENDERING OF SERVICES**PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals Terms of References stipulated in Bid Number..... 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 date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidders past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. 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 services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I 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.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

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

NAME OF BIDDER

NAME (PRINT)

POSITION

AUTHORISED SIGNATORIES OF BIDDERS

WITNESS 1

WITNESS 2

DATE

DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This declaration is used by GGB in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 2 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 3 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

NO.	QUESTION	YES	NO
4.1	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? (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 (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.		
4.2.1	If so, furnish particulars:		
4.3	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?		
4.3.1	If so, furnish particulars:		

4.4	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?		
4.4.1	If so, furnish particulars:		

CERTIFICATION	
<p>I, THE UNDERSIGNED (FULL NAME).....</p> <p><input type="checkbox"/> CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.</p> <p><input type="checkbox"/> I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.</p>	
NAME OF THE BIDDER	
POSITION	
AUTHORISED SIGNATORY	
DATE	

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Standard Bidding Document must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
3. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
4. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (Annexure G) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for GGB which wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

³ 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.

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

In response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____
that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorised 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 authorised 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 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.
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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation);
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;

- (e) the submission of a bid which does not meet the Terms of References and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, Terms of References and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

NAME OF BIDDER	
POSITION	
AUTHORISED SIGNATORY	
DATE	

125 CORLETT DRIVE
BRAMLEY
2090
SOUTH AFRICA



PRIVATE BAG15 BRAMLEY 2018
EMAIL: info@ggb.org.za
www.ggb.org.za
TELEPHONE +27(11) 581 4800
FAX: +27(11) 581 4900

SUPPLIER DATABASE CONSENT FORM (POPIA)

General: In order for the Gauteng Gambling Board ("**GGB**") to consider the supplier's (referenced below) response to an RFP to become a supplier to the GGB ("**RFP**") and/or to be included in the GGB's supplier database, it will be necessary for the GGB to process certain information which the supplier may share with the GGB for the purpose of the RFP, including personal information – which may include special personal information (all hereafter referred to as "**Personal Information**"). The GGB will process the supplier's Personal Information in accordance with the GGB Privacy Policy available at [www.ggb.org.za].

Access to supplier Personal Information and purpose specification: Personal Information will be processed by the GGB for purposes of assessing the supplier's submission in relation to the RFP and for registering the supplier on the GGB supplier database and may be shared and stored internally for the purposes of assessing current and future services required by the GGB. We may also share the supplier's Personal Information with third parties, both within the Republic of South Africa and in other jurisdictions, including to carry out verification and background checks. In this regard, the supplier acknowledges that the GGB's authorised verification agent(s) and service providers will access Personal Information and conduct background screening.

Consent: By ticking "Yes" and signing below, you agree and voluntarily consent to the GGB's processing of the supplier's Personal Information for the purposes of evaluating its RFP submission, including to confirm and verify any information provided in the submission and supplier gives the GGB permission to do so. The supplier understands that it is free to withdraw its consent on written notice to the GGB and the supplier agrees that the Personal Information may be disclosed by the GGB to third parties, including the GGB's affiliates, service providers and associates (some of which may

be located outside of the Republic of South Africa). Please note that if you withdraw your consent at any stage we may be unable to process the RFP or continue to retain the supplier details the GGB supplier database.

Yes ☐

No ☐

Supplier Name

Date

Signature

Authorised representative, who warrants that he/she is duly authorised

CHECKLIST

Bidders are to use this checklist to ensure that the bid documentation is complete for administrative compliance. The bidder is to indicate that the documentation is complete and included in the bid document by completing the table below.

NB: Has the following forms been completed, signed, and submitted with your proposal?		
Documentation	Checked by Tenderer	Checked by Procurement Specialist
Invitation to bid - SBD 1		
Valid, Original Tax Clearance Certificate–SBD2		
Declaration of interest –SBD4		
Preference point claim– SBD6.1		
Contract Form (rendering of services)– SBD7.1		
Declaration of Tenderers past Supply Chain Management Practices–SBD8		
Certification of Independent Bid Declaration –SBD9		
POPIA form- Completed and signed		
CV's for Partner / Director/ Owner as per the company profile.		
Proof of insurance policy		
Roadworthy certificates		
Proof of valid code 8 and 10 driver's licences (certified copy)		
Reference letters from current and previous clients		
Company Registration Documents		
Company Profile, including personnel (Labourers) and list of Partners, Directors or Owner should be submitted.		

* Certification as a "true copy of the original" must comply with the requirements outlined in the Justice of the Peace and Commissioners of Oaths Act, No 16 of 1963 and its Regulations promulgated in Government Notice GNR 1258 of 21 July 1972 Justices of the Peace and Commissioners of Oaths Act. No 16 of 1963.

Note: The submitted information must be accompanied with an index, and the bidding documents must be numbered, labelled and tabbed as per index.