TERMS OF REFERENCE (TOR)

PROVISION OF INTERNET SOLUTION FOR THREE (03) CHIETA SMART SKILLS CENTRES FOR A PERIOD OF TWO (02) YEARS.

BID NUMBER: CHIETA-INT-002-2025/2026-09

BID OPPENING DATE: 07/10/2025

BID CLOSING DATE: 04/11/2025

CLOSING TIME: 11:00AM

CONDITIONS AND INSTRUCTIONS THAT BIDDERS NEED TO TAKE NOTE OF

1. General submission

1.1. Bid proposals must reach the CHIETA before the closing date and time as specified above and be deposited at the following address tender box. Bidders are urged to sign bid register as confirmation of submission.

1.2. Submission should be during working hours Monday to Friday between 08:00-16:00

The Chemical Industries Education and Training Authority (CHIETA)
No. 23 Magwa Crescent
Office B ,3rd Floor, Allendale Building, Waterfall City,
2090

GPS Coordinates: -26.011229, 28.104370

1.3. The bidder(s) are required to submit four (4) copies where, one (1) original and three (3) duplicates. Each copy must be marked correctly and sealed separately for ease of reference during the evaluation process.

1.4. Proposal received after the closing date and time will not be considered and will be returned to bidder and bidders may not seek administrative assistance from CHIETA employees on completion of bids submissions.

2. Payment

2.1. CHIETA will pay the fees set out in the final contract according to the table of deliverables and no additional amounts will be payable.

2.2. The contractor shall from time to time during the duration of the contract, invoice CHIETA for the services rendered and CHITA shall pay invoices due within 30 days.

2.3. The invoice shall be accompanied by supporting source document(s) containing detailed information, as CHIETA may require, for the purposes of establishing the specific nature, extent and quality of the services which were undertaken by the Contractor.

2.4. No payment will be made to the Contractor unless an original tax invoice complying with section 20 of the VAT Act No 89 of 1991, as amended, has been submitted to CHIETA.

2.5. Payment shall be made by bank transfer into the Contractor's back account normally 30 days after receipt of an acceptable, original, valid tax invoice. Money will only be transferred into a South African bank account (CHIETA will make payment only on verified accounts and that appear on Central Supplier Database.)

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

3. Enquiries

3.1. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, is to be requested in writing (e-mail) to CHIETA procurement Unit. A reply will be forwarded within three (3) working days. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all Bidders by e-mail only. The bid number should be mentioned in all correspondence.

4. General conditions of contracting

4.1. The General Conditions of Contract must be accepted.

http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20

1. BID PURPOSE

The Chemical Industries Education and Training Authority (CHIETA) seek to appoint a reputable Information Communication Technology service provider to assist 100Mbps upload and download business solution (Fibre and/or Microwave) for the three (03) CHIETA Smart Skills Centre projects located in the following areas. The two-year contract will commence in March 2026.

Location	CHIETA Orbit TVET College Smart Skills
Province	Nort West
Physical address	Reitz St, North, Brits, 0250
GPS coordinates	-25.633765119992262, 27.773374239180484

Location	CHIETA highveld Vanadium Steel Smart Skills
Province	Mpumalanga
Physical address	309-Js, Elandsfontein, 1449, Emalahleni, 103
Coordinates	-25.878771506863508, 29.102443440518822

Location	CHIETA Letaba TVET College Smart Skills
Province	Limpopo
Physical address	1663 Main Road, Ga-Kgapane, Modjadjiskloof, 0838
Coordinates	-23.651065067246826, 30.22224162013513

2. BID VALIDITY

The period of bid validity for the tender will be 120 days after closing date and time. CHIETA shall in writing, inform all bidders submitted their proposals for any possible extension.

3. TECHNICAL AND ADMINISTRATIVE ENQUIRIES

A nominated official of the bidder can make technical enquiries in writing to tramathoka@chieta.org.za and/or administrative enquiries in writing to procurement@chieta.org.za

Whilst all due care has been taken in connection with the preparation of this bid, the CHIETA makes no representations or warranties that the content of the bid or any information communicated to or provided to Bidder(s) during the bidding process is, or will be, accurate, current, or complete. The CHIETA, and its employees and advisors will not be liable with respect to any information communicated which may not accurate, current, or complete.

If Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by the CHIETA (other than minor clerical matters), the Bidder(s) must promptly notify the CHIETA in writing of such discrepancy, ambiguity, error, or inconsistency in order to afford the CHIETA an opportunity to consider what corrective action is necessary (if any).

4. COUNTER CONDITIONS AND FRONTING

Bidders' attention is drawn to the fact that amendments to any of the bid conditions or setting of counter conditions by bidders or qualifying any bid conditions will result in the invalidation of such bids.

The Government, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct, or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the guidelines on complex structures and transactions and fronting, issued by the Department of Trade and Industry, be established during such enquiry / investigation, the onus will be on the Bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid.

5. BID SCOPE OF WORK

The Chemical Industries Education and Training Authority (CHIETA) seek to appoint a reputable Information Communication Technology service provider to assist with provision of high-quality internet solution for all three centres as specified under purpose of the bid as per the following scope.

5.1. Solution

Description	Specification requirement
Speed	100Mbps upload and download
Support	Premium Service Level Agreement
Firewall	Managed firewall services for contract duration

5.2. Device requirements: Part 1

Device	Aruba 24 port switches technical specifications or any device holding similar specifications per each site.

Ports	(24) RJ-45 autosensing 10/100/1000 ports (4) SFP+ 1/10GbE ports PHY-less.
Memory and processor	Dual Core ARM Cortex A9 @ 1016 MHz 1 GB DDR3 SDRAM Packet buffer size: 12.38 MB 4.5MB Ingress/7.875MB Egress 4 GB eMMC
Latency	1000 Mb Latency: < 3.8 µs 10 Gbps Latency: < 1.6 µs
Throughput	Up to 95.2 Mpps
Switching capacity	128 Gbps
Management features	Aruba Airwave Central Network Management IMC - Intelligent Management Canter Command-line interface Web browser Configuration menu SNMP manager Telnet RMON1 FTP Out-of-band management (serial RS-232C or micro-USB)
Input voltage	100 - 127 / 200 - 240 VAC, rated
Operating humidity range	15 to 95% @ 104°F (40°C) (noncondensing)
Power consumption	29.3 W (maximum)
Heat dissipation	100 BTU/hr (105.5 kJ/hr)
Product dimensions (metric)	4.39 x 44.25 x 20.02 cm

5.3. Device requirement: Part Two

FG-50E or any similar device matching this specification with 2 years and 24/7 UTM Protection per centre.

FG-50E Specification	
Type	FortiGate 50E

5.4. Device requirements: Part Three

HPE Aruba AP-515 RW 5375 Mbit/s Power Over Ethernet (PoE) White Q9H62A or any other device with these specifications.	Set up and Configuration required.

5.5. Device requirement: Part Four

12 RU, 19" Wall Mount Network Cabinet Enclosure with Cat5e 24 Port RJ45 RJ Patch Panel per site.	Network cabling of 10 points patched a configured per centre.

Note: Devices procured shall be the asset of CHIETA when contract ends.

6. PROJECT EXECUTION TIMELINES

The provision of the internet services must be completed and commissioned by the 05th of March 2026 for all three CHIETA smart skills centres.

7. EVALUATION CRITERIA

The CHIETA has set minimum standards (Gates) that bidders must meet to be considered. All bidders' proposals duly lodged as specified in the tender document will be examined to determine compliance with bid requirements and conditions. Bids proposals with obvious deviations from the requirements/conditions will be eliminated from further consideration. Below criteria will be used to assess individual bidders' proposals.

GATE 1	GATE 2	GATE 3
PRE-QUALIFICATION	**TECHNICAL**	**PRICE & PREFERENCE**
Bidders must submit all documents as outlined in GATE 1	Bidders are required to achieve a minimum of 80 points out of 100 in order to proceed to GATE 3.	Bidders will be evaluated in terms of Price and Preference in terms of the Preferential Procurement Regulation of 2022

7.1. GATE 1: PRE- QUALIFICATION

Bidders will be evaluated according to pre-qualification requirements which include the submission of mandatory information or documentation. Bidders that fail to meet the pre-qualification requirements of the bid will not be considered further for evaluation on technical requirements.

Documents that must be submitted.	**Non -submission will result in disqualification.**	
Registration on Central Supplier Database (CSD)	**Yes**	Central supplier database registration report and /or MAAA Number.
Bidders company profile	**Yes**	Company profile outlining service offering. The bidder must be in 100% ICT service offerings.
Standing bidding form 1 (SBD1)	**Yes**	Complete and signed standard bidding document (SBD1)
Declaration of Interest – SBD 4	**Yes**	Complete and signed standard bidding document (SBD4)
Preference Point Claim Form – SBD 6.1	**No**	Non-submission will lead to a zero (0) score on BBBEE.
Standard Bidding form 7.2	**Yes**	Complete and signed standard bidding document (SBD7.2)
Pricing Schedule	**Yes**	Detailed pricing schedule as per the scope of work. **Must sealed separate.**

7.2. GATE 2: TECHNICAL CRITERIA

The minimum qualifying score for functionality is 80 points. All bids that fail to achieve the minimum qualifying score on technical criteria will not be considered for further evaluation on Price and Preference **NB**: The CHIETA reserves the right to invite shortlisted bidders to give a presentation on their service offering.

Criteria	Threshold	Points allocation	Required evidence
1. Experience of the bidder in ICT project	**20**	• 0-3 Years = **0 points** • 4 and above = **20 points**	Submit business profile highlighting various internet services projects (Value, project name& duration) successfully implemented within the last four years to date.

2. ICT reference in deploying the solution	**30**	• 0-2 contactable reference = **10 points** • 3 contactable references = **15 points** • 4 and above contactable reference = **30 points**	Provide legitimate, verifiable, and authentic reference letters from companies/ organizations with which you have done installation, configuration, and provision of fibre and/or microwave internet services
3. Project lead experience	**20**	Project manager must have a minimum of 10 years' experience in implementing of internet solution in either public or private sector with Prince 2 practitioner certified and/or project management profession certification	Curriculum vitae for the Project Manager and copies Prince 2 of certification and/or project management professional certification (Note: listed project manager per bid submission must not be changed during the project implementation).
4. Accreditation of deployment team	**20**	• X3 deployment managers with CCNP or Higher Qualification = **20 points** • No certification = **0 points**	Certified copies of certification not older than six months must be submitted with the bids (Note: listed deployment team per bid submission must not be changed during the project implementation).
5. Accreditation of support team	**10**	The bidders support team must be certified with CCNA and/or higher and subscribe to ISP premium SLA, this should include after hours with onsite physical support. One per site. • X3 certified engineers and/or higher = **10 points** • 0 certified engineers and /or higher = **0 points**	Certified copies of certification not older than six months must be submitted with the bids (Note: listed deployment team per bid submission must not be changed during the project implementation).
TOTAL	**100**		

7.3. GATE 3: PRICE & PREFERNCE

The bidders that have successfully progressed through to Gate 1 & 2 will be evaluated in accordance with the **80/20** Preference Point System as contemplated in the Preferential Procurement Regulations 2022.

If appropriate, implied contract price adjustments will be made to the cost proposals of all remaining quotations.

The point scored for the B-BBEE status level certificate for each acceptable quotation will now be added to the price point.

REFER BELOW FOR RETURNABLE DOCUMENTS BELOW

STANDARD BIDING DOCUMBER (SBD1)

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE CHEMICAL INDUSTRIES EDUCATION AND TRAINING AUTHORITY					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID INCLUDING ENQUIRIES

As per Tender Instruction

SUPPLIER INFORMATION						
NAME OF BIDDER						
POSTAL ADDRESS						
STREET ADDRESS						
TELEPHONE NUMBER	CODE		NUMBER			
CELLPHONE NUMBER						
FACSIMILE NUMBER	CODE		NUMBER			
E-MAIL ADDRESS						
VAT REGISTRATION NUMBER						
	TCS PIN:		**OR**	CSD No:		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		☐ Yes ☐ No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?						

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE	☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
	☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)
	☐	A REGISTERED AUDITOR
		NAME:

TICK BOX		

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

1 ARE YOU THE ACCREDITED REPRESENTATIVE **IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐ No [IF YES ENCLOSE PROOF]	**2** ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES ANSWER PART B:3 BELOW]
3 SIGNATURE OF BIDDER	……	**4 DATE**	
5 CAPACITY UNDER WHICH THIS BID IS SIGNED			
6 TOTAL NUMBER OF ITEMS OFFERED		**7 TOTAL BID PRICE (ALL INCLUSIVE)**	N/A

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		**TECHNICAL INFORMATION MAY BE DIRECTED TO:**	
DEPARTMENT/ PUBLIC ENTITY	CHIETA	CONTACT PERSON	SCM
CONTACT PERSON	SCM	TELEPHONE NUMBER	N/A
TELEPHONE NUMBER		FACSIMILE NUMBER	N/A
FACSIMILE NUMBER		E-MAIL ADDRESS	rmathoka@chieta.org.za
E-MAIL ADDRESS			

1. BID SUBMISSION:

1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE

1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN

STATEMENT FOR B-BBEE MUST BE SUBMITTED TO THE BIDDING INSTITUTION.

1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN STATEMENT FOR B-BBEE MUST BE SUBMITTED TO THE BIDDING INSTITUTION.

1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

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

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

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

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

☐ YES ☐ NO

3.2. DOES BIDDER HAVE A BRANCH IN THE RSA?

☐ YES ☐ NO

3.3. DOES THE BIDDER HAVE PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

3.4. 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 NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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

STANDARD BIDDING DOCUMENT (SBD4)

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest[1] in the enterprise,
employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

[1] the power, by one person or a group of persons holding most of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

……
……

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

YES/NO

2.3.1 If so, furnish particulars:

……..
……..

3 DECLARATION

I, the undersigned, (name)…… in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read, and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 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[2] will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 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.

3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

……	……
Signature	Date
……	……
Position	Name of bidder

STANDARD BIDDING DOCUMENT (SBD6.1)

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.

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1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

(a) Price; and

(b) B-BBEE Status Level of Contributor.

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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 regarding 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) An affidavit as prescribed by the B-BBEE Codes of Good Practice;

3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on Black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(j) **"Rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 **or** **90/10**

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right) \quad \text{or} \quad Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Were

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(***Tick applicable box***)

YES		NO	

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		NO	

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		
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		

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 certificates,

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 because 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 because of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered because 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.

…… SIGNATURE(S) OF BIDDERS(S) DATE: ……...

STANDARD BIDDING DOCUMENT (SBD7.2)

1. We hereby undertake to render services described in the attached proposal documents to CHIETA in accordance with the requirements and task directives/proposals specifications at the price/s quoted. Our offer remains binding upon us and open for acceptance by CHIETA during the validity period indicated and calculated from the closing date of the bid.

2. The following documents shall be deemed to form and be read and construed as part of this agreement:

2.1 Bidding documents, viz

- Request for Bids
- Proposal submitted by the Service Provider in response to CHIETA 's Request for quotation
- Tax Clearance Certificate
- Pricing Schedule
- B-BBEE certificates in terms of the Preferential Procurement Regulations, 2017
- Declaration of interest
- Special Conditions of Contract (if applicable)

3. We agree that, for purposes of clause 27.4 of the TGCC, all disputes, unless otherwise agreed to between parties, shall be referred to mediation with an Arbitration Foundation of Southern Africa ("AFSA") accredited and appointed mediator in accordance with the then current rules of the AFSA or its successor.

4. We confirm that we have satisfied us as to the correctness and validity of our bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all our obligations and we accept that any mistakes regarding price(s) and rate(s) and calculations will be at our own risk.
5. We accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on us under this agreement as the principal liable for the due fulfilment of this contract.
6. We declare that we have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
7. I confirm that I am duly authorized to sign this contract for and/or on behalf of the Service Provider.

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

NAME (PRINT) …….

CAPACITY…….

SIGNATURE……..

NAME OF FIRM…….

DATE……..

WITNESSES

1 ……

2. ……..

0000END0000