



**KWAZULU-NATAL PROVINCE**

HUMAN SETTLEMENTS  
REPUBLIC OF SOUTH AFRICA

## **DEPARTMENT OF HUMAN SETTLEMENTS**

### **REQUEST FOR PROPOSAL**

**APPOINTMENT OF A PANEL OF CETA ACCREDITED SERVICE PROVIDERS TO CONDUCT TRAINING FOR EXPANDED PUBLIC WORKS PROGRAMME (EPWP) SKILLS DEVELOPMENT PROGRAMME PARTICIPANTS IN VARIOUS DISTRICTS THROUGHOUT THE PROVINCE FOR A PERIOD OF THREE YEARS.**

**ZNB66/2020/21HSE**

**CHECKLIST**

	SECTIONS COMPLETED	YES	NO
SECTION A	INVITATION TO BID Completed and signed		
SECTION B	TERMS AND CONDITIONS FOR BIDDING Please read and adhere to all instructions and submit a valid Tax Clearance Certificate or a Tax Status Compliance PIN		
SECTION C	SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF BIDDING FORMS Please read and adhere to all instructions		
SECTION D	DECLARATION OF INTEREST Completed and signed. In additional to other areas, detailed info in question 3 must be provided		
SECTION E	PREFERENCE POINTS CLAIM FORM IN TERMS OF PREFERENCE PROCUREMENT REGULATIONS OF 2017 Note 80/20 preference points system is applied i.e. 80 points for price and 20 points for preference. Indicate BBBEE status level of contribution as well as stipulate the points claimed. Valid Original or certified BBBEE certificate must be attached. Read in detail and provide info as stipulated. % SUB-CONTRACTED. Complete, sign and 2 witnesses		
SECTION F	PRICING SCHEDULE Completed and signed		
SECTION G	REGISTRATION ON CENTRAL SUPPLIERS DATABASE Service provider is registered CSD, database number provided. All service providers as well as all parties to JV, Trust, Consortium are registered with the above database and database number provided		
SECTION H	DECLARATION THAT INFORMATION ON CENTRAL SUPPLIER DATABASE IS CORRECT AND UP TO DATE Confirmation completed and signed		
SECTION I	CERTIFICATE OF INDEPENDENT BID DETERMINATION Completed and signed		
SECTION J	AUTHORITY TO SIGN A BID Complete the relevant paragraph and provide the documents required e.g.: - <b>COMPANIES:</b> Attach an original or certified copy of resolution by board of directors, personally signed by the chairperson, authorizing the person who signs this bid to do so.... <b>PARTNERSHIP:</b> Attach Agreement signed by every partner with partner's details as stipulated in the document. Also, provide authorized signatory details. <b>CLOSE CORPORATION:</b> Certified copy of Founding Statement must be attached. Attach a resolution of members authorizing an official or member to sign document on behalf of the CC <b>CO-OPERATIVE:</b> A certified copy of the Constitution of the co-operative must be attached to the bid. Attach a resolution of members authorizing an official of member to sign document on behalf of the co-operative <b>JOINT VENTURE:</b> Attach a certified copy of JV Agreement. Attach a certified copy of resolution signed by duly authorized representative of the enterprise authorizing a representative to sign document on behalf of the JV <b>CONSORTIUM:</b> Attach a certified copy of Agreement. Attach a certified copy of resolution by duly authorized representative of the enterprises authorizing a representative to sign document on behalf of the Consortium		
SECTION K	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES Completed and signed		
SECTION L	CONDITION OF BID Completed and signed		
SECTION M	SPECIFICATIONS AND SCOPE OF WORK Read carefully and adhere		
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## SECTION A

SBD1

## INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE KZN DEPARTMENT OF HUMAN SETTLEMENTS					
BID NUMBER:	ZNB66/2020/21HSE	CLOSING DATE:	25 MARCH 2020	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A PANEL OF CETA ACCREDITED SERVICE PROVIDERS TO CONDUCT TRAINING FOR EXPANDED PUBLIC WORKS PROGRAMME (EPWP) SKILLS DEVELOPMENT PROGRAMME PARTICIPANTS IN VARIOUS DISTRICTS THROUGHOUT THE PROVINCE FOR A PERIOD OF THREE YEARS.				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN BID BOX NUMBER 04 SITUATED IN THE FOYER, 12 <sup>TH</sup> FLOOR,					
DEPARTMENT OF HUMAN SETTLEMENTS, EAGLE BUILDING, 353 – 363 DR PIXELY KASEME STREET, DURBAN, 4001					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY	KZN HUMAN SETTLEMENTS		CONTACT PERSON	MR THUTHUKA GOBA/MS KHULISIWE SITHOLE	
CONTACT PERSON	MS R. GAFOOR /K MTHEMBU/.S BIYASE/ S MKHIZE		TELEPHONE NUMBER	072 604 1383/082 771 5086	
TELEPHONE NUMBER	031 336 5142/5166/5165/5241		FACSIMILE NUMBER		
FACSIMILE NUMBER	031 336 5170		E-MAIL ADDRESS	<a href="mailto:Thuthuka.Goba@kzndhs.gov.za">Thuthuka.Goba@kzndhs.gov.za</a> / <a href="mailto:Khulisiwe.Sithole@kzndhs.gov.za">Khulisiwe.Sithole@kzndhs.gov.za</a>	
E-MAIL ADDRESS	<a href="mailto:razia.gafoor@kzndhs.gov.za">razia.gafoor@kzndhs.gov.za</a> <a href="mailto:Khanyi.zondi@kzndhs.gov.za">Khanyi.zondi@kzndhs.gov.za</a> <a href="mailto:Siphesihle.biyase@kzndhs.gov.za">Siphesihle.biyase@kzndhs.gov.za</a> <a href="mailto:Sizwe.Mkhize@kzndhs.gov.za">Sizwe.Mkhize@kzndhs.gov.za</a>				
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					

Initials \_\_\_\_\_

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SUPPLIER COMPLIANCE STATUS	TCS PIN:		<b>OR</b>	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No			B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE <b>IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER <b>FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART 3 BELOW]	
<b>3.QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A		
DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A		
DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A		
DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A		
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b>					

Initials \_\_\_\_\_

**SECTION B  
TERMS AND CONDITIONS FOR BIDDING**

**1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED)
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

**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.

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

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

**SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF BIDDING FORMS**

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999, THE KWAZULU-NATAL SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK AND THE GENERAL CONDITIONS OF CONTRACT.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted.
3. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. **Bids submitted must be accurately completed. Bidders must ensure that all questions are answered. If questions are “not applicable”, bidders must ensure that “NA” is indicated in the relevant space. It is not permissible to leave blank spaces or unanswered questions. Bidders will only be considered if the bid document is accurately completed and accompanied by all relevant certificates and other necessary and applicable information. Original signature must appear on all relevant Sections of the bid document. Failure to comply with same will invalidate your bid.**
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
7. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.
8. **Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. A compact disk (CD) containing only a scanned copy, in PDF format, of the bid shall be submitted together with the bid inside the sealed envelope. If this provision is not complied with, such bids may be rejected as being invalid.**
9. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids.
10. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.

11. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
12. No bid submitted by telefax, telegraphic or other electronic means will be considered.
13. Bidding documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
14. Any alteration made by the bidder must be initialed.
15. Use of correcting fluid is prohibited.
16. Use of erasable pen is prohibited.
17. The document must be fill/completed using black ink and use of erasable pens are prohibited.
18. Where practical, prices are made public at the time of opening bids.
19. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.
20. The bidder must initial every page of the bid document.
21. **The bid document can only be downloaded at no cost – [www.etenders.gov.za](http://www.etenders.gov.za).**
22. **No bid document will be issued by the Department.**
23. Briefing sessions will not be conducted, however bidders who would need clarity in respect of the scope of work may contact the following Departmental officials via email /cell phone [thuthuka.goba@kzndhs.gov.za](mailto:thuthuka.goba@kzndhs.gov.za) / [khulisiwe.sithole@kzndhs.gov.za](mailto:khulisiwe.sithole@kzndhs.gov.za) or 072 604 383/082 771 5086.
24. **This bid is limited to tenderers who will meet the following pre-qualification criteria (in terms of Preferential Procurement Regulations, 2017):**
  - a) a bidder having a minimum B-BBEE status level 1; or
  - (b) an EME or QSE.

Note: A bid that fails to meet any pre-qualifying criteria stipulated above will not be considered.



## DECLARATION OF INTEREST

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

- 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<sup>2</sup>): .....

2.4 Company Registration Number .....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

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

<sup>1</sup> "State" means –

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

<sup>2</sup> "Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

- 2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

Initials \_\_\_\_\_

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 attached 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 twelve months?

**YES/ NO**

2.8.1 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.

.....

.....

Initials \_\_\_\_\_

.....  
 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 directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number/ Pearsal Number

**4 DECLARATION**

I, THE UNDERSIGNED (NAME).....  
 CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
 SIGNATURE

.....  
 DATE

.....  
 POSITION

.....  
 NAME OF BIDDER

**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); 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 **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:

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

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

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

**2. DEFINITIONS**

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised

competitive bidding processes or proposals;

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

### 3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

$$P_s = 8 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 9 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration
- P<sub>min</sub> = 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	<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:

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

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

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

[TICK APPLICABLE BOX]

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

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

**8.6 COMPANY CLASSIFICATION**

[TICK APPLICABLE BOX]

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

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

8.8 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.

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>
--

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p>
<p>DATE: .....</p> <p>ADDRESS .....</p> <p>.....</p> <p>.....</p>



**SECTION F**

**SBD 7.1**

**PRICING SCHEDULE – FIRM PRICES**

NAME OF BIDDER .....	BID NUMBER: ZNB66/2020/21HSE
CLOSING TIME 11:00am	CLOSING DATE :25 MARCH 2021

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

**DESCRIPTION: APPOINTMENT OF A PANEL CETA ACCREDITED SERVICE PROVIDERS TO CONDUCT TRAINING FOR EXPANDED PUBLIC WORKS PROGRAMME (EPWP) SKILLS DEVELOPMENT PROGRAMME PARTICIPANTS IN VARIOUS DISTRICTS THROUGHOUT THE PROVINCE FOR A PERIOD OF THREE YEARS.**

Price will be in terms of Procurement-by-Procurement basis in respect of services appended hereunder:

**National Certificate in Building and Civil Construction**

<b>SERVICES</b>
TRAINING AND MENTORSHIP (PER PERSON)
PROVISION OF TOOLS( PER PERSON) <b>as indicated in Section M</b>
PROVISION OF PERSONAL PROTECTIVE EQUIPMENT WHICH ARE COVID-19 COMPLIANT(PERSON) <b>as indicated in Section M</b>
PAYMENT OF STIPENDS FOR THE DURATION OF SKILLS PROGRAMME (SIX MONTHS) (PER PERSON)
MANAGEMENT FEE IN RANDS FOR THE PAYMENT OF STIPENDS WILL BE AT 10% FIXED (PER PERSON)

**Further Education and Training Certificate: Plumbing**

<b>SERVICES</b>
TRAINING AND MENTORSHIP (PER PERSON)
PROVISION OF TOOLS( PER PERSON) <b>as indicated in Section M</b>
PROVISION OF PERSONAL PROTECTIVE EQUIPMENT WHICH ARE COVID-19 COMPLIANT(PERSON) <b>as indicated in Section M</b>
PAYMENT OF STIPENDS FOR THE DURATION OF SKILLS PROGRAMME (SIX MONTHS) (PER PERSON)
MANAGEMENT FEE IN RANDS FOR THE PAYMENT OF STIPENDS WILL BE AT 10% FIXED (PER PERSON)

**National Certificate Community House Building**

<b>SERVICES</b>
TRAINING AND MENTORSHIP (PER PERSON)
PROVISION OF TOOLS( PER PERSON) <b>as indicated in Section M</b>
PROVISION OF PERSONAL PROTECTIVE EQUIPMENT WHICH ARE COVID-19 COMPLIANT(PERSON) <b>as indicated in Section M</b>
PAYMENT OF STIPENDS FOR THE DURATION OF SKILLS PROGRAMME (SIX MONTHS) (PER PERSON)
MANAGEMENT FEE IN RANDS FOR THE PAYMENT OF STIPENDS WILL BE AT 10% FIXED (PER PERSON)

Initials \_\_\_\_\_

- Required by **KZN DEPARTMENT OF HUMAN SETTLEMENTS**
- Period required for delivery: **THREE (3) YEARS**
- Request for quotations will be sent to all service providers from the panel for each training.

**SIGNATURE .....**

**DATE .....**

## SECTION G

### REGISTRATION ON THE CENTRAL SUPPLIERS DATABASE

1. In terms of the National Treasury, instruction note of 4 A all suppliers of Goods and Services to any Government Entity are required to register on the Central Suppliers Database
2. If you wish to apply for registration, you may do so online from the website <http://www.csd.gov.za>,
3. If a business is registered on the Database and it is found subsequently that false or incorrect information has been supplied, then the Department may, without prejudice to any other legal rights or remedies it may have;
  - 3.1 de-register the supplier from the Database,
  - 3.2 cancel a bid or a contract awarded to such supplier, and the supplier would become liable for any damages if a less favorable bid is accepted or less favorable arrangements are made.
4. **The same principles as set out in paragraph 3 above are applicable should the supplier fail to request updating of its information on the Suppliers Database, relating to changed particulars or circumstances.**

CSD REGISTRATION: MAAA \_\_\_\_\_

**DECLARATION THAT INFORMATION ON CENTRAL SUPPLIERS DATABASE IS  
CORRECT AND UP TO DATE**  
(To be completed by bidder)

THIS IS TO CERTIFY THAT I (name of bidder/authorized representative)

....., WHO REPRESENTS (state name of

bidder).....

AM AWARE OF THE CONTENTS OF THE CENTRAL SUPPLIERS DATABASE WITH  
RESPECT TO THE BIDDER'S DETAILS AND REGISTRATION INFORMATION, AND THAT  
THE SAID INFORMATION IS CORRECT AND UP TO DATE AS ON THE DATE OF  
SUBMITTING THIS BID.

AND I AM AWARE THAT INCORRECT OR OUTDATED INFORMATION MAY BE A CAUSE  
FOR DISQUALIFICATION OF THIS BID FROM THE BIDDING PROCESS, AND/OR  
POSSIBLE CANCELLATION OF THE CONTRACT THAT MAY BE AWARDED ON THE BASIS  
OF THIS BID.

.....  
**SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE**

**DATE:** .....

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a *pe 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 (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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 purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid: **ZNB66/2020/21HSE** in response to the invitation for the bid made by **KZN DEPARTMENT OF HUMAN SETTLEMENTS** do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (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 consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.

Initials \_\_\_\_\_

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

.....  
SIGNATURE

.....  
DATE

.....  
POSITION

.....  
NAME OF BIDDER

**AUTHORITY TO SIGN A BID**

**A. COMPANIES**

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid

**AUTHORITY BY BOARD OF DIRECTORS**

By resolution passed by the Board of Directors on.....20.....,  
Mr/Mrs..... (whose signature  
appears below) has been duly authorised to sign all documents in connection with this bid on behalf of

(Name of Company)

.....

**IN HIS/HER CAPACITY AS:** .....

**SIGNED ON BEHALF OF COMPANY:** .....  
(PRINT NAME)

**SIGNATURE OF SIGNATORY:** ..... **DATE:** .....

**WITNESSES:** 1 .....

2 .....

**B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)**

I, the undersigned..... hereby confirm that I am  
the sole owner of the business trading as .....

.....

.....  
**SIGNATURE**

.....  
**DATE**



**C. PARTNERSHIP**

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner	Residential address	Signature
.....	.....	.....
.....	.....	.....
.....	.....	.....

We, the undersigned partners in the business trading as.....

hereby authorise .....to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and /or contract on behalf of

.....	.....	.....
<b>SIGNATURE</b>	<b>SIGNATURE</b>	<b>SIGNATURE</b>

.....	.....	.....
<b>DATE</b>	<b>DATE</b>	<b>DATE</b>

**D. CLOSE CORPORATION**

In the case of a close corporation submitting a bid, a certified copy of the Founding Statement of such corporation shall be included with the bid, together with the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on ..... 20..... at.....

.....Mr/Ms....., whose signature appears below, has been authorised to sign all documents in connection with this bid

on behalf of (Name of Close Corporation) .....

**SIGNED ON BEHALF OF CLOSE CORPORATION:** .....  
(PRINT NAME)

**IN HIS/HER CAPACITY AS** ..... **DATE:** .....

**SIGNATURE OF SIGNATORY:** .....

**WITNESSES:** 1 .....

2 .....

**E. CO-OPERATIVE**

A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on ..... 20..... at .....

Mr/Ms....., whose signature appears below,

has been authorised to sign all documents in connection with this bid on behalf of (Name of

Co-operative).....

**SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:**

.....

**IN HIS/HER CAPACITY AS:** .....

**DATE:** .....

**SIGNED ON BEHALF OF CO-OPERATIVE:** .....

**NAME IN BLOCK LETTERS:** .....

**WITNESSES: 1** .....

**2** .....

**F. JOINT VENTURE**

If a bidder is a joint venture, a certified copy of the resolution/agreement passed/reached signed by the duly authorized representatives of the enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the joint venture must be submitted with this bid, before the closing time and date of the bid.

**AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE**

By resolution/agreement passed/reached by the joint venture partners on.....20.....

Mr/Mrs.....Mr/Mrs.....

Mr/Mrs.....Mr/Mrs.....

(whose signatures appear below) have been duly authorized to sign all documents in connection with this bid on behalf of :

(Name of Joint Venture) .....

**IN HIS/HER CAPACITY AS** .....

**SIGNED ON BEHALF OF (COMPANY NAME)** .....  
**(PRINT NAME)**

**SIGNATURE** ..... **DATE** .....

-----

**IN HIS/HER CAPACITY AS** .....

**SIGNED ON BEHALF OF (COMPANY NAME)** .....  
**(PRINT NAME)**

**SIGNATURE** ..... **DATE** .....

**IN HIS/HER CAPACITY AS** .....

**SIGNED ON BEHALF OF (COMPANY NAME)** .....  
**(PRINT NAME)**

**SIGNATURE** ..... **DATE** .....

-----

**IN HIS/HER CAPACITY AS** .....

**SIGNED ON BEHALF OF (COMPANY NAME)** .....  
**(PRINT NAME)**

**SIGNATURE** ..... **DATE** .....

**G. CONSORTIUM**

If a bidder is a consortium, a certified copy of the resolution/agreement passed/reached signed by the duly authorized representatives of concerned enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the consortium must be submitted with this bid, before the closing time and date of the bid.

**AUTHORITY TO SIGN ON BEHALF OF THE CONSORTIUM**

By resolution/agreement passed/reached by the consortium on .....20.....

Mr/Mrs .....

(whose signature appear below) have been duly authorized to sign all documents in connection with this bid on behalf of :

(Name of Consortium).....

**IN HIS/HER CAPACITY AS** .....

**SIGNATURE** ..... **DATE** .....

**DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

(To be completed by Bidder.)

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions 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.
- 3 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.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>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?</p> <p><b>(Companies or persons who are listed on this database were informed in writing of this restriction by the Accounting Officer/ Authority of the institution that imposed restriction after the <i>audi alteram partem</i> rule was applied).</b></p> <p>The Database of Restricted Suppliers now resides on the national treasury’s website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:..... ..... .....		

4.2	<p>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)?</p> <p><b>The register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	<p>If so, furnish particulars:.....</p> <p>.....</p> <p>.....</p>		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	<p>If so, furnish particulars:.....</p> <p>.....</p> <p>.....</p>		
4.4	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.4.1	If so, furnish particulars:..... ..... .....
-------	--

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME).....  
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM  
 IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION  
 MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE  
 FALSE.

.....  
**SIGNATURE**

.....  
**DATE**

.....  
**POSITION**

.....  
**NAME OF BIDDER**

**SECTION L**

**CONDITIONS OF BID**

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the KwaZulu-Natal Provincial Administration (hereinafter called the "Province") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated into this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
  
2. I/we agree that:
  - (a) the offer herein shall remain binding upon me and open for acceptance by the Province during the validity period indicated and calculated from the closing time of The bid;
  - (b) this bid and its acceptance shall be subject to Treasury Regulations 16A issued in terms of the Public Finance Management Act, 1999, the KwaZulu-Natal Supply Chain Management Policy Framework, the Provincial Treasury issued Practice Notes, and the KwaZulu-Natal General Conditions of Contract, with which I/we am Fully acquainted;
  - (c) if I/we withdraw my bid within the period for which I/we have agreed that the bid shall remain open for acceptance, or fail to fulfill the contract when called upon to do so, the Province may, without prejudice to its other rights, agree to the withdrawal of my bid or cancel the contract that may have been entered into between me and the Province. I/we will then pay to the Province any additional expenses incurred by the Province having either to accept any less favourable bid or, if fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bids and by the subsequent acceptance of any less favourable bid. The Province shall have the right to recover such additional expenditure by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfillment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Province may sustain by reason of my default;
  - (d) if my bid is accepted, the acceptance may be communicated to me by registered post, and that the South African Post Office Limited shall be treated as delivery agent to me;
  - (e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose *domicilium citandi et executandi* in the Republic at (full physical address):  
  
.....  
.....
  
3. I/we furthermore confirm that I/we have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference quoted cover all of the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
  
4. I/we hereby accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me under this agreement, as the Principal(s) liable for the due fulfillment of this contract.



5. I/we agree that any action arising from this contract may in all respects be instituted against me and I/we hereby undertake to satisfy fully any sentence or judgment which may be pronounced against me as a result of such action.

6. I/we confirm that I/we have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

7. **CERTIFICATION OF CORRECTNESS OF INFORMATION SUPPLIED IN THIS DOCUMENT**

I/WE, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE BIDDER, CERTIFY THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The bidder will furnish documentary proof regarding any bidding issue to the satisfaction of the Province, if requested to do so.
- (2) If the information supplied is found to be incorrect and/or false then the Province, in addition to any remedies it may have, may:-
  - (a) Recover from the contractor all costs, losses or damages incurred or sustained by the Province as a result of the award of the contract, and/or
  - (b) Cancel the contract and claim any damages which the Province may suffer by having to make less favourable arrangements after such cancellation.

SIGNED ON THIS ..... DAY OF ..... 20 .....

AT.....

.....  
**SIGNATURE OF BIDDER OR DULY  
AUTHORISED REPRESENTATIVE  
ON BEHALF OF BIDDER**

.....  
**NAME IN BLOCK LETTERS  
(BIDDER'S NAME)**

.....  
**CAPACITY OF SIGNATORY**

**NAME OF CONTACT PERSON (IN BLOCK LETTERS, PLEASE)**  
.....

**POSTAL ADDRESS** .....  
.....

**TELEPHONE NUMBER:** .....

**FAX NUMBER:** .....

**CELLULAR PHONE NUMBER:** .....

**E-MAIL ADDRESS:** .....

## SECTION M

### **DESCRIPTION OF SERVICES REQUIRED, SPECIFICATION AND SCOPE OF WORK**

**BIDDERS TO COMPLY STRICTLY WITH ALL FACETS OF THE SPECIFICATION, METHODOLOGY AND ADDITIONAL INFORMATION TO INDICATE OR EMPHASIZE CAPACITY TO UNDERTAKE THE REQUIRED SERVICE MUST BE FURNISHED.**

The KZN Department of Human Settlements hereby invites proposals and from suitably qualified and experienced service providers for appointment of a panel of CETA accredited service providers to conduct training for Expanded Public Works Programme (EPWP) skills development programme participants in various districts throughout the province for a period of three years.

The successful applicants will be required to enter into an Agreement with the Department of Human Settlements. The applicant must comply with legislative requirements.

**TERMS OF REFERENCE FOR APPOINTMENT OF A PANEL OF CETA ACCREDITED SERVICE PROVIDERS TO CONDUCT TRAINING FOR EXPANDED PUBLIC WORKS PROGRAMME (EPWP) SKILLS DEVELOPMENT PROGRAMME PARTICIPANTS IN VARIOUS DISTRICTS THROUGHOUT THE PROVINCE FOR A PERIOD OF THREE YEARS.**

#### **1. INTRODUCTION AND BACKGROUND**

- 1.1.1. The aim is to provide CETA accredited training to Expanded Public Works Programme Participants for KZN Department of Human Settlement in various Districts throughout the province.

#### **2. SCOPE OF WORK**

- 2.1. The service provider shall provide theoretical and practical training to all EPWP Training participants recruited by the Department in accordance with the time schedule agreed upon.
- 2.2. Provision of set of tools for each EPWP participant undergoing training for effective teaching and learning.
- 2.3. Ensure health and safety of all learners through provision of Personal Protective Equipment in line with COVID-19 regulations.
- 2.4. Pay stipends to learners in accordance with stipulated minimum wage for EPWP participants at the end of each month.
- 2.5. Submit monthly progress reports for each learner and at end of the training, submit a final closeout report.
- 2.6. Upon successful completion of training will issue learners with certificates of competency.

### **Tools required for each training programme**

1. National Certificate in Community House Building and Building & Civil Construction tools of trade
  - 1.1 650mm Steel Bricklayers Toolbox With Padlock
  - 1.2 600mm Spirit Level
  - 1.3 5m Tape
  - 1.4 Building Line
  - 1.5 Chalk Line
  - 1.6 Bricklayers Pencil
  - 1.7 Straight Edge
  - 1.8 100mm Brick Bolster
  - 1.9 4lb Club Hammer
  - 1.10 Claw Hammer
  - 1.11 Plastering Trowel
  - 1.12 Pointing Trowel

- 1.13 Jointers (Round And Square)
- 1.14 Sponge
- 1.15 Bucket
- 1.16 Wood Float
- 1.17 Plastic Float
- 1.18 Building Square 600x400
- 1.19 Plaster Hawk
- 1.20 Block Brush White Wash
- 1.21 Block Brush Wire

2. Further Education and training certificate in Plumbing tools of trade

- 2.1 650mm - Steel Bricklayers Toolbox with Padlock
- 2.2 600mm Spirit Level
- 2.3 5m Tape
- 2.4 Blow Torch
- 2.5 Flat and Philip Screwdrivers
- 2.6 Club Hammer
- 2.7 Chisel Cold
- 2.8 Flux
- 2.9 Soldering Wire
- 2.10 Metal File
- 2.11 Hack Saw
- 2.12 Adjustable Pipe Wrench
- 2.13 Ball Pen Hammer
- 2.14 Pliers
- 2.15 Tube Cutters

**Specification for COVID-19 compliant Personal Protective Equipment:**

The aim is to provide personal protective equipment to EPWP learners participating in the EPWP Skills Development Programme.

Detailed Specification:

<b>Product</b>	<b>Product Description</b>
Two Piece Overall	Colour Green: 2x two piece overall branded with Human Settlements logo and EPWP logo J54 Quality Cotton
T-Shirt	Colour Green: 2x t-shirt branded with Human Settlements logo and EPWP logo
Safety boots	SABS approved safety boots
Reflective Waistcoat	Hi-Vis Reflective waistcoat 100% Polyester Tricot
Safety Gloves	Nitrile Heavy duty safety gloves for construction
Hard hats	Nikki Industrial Hard hats
Goggles	Construction Goggles
Mask Respirator	N95 or FFP2-Mask Respirator/Dust Mask, or higher. Good breathability with design that does not collapse against the mouth (e.g. duckbill, cup-shaped).
Visor/Face Shield	Made of clear plastic and providing good visibility to both the wearer and the patient. Adjustable band to attach firmly around the head and fit snugly against the forehead, fog resistant (preferable). Completely cover the sides and length of the face. May be re-usable (made of robust material which can be cleaned and disinfected) or disposable.

The following qualifications will be targeted for relevant skills programmes during a cycle of the panel of service providers:

<b>QUALIFICATION/TRADE</b>	<b>SAQA ID</b>	<b>SETA</b>	<b>NQF LEVEL</b>
NATIONAL CERTIFICATE IN BUILDING AND CIVIL CONSTRUCTION	65409	CETA	3
FURTHER EDUCATION AND TRAINNG CERTIFICATE:PLUMBING	58782	CETA	4
NATIONAL CERTIFICATE COMMUNITY HOUSE BUILDING	24273	CETA	2

**TECHNICAL ENQUIRIES:** MR THUTHUKA GOBA/MS KHULISIWE SITHOLE

**CONTACT NUMBER** : 072 604 1383/082 771 5086

## SECTION N

### SPECIAL CONDITIONS OF CONTRACT

**APPOINTMENT OF A PANEL OF CETA ACCREDITED SERVICE PROVIDERS TO CONDUCT TRAINING FOR EXPANDED PUBLIC WORKS PROGRAMME (EPWP) SKILLS DEVELOPMENT PROGRAMME PARTICIPANTS IN VARIOUS DISTRICTS THROUGHOUT THE PROVINCE FOR A PERIOD OF THREE YEARS.**

#### CONDITIONS OF BID

##### 1. INTRODUCTION

This bid is invited and will be awarded and administered in terms of the following:

- 1.1 KwaZulu-Natal Supply Chain Management Policy Framework
- 1.2 Section 217 of the Constitution
- 1.3 The PFMA and its Regulations in general
- 1.4 The Preferential Procurement Policy Framework Act
- 1.5 The Preferential Procurement Regulations, 2017
- 1.6 Treasury SCM Instruction notes and guidelines
- 1.7 The General Conditions of Contract

##### 2. REQUIRED COMPULSORY INFORMATION

2.1 The bidder shall ensure that all the required information is furnished; viz:-

- 2.1.1 Invitation to Bid SBD1 (**SECTION A**)
- 2.1.2 Declaration of good standing regarding Tax Clearance Certificate SBD 2 (**SECTION B**)
- 2.1.3 Declaration of Interest SBD4 (**SECTION D**)
- 2.1.4 Preference Points Claim Form in terms of Preference Procurement Regulations of 2017 SBD6.1 (**SECTION E**)
- 2.1.5 Pricing Page-Firm Pricing SBD7.1 (**SECTION F**)
- 2.1.6 Registration on Central Suppliers Database (**SECTION G**)
- 2.1.7 Declaration that information on Central Suppliers Database is correct and up to date SBD 8 (**SECTION H**)
- 2.1.8 Certificate of Independent Bid Determination SBD 9 (**SECTION I**)
- 2.1.10 Authority to sign a bid SBD 11 (**SECTION J**)
- 2.1.11 Declaration of bidders past Supply Chain Management practices SBD 12 (**SECTION K**)
- 2.1.12 Conditions of bid (**SECTION L**)
- 2.1.14 Special Condition of Contract – (**SECTION N**)
- 2.1.15 Must be accredited with Construction Education and Training Authority (CETA).

##### 2.2 DECLARATION OF BIDDER OF GOOD STANDING REGARDING TAX

- 2.2.1 A valid Tax Clearance Certificate or a Tax Status Compliance PIN may be submitted at bidder's discretion with the bid before the closing date and time of the bid.
- 2.2.2 Each party to a Joint Venture/Consortium submitting a bid may submit an original and valid Tax Clearance Certificate or a Tax Status Compliance PIN with the bid before the closing date and time of the bid, at the bidder's discretion.

## SCOPE OF BID

- 3.1 This bid is invited by the KwaZulu-Natal Department of Human Settlements and is open to all potential service providers who have the execution capacity and wish to participate in this bid which entails the **appointment of a panel CETA accredited service providers to conduct training for Expanded Public Works Programme (EPWP) skills development programme participants in various Districts throughout the province for a period of three years.**
- 3.2 **This bid is limited to tenderers who will meet the following pre-qualification criteria (in terms of Preferential Procurement Regulations, 2017):**
- (a) a bidder having a minimum B-BBEE status level 1; or
  - (b) an EME or QSE.

**Note: A bid that fails to meet any pre-qualifying criteria stipulated above will not be considered.**

- 3.3 All suppliers submitting their bids must be registered with the Central Suppliers Database. Non-registration of a bidder at time of closing of the bid will render the bid invalid.
- 3.4 Each party to a Joint Venture/Consortium submitting a bid must be registered on the new Central Suppliers Database. Non-registration of any party to such a Joint Venture/Consortium on closing of the bid will render the bid invalid.
- 3.5 Joint Venture agreement should detail percentage to the project and must be signed by both parties.
- 3.6 A consolidated B-BBEE certificate must be submitted together with the bid document.
- 3.7 A nominated bank account must be opened.
- 3.8 Each party to a Joint venture must complete SBD 4 (declaration of interest)
- 3.9 Each party to a Joint venture must complete SBD 12 (Declaration of bidders past SCM practices)
- 3.10 The Department reserves the right in accepting and awarding of the bid. The Department is not obliged to accept the lowest or any bid.
- 3.11 The service must be executed by the successful bidder to whom the bid is awarded.
- 3.12 Original or certified copy of BBBEE rating certificate issued by the authorized verification agency/ Original affidavit must be attached and delivered with the bid to ensure consideration thereof.
- 3.13 The Department reserves the right to award the bid in totality or to contract multiple service providers to procure the required service.
- 3.14 Service providers to ensure full compliance with all aspects of the specifications.
- 3.15 The closing date for receipt of bid is **25 MARCH 2021 11h00**. The bids should be submitted in a sealed envelope marked "Bid – **ZNB66/2020/21HSE**", a compact disk (CD) containing only a scanned copy, in PDF format, of the bid shall be submitted together with the bid inside the sealed envelope. The bid box marked **Box No. 04** is located at the foyer area of the **Department of Human Settlements, 12<sup>th</sup> floor, 353-363 Dr. Pixley Ka Seme Street.**

#### **4. CONTRACT PERIOD**

- 4.1 The contract period shall remain in force for a period of 3 years from the date of signing of SLA.
- 4.2 The KwaZulu-Natal Department of Human Settlements reserves the right to terminate the contract with any service provider should the service provider fail to fulfill his/her contractual obligations in terms of this contract.
- 4.3 The KwaZulu-Natal Department of Human Settlements reserves the right to procure this service outside of the contract in cases where the supplier is unable to provide the said service due to circumstances beyond it or the Departments control.

#### **5. VALIDITY PERIOD**

- 5.1 Bids must be valid for a period of 120 days from the closing date of the bid.
- 5.2 When it is necessary to request bidders to extend the validity period of their bid as a result of exceptional circumstances, the period of the extended validity will be determined and advised to bidders within the initial or any extended validity period.

#### **6. UNSATISFACTORY PERFORMANCE**

- 6.1 Unsatisfactory performance occurs when performance is not in accordance with the contract conditions
- 6.2 If the contractor does not perform satisfactorily, the Department will institute the relevant measures for cancellation of the contract.
- 6.3 The Department reserves the right to terminate the contract when the bidder has failed to meet the required standards

#### **7. REMEDIES IN THE CASE OF INCORRECT PREFERENCES**

- 7.1 If a bidder should be awarded a contract on the basis of wrong information which he/she supplied regarding the preference which he/she claimed, and it is shown later that the information is incorrect, in addition to any legal impact which it may have, the Department will:-
  - 7.1.1 Cancel the contract and recover any loss which the Department may have suffered as a result of having to make less favourable arrangements.
  - 7.1.2 Recover any costs or damages which the Department may have suffered as a result of the inclusion in the contract.

#### **8. APPEALS PROCEDURES**

- 8.1 Appeals must be lodged in terms of the appeals procedure applicable in terms of Practice Note No. 7 of 2006.
- 8.2 Appeals are to be directed to: The Secretariat, Bid Appeals Tribunal, Private Bag X9082, Pietermaritzburg, 3200, Tel no: 033-897 4462, Fax no: 033- 342 4238.

**9. TAX CLEARANCE CERTIFICATE**

- 9.1 A valid Tax Clearance Certificate or a Tax Status Compliance PIN may be submitted at bidder's discretion with the bid before the closing date and time of the bid.
- 9.2 Each party to a Joint Venture/Consortium submitting a bid may submit an original and valid Tax Clearance Certificate or a Tax Status Compliance PIN with the bid before the closing date and time of the bid, at the bidder's discretion.

**10. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION**

- 10.1 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>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
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

**11. COMPLETENESS OF THE BID**

- 11.1 Bidders will only be considered if the bid document is correctly completed in all respects and accompanied by all relevant certificates and other necessary and applicable information.



## 12. EVALUATION CRITERIA

THE BID WILL BE EVALUATED IN TWO STAGES AS FOLLOWS:

### 12.1 STAGE 1 – ELIGIBILITY CRITERIA

IN ADDITION TO ALL REQUIREMENTS A COMPREHENSIVE COMPANY PROFILE MUST BE ATTACHED DETAILING ALL INFORMATION REQUIRED AS PER STAGE 1 OF EVALUATION CRITERIA, FOR THE PROGRESSION TO STAGE 2, SERVICE PROVIDERS MUST SCORE A MINIMUM OF 60% OF TOTAL POINTS AND PROFILE MUST HAVE TRACEABLE REFERENCES WITH A PROVEN TRACK RECORD. DOCUMENTARY PROOF OF COMPLETED CONTRACTS MUST BE ATTACHED.

Key Aspects	Basis for Point Allocation	Score	Max Points
Methodology	Define a clear methodology to provide training programme for participants on EPWP in the construction sector: (30 Points)	Good	21-30
	Acceptable (in terms of above).	Fair	9-20
	Lacks the appropriate level of experience (in terms of above).	Poor	0-8
Relevant Experience	Clearly Indicates relevant experience in terms of number of completed similar projects. Reference letters signed by respective institutions must be attached for each project completed.		
	5 or more similar projects successfully completed- provide 5 and above reference letters. 30 Points	Good	21-30
	2 – 4 similar projects successfully completed –provide 2 to 4 reference letters. 20 Points	Fair	9 –20
	1 similar project successfully completed- provide reference letter-8 Points	Poor	0 – 8
Stakeholders and Resources Organogram	<b>Stakeholders</b> Clearly indicate all relevant stakeholders in the implementation of successful EPWP skills training programmes. 10 Points	Good	11-20
	<b>Resource Organogram</b> Detailed Organogram with curriculum vitae's detailing the duties and responsibilities of key personnel coupled with their experience.10 Points		
	Organogram is acceptable 10 Points	Fair	6-10
	Lacks appropriate, applicable and relevant skills and resources ( in terms of above) 5 Points	Poor	0-5
Financial Capacity	Financial viability to be proven by supplying credit rating letter from the bank. Credit rating category A-10 Points	Good	11-20
	Category B-12 points	Fair	6-10
	Category C-5 points	Poor	0-5
	Did not provide bank rating letter-0 points		
<b>TOTAL</b>			<b>100</b>

**13.2 STAGE 2 – 80/20 PREFERENCE POINTS SYSTEM**

The 80/20 Preference Points System will be utilized. In terms of Regulation 6 (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>B-BBEE Status Level of Contributor</b>	<b>Number of points (80/20 system)</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0