



## **Economic Development & Tourism**

Department:  
Economic Development & Tourism  
NORTHERN CAPE PROVINCE  
REPUBLIC OF SOUTH AFRICA

**REQUEST FOR BID: DEDaT 0007/2019**

### **SECURITY SERVICES**

**APPOINTMENT OF A SECURITY COMPANY TO PROVIDE SECURITY IN KIMBERLEY FOR A PERIOD OF  
3 YEARS.**

**TENDER NO. DEDaT 0007/2019**

### **TERMS OF REFERENCE**

<b>ELIGIBILITY</b>	:	A registered security company with expertise to provide security to the Northern Cape Department Of Economic Development and Tourism
<b>DUTY STATION</b>	:	Kimberley Project Office, South Africa.
<b>REPORT TO</b>	:	The Security Manager
<b>APPOINTED BY</b>	:	Department of Economic Development and Tourism, Northern Cape Provincial Government, South Africa.

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## 1. BACKGROUND

The Northern Cape Department of Economic Development and Tourism (The Department, NC-DEDaT) seeks to appoint a security company to provide security services to the department. The department therefore undertakes to appoint a security company.

## 2. PROJECT OBJECTIVE/PURPOSE

The project objective is to provide a comprehensive security service to the Northern Cape Department of Economic Development and Tourism. In doing so, the Department seeks to appoint a security company for the Kimberley office buildings. The security company must therefore provide a safe environment to protect the Northern Cape Department of Economic Development and Tourism against theft, damage, unlawful occupation, trespassing and any other criminal activity directed at the property, environment or personnel.

## 3. COLLABORATIVE PARTNERSHIPS AND RELATIONSHIPS

The project working relationships are the following:

- The Department of Economic Development and Tourism
- State security Agency
- South African police service
- Departmental security committee

## 4. POLICY REGULATORY AND LEGISLATIVE FRAMEWORK

All regulations, policies, acts, frameworks, procedures and any sort of law applicable must be adhered to and in full compliance. They are listed below:

- The South African Constitution
- Public Finance Management Act (Act 1 of 1999)
- Preferential Procurement Policy Framework Act (PPPFA) 2000 (Act 5 of 2000): and Preferential Procurement Regulations, 2017
- Treasury regulations
- National Environmental Management Act (NEMA) 1998 (Act 107 of 1998)
- Prevention and Combating of Corrupt Activities Act (PCCAA) 2004 (Act 12 of 2004)
- Supply Chain Management Practice Notes and Circulars
- Broad-Based Black Economic Empowerment Act (BBBEEA) 2003 (Act 53 of 2003)
- State Information Technology Agency (SITA) Act ( Act 88 of 1998)
- Competition Act (CA) 1998 (Act 89 of 1998)
- Foreign Corrupt Practices Act, 2004

- Control of Access to Public Premises and Vehicle Act 53 of 1985
- Criminal Procedure Act 51 of 1977 sections 20,23(b),24,29,42,46,48,49,50,51
- National intelligence Act of 1994
- The application of the minimum information security standards ( MISS)
- Protection of information Act
- Trespass Act
- Occupational Health and safety Act
- Private Security Industry Regulatory Authority

## 5. PROJECT SCOPE

To provide a safe environment and to protect the property of The Northern Cape Department of Economic Development and Tourism against theft, damage, unlawful occupation, trespassing and any other criminal activity directed at the property or environment. This request for bid is for Physical Security Guarding. The Physical Security services entails patrolling premises, access control, control of assets, escorting of personnel and/or member of the public where required.

### 5.1. Patrol and guarding

To patrol the entire specified area and ensure that no unauthorized person(s), organization, or company occupy, damage, add or remove material from any building or premises, which belongs to The Northern Cape **Department of Economic Development and Tourism**. The guarding function relates to the seven (7) essential and interdependent elements of a physical security system i.e.

- Physical Security
- Monitoring Procedure
- Access and Egress Control
- Patrol Procedure
- Fire Control and Detection
- Contingency Planning
- Business continuity plan

## 6. STAFF REQUIRED AND HOURS OF DUTY

6.1. Staff to be allocated per site building are as follows:

- 6.1.1. MetLife Towers – 4(day)
- 6.1.2. KIDJA – 12 (24 hours)
- 6.1.3. UMzimkhulu – 6 (24 hours)
- 6.1.4. Khaya La Bantu – 9 (24 hours)

- 6.1.5.Consumer Protection Office – 3 (24 hours)
- 6.1.6.Liquor Board Office– 1 (day)
- 6.1.7.Flagship & Mittah Seperepere – 12 (24 Hours)
- 6.1.8.Skate Park – 6 (24 Hours)

**6.2. Training requirements of security guards – Bid requirements**

- Grade D
- First Aid training (Level 1 and 2)
- Basic firefighting (level 1)
- Surveillance knowledge/background (as added advantage)

The bidder shall ensure that security guards are always on time and that sites are guarded at all times.

## **7. REQUEST FOR BID TERMS AND CONDITIONS**

The following guidelines are provided to assist a Bidder in completing a response:

- 7.1. The bid should be written in simple tense English for easy understanding and perusal.
- 7.2. Over and above all conditions stipulated by the Provincial Supply Chain Management, Bidders are advised to familiarize themselves with the following policy document:
  - 7.2.1.PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000, (ACT NO.5 OF 2000) and the PREFERENTIAL PROCUREMENT REGULATIONS, 2017. (PPPFA,2017)
- 7.3. The terms and conditions specified in this bid must be read in conjunction with the PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000, (ACT NO.5 OF 2000) and the PREFERENTIAL PROCUREMENT REGULATIONS, 2017 obtainable at <http://www.parliament.gov.za> and which forms an integral part of this bid. Prospective service providers will be well advised to also familiarize themselves with the contents of the Act.
- 7.4. All costs incurred in the preparation and presentation of the bid shall be wholly absorbed by the Bidder.
- 7.5. All information, supporting materials and other documentation submitted with the bid will become the property of the Northern Cape Department of Economic Development and Tourism (NC-DEDaT).
- 7.6. All prices must be South Africa Rand (ZAR), including VAT. All prices must be valid for a period of 90 days from date of submission.
- 7.7. NC-DEDaT shall not be liable for any costs incurred by the Bidder in the preparation of response to this Request For Bid. The preparation of response will be made without obligation to acquire any of the items included in the Bidder's proposal or to select any proposal, or to discuss the reasons why such Bidder's or any other proposal was accepted or rejected.
- 7.8. All invoices shall only become payable within 30 days upon receipt of an invoice by NC-DEDaT after service has been rendered.
- 7.9. No interest shall be payable in the event of a dispute nor accrue on any payments due during a period of dispute.

- 7.10. Responses received after the specified due date and time will not be accepted under any circumstances.
- 7.11. The lowest or only bid would not necessarily have to be accepted by the NC-DEDaT and as such, the NC-DEDaT reserves the right to accept any or no bid at all.
- 7.12. The NC-DEDaT reserves the right to enter into negotiations with Bidders (who have been short-listed) under the conventions embodied in the principles of “Best And Final Offer” (BAFO).
- 7.13. Instructions to the Bidder on what needs to be included in the bid and indicating the failure to which non-compliance will be dealt with as well as how any dispute or grievances are to be dealt with are indicated in the bid documents. The terms of the general condition of contract (GCC) forms the general basis of the contract which will be further espoused in the special condition of contract (SCC) in the form of a service level agreement (SLA).
- 7.14. The Department will become the owner of all information. Documents, programmes, advice and reports collected and compiled by the service provider in the execution of this tender.
- 7.15. The copyright of all documents, programmes and report must be regarded as confidential and may not be made available to any unauthorized person or institution without the written consent of the Department.
- 7.16. The Department reserves the right to terminate this appointment or temporarily defer the work, or any part thereof, at any stage of completion should the Department decide not to proceed with the tender.
- 7.17. The service provider must be a single legal entity with all other necessary expertise secured via sub-contractor under a joint venture arrangement. The Department will enter into a single contract with a single entity for the delivery of the work set out in this tender.
- 7.18. The bidding entity shall be the same entity that will execute the bid. Any bid found to be fronting for another entity or entities shall be disqualified immediately upon discovery.
- 7.19. Bidders may ask for clarification on these tender documents or any part thereof up to five (5) working days before the deadline for the submission of the bids.
- 7.20. Bidders may not contact the Department on any matter pertaining to their bid from the time when the bids are submitted to the time the contract is awarded. Any effort by the bidder to influence bid evaluation, bid comparison or bid award decisions in any manner, may result in rejection of the bid concerned upon discovery.
- 7.21. At any time prior to the deadline for submission of bids, the department may for any reason whether at its own initiative or in response to a clarification requested by a service provider, modify the tender document. The Department may, at its discretion extend the deadline for submission of bids by amending the bid documents.
- 7.22. No bid may be withdrawn in the interval between the deadline for submission of bids and the expiration of the validity period.

## 7.23. SUPPLIER DUE DILIGENCE

The Department of Economic Development and Tourism reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visit. A negative report might lead to performance management with its related issues.

## 8. REQUEST FOR BID/PROPOSAL REQUIREMENTS

Companies responding to this bid are required to submit the following information:

- 8.1. The following will be the minimum requirements that must be disclosed in the bid/proposal.
  - 8.1.1. General background.
  - 8.1.2. The name and contact details (telephone and/or mobile, fax, email, and postal address) of the project leader (on the front cover of the proposal).
  - 8.1.3. Particulars of project team members who will be involved in the project on an on-going basis (including qualifications and experience –CV's to be included)) and a breakdown of race, gender and disability.
  - 8.1.4. The name of company, business addresses and contact details.
  - 8.1.5. Overview of the organisation's capabilities and experience, i.e. Credentials
  - 8.1.6. How long have you been in business?
  - 8.1.7. What is your company's core business, and how long has this been your core business?
  - 8.1.8. What is the total complement of your staff, and what is the statistical breakdown in terms of gender and previously disadvantaged individuals?
  - 8.1.9. What is the complement of your management and technical staff, and what is the numerical breakdown in terms of gender and previously disadvantaged individuals?
  - 8.1.10. Provide details of clients who make use of products and services similar to the ones you offer in this bid, including names, contact persons and the nature of the services.
  - 8.1.11. Any other additional information to strengthen your bid/proposal will be considered.
- 8.2. The taxes of the successful Bidder must be in order, or satisfactory arrangements must have been made with the Receiver of Revenue to meet his/her tax obligations. This information must be clearly updated on the CSD.
- 8.3. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must have a separate Tax Clearance Certificate, NCP 4, NCP 8 and NCP 9. International companies are to make arrangements with South African Revenue Services for a Tax Clearance certificate.
- 8.4. In the event of a consortium, details of roles and responsibilities of each party are to be provided and the overall management structure of the consortium and business model thereof.
- 8.5. The Standard bidding documents to be completed NCP 1, NCP2, NCP3.1, NCP 4, NCP-8 and NCP 9 must be completed in full and the signed declaration forms must be attached to the bid.

NCP 1	Invitation to bid/Request for proposal (PART A)
NCP 2	Tax Clearance certificate requirements must be in good standing and reflect on CSD. Need not submit (PART B).
NCP 3.1	Pricing schedule – firm prices
NCP 4	Declaration of interest
NCP 8	Declaration of Bidders past SCM practices
NCP 9	Certificate of independent bid determination

## 8.6. Mandatory Requirements

### 8.6.1.Registration on Central Supplier Database (CSD)

All prospective bidders must be registered as a service provider on the Centralized Supplier Database. If you are not registered proceed to complete the registration of your company prior to submitting your proposal. Refer to <https://secure.csd.gov.za/> to register your company. Ensure that all documentation on the database are updated and valid Attach a copy of the CSD registration “Summary Report” to your bid.

### 8.6.2.Provide a supervisor who will be available at all times

## 9. SPECIAL REQUIREMENTS

- The Security guards on duty shall always be appropriately dressed with a uniform displaying his/her name, company name, handcuffs, baton and a torch.
- The Security guards must be equipped with a two-way radio, which is linked to their headquarters. There must be a fully functional control room in Kimberley.
- The successful bidder to submit invoices per site for payment by the 20<sup>th</sup> of every month.
- Incident register shall be submitted weekly to the Departmental official in charge of security.
- The **Department** reserves the right to increase or decrease security guards or alter the guard category at any existing or new location.
- The newly appointed company has the prerogative to absorb or not the current staff/officers per site and in total
- Appointed bidder(s) must have a fully functional control room that will be inspected prior to awarding the contract and must remain as such during the entire contract. Failure can lead to the cancellation of the contract.



### 9.1. INDEMNITY

The Northern Cape Department of Economic Development and Tourism shall not be liable for any injury, loss or damage to the preferred bidder's security guards, equipment or vehicles whilst on the premises during the contract period.

### 9.2. TRANSFER AND CESSION

The successful bidder shall render the security service. The successful bidder shall not cede, transfer, sell or alienate in any way this contract awarded in terms of Bid DEDaT 0007/2019 or any part thereof to any person or company.

### 9.3. BREACH AND TERMINATION

Should either party commit or breach the provisions of this contract and fail to remedy that breach (es) within 14 (fourteen) days after the receipt of a written complaint, the party that is not in default shall be entitled to cancel this contract per written notice delivered to the other party's domicilium et executandi as per bid documents without prejudice to any other right which the non-defaulting party may have as a result of such breach.

### 9.4. PRICING

**The following conditions shall be applicable and forms an integral part of the bid:**

- For the purpose of this contract, use will be made of the relevant Category Security Officers, as defined in the order made in terms of section 51A(2) of the Labour Relations Act 1956, as published Government Gazette No. 25075 dated 13 June 2003.
- It is expected that the contractor shall pay his/her employees at least a minimum monthly basic wage, as prescribed for the Area concerned in the Basic Conditions of Employment Act, 75 of 1997: Sectoral Determination 6: Private Security Sector, South Africa (Government Gazette No. 29188 dated 1 September 2006).
- Price per guard should be all-inclusive, i.e. package per year including all leave provisions and other benefits. Bidders shall also make provision in their price structure for relief security offers.
- A general, fixed increase of 6% per annum must be incorporated in the price calculation of this bid. Salaries/wages will be in line with any increases as published per Government Gazette in line with the Order for the Security Trade.

## 10. COMPULSORY BID CRITERIA

The following bid criteria will apply and must be fully complied with.

1. Provide proof of experience.
2. Bidders must have administrative and management infrastructure to manage, control and perform the service as required at the time of the contract commencement.
3. Must be registered on the Centralised Supplier Database System (CSD). Service providers not registered must do so before submitting their proposal. Submit proof of registration on the Central Supplier Database. The tax matters of the bidder must be compliant and in good standing. It must reflect on the CSD. In a case where arrangements have been made with SARS to comply, the proof must be submitted.
4. It is a requirement that bidders must comply with Broad Based Black Economic Empowerment Act by submitting BBBEE certificate to meet our procurement objective criteria as indicated in the terms of reference. In bids where Consortia / Joint Ventures / are submitted a combined BBBEE certificate must be submitted.
5. All NCP/SBD bid documents (1,3.1,4,8 & 9) indicated in this tender must be completed, signed and submitted. (As issued)
6. There will be a site visit to the premises of service providers.
7. All bids must be submitted on the official forms.
8. This bid is subject to the special conditions of the bid, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. A Service Level Agreement will be signed upon appointment to administer the contract.
9. The Department reserve the right to terminate the tender or its process or not to appoint any service provider.
10. All prices must be in South African Rand
11. All prices are inclusive of VAT.
12. The bid validity period is 120 days. In exceptional cases, the Department may solicit the Bidder's consent to extend the validity period.
13. No bid may be withdrawn in the interval between the deadlines of submission of bids and expiration of period of bid validity specified by the bidder on the invitation to the bid form.
14. Provision of a supervisor to respond to all queries and challenges that may arise at the expense of the company. This supervisor must be available 24 hours
15. No interest will be payable in the event of a dispute accruing on any payment due during a period of dispute.
16. Bidders should ensure that bids are delivered in time to the correct address. If the bid is late, it shall not be accepted.
17. SUB-CONTRACT

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 BBBEE status Level than the person concerned, unless the contract is sub-contracted to an Exempted Micro Enterprise(EME) or a Qualifying Small Enterprise (QSE) that has the capability and ability to execute the contract. It is a condition of this bid in the event the threshold value of 30% is reached for the successful bidder to comply as per PPPFA regulation 4C,9 and 12.

18. This request for proposal is prepared in accordance with the Public Finance Management Act, 1999 and its regulation and relevant procurement legislation.
19. The security company and their members must be registered with PSIRA when submitting bids. Proof of this requirement must be provided by the security company at the date and time of bid closure. Copies of PSIRA registration certificates and/or any other document(s) must be certified, if not, the bid will be invalid.

## 20. SERVICE LEVEL AGREEMENT

The Service Level Agreement (SLA) will enforce the General and Special Conditions of the Bid and the General conditions of Contract (GCC). The requirements/conditions of the SLA are non-negotiable and must be adhered to at all times. Failure to adhere will necessitate a consequence management in regards to non-performance. Insufficient materials or the lack thereof will be purchased by the Department and deducted from the service provider's payment. The bidder must inform the Department of any litigation or going concern status of the company at all times.

## 21. GOVERNING LAW

South African law governs this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid. This agreement is binding upon submitting your bid.

## 22. REGISTRATION WITH THE PRIVATE SECURITY INDUSTRY REGULATORY AUTHORITY (PSIRA)

- a. Bidders must provide full details of registration for both the company and the individual workers (Security guards). Bidders must provide full details of PSIRA registration for both the company and its directors (owners), and proof of up-to-date payment of PSIRA annual fees. Copies of PSIRA registration certificates and/ or any other document(s) must be certified, if not, the bid will be invalid and submitted.
- b. The preferred bidder(s) shall submit personal and other particulars to The Department of Economic Development and Tourism Security manager within 21 days from the official notification of acceptance of offer. All security officers as well as all relief-and replacement staff should also obtain security clearance with SAPS and copies of such clearances provided to The Department.

**23. TENDER DEFAULTERS AND RESTRICTED SUPPLIERS**

No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appear on the Register of Tender Defaulters kept by National Treasury, or who have been placed on National Treasury List of Restricted Suppliers. The DEDaT reserves the right to withdraw an award, or cancel a contract concluded with a bidder should it be established at any time that the bidder has been blacklisted with National Treasury or by another government institution.

**24. FRONTING**

- a. Government supports the spirit of broad based black economic empowerment and recognizes that it can only be achieved through individuals and businesses conducting themselves in accordance with the constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the Department of Economic Development and Tourism condemn any form of fronting.
- b. 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/investigations to determine the accuracy of the representation made in the 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/contract and may also result in the restriction of the Bidder/contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the Department of Economic Development and Tourism may have against the Bidder/contractor concerned.

**11. EVALUATION CRITERIA**

This is a two stage bidding process. The evaluation will be done as follows:

- i. Prequalification
- ii. Functionality / technical proposal and
- iii. Pricing proposal i.e. 80/20 principle

The functionality assessment involves evaluating the capabilities and abilities of the service provider to undertake the contract. The technical proposal must be separated from the financial proposal but both envelopes must be submitted at the same time.

**11.1. PREQUALIFICATION**

A compulsory site visit will be conducted on all bidders who submit their bid and must be 100% compliant. Refer to Checklist Questionnaire for full compliance.

**11.2. FUNCTIONALITY CRITERIA**

The Technical Proposal Assessment will carry 100 points based on the criteria below.

**11.2.1. TECHNICAL PROPOSAL-100 points**

1. Proven experience in the scope of work or similar work done. Verifiable referrals and/or contract

Criteria	Rating
0 year	0
≤1 year	1
1.1-2 years	2
2.1-3 years	3
3.1-4 years	4
≥5 years	5

2. Financial Capability – Positive working capital

Criteria	Rating
R 0	0
R 1-10 000	1
R 10 001 – R30 000	2
R 30 001 – R 500 000	3
R 500 001 – R 1 000 000	4
≥ R1 million	5

3. Human Resource

Organisational structure indicating number of employees. The company must have a comprehensive Human Resource Policy and planning including recruitment with qualification of guards, supervisors, vetting procedures, service benefits, code of practice, training and development.

4. Identified presence or functioning office within the Northern Cape

- a. Proof of municipal account (3months statement) and/or tenancy agreement in the case of a tenant in Kimberley.
- b. Proof of official functioning office in Kimberley.
- c. Verifiable clients within the Northern Cape.

5. Demonstration of methodology to achieve project scope

Completeness of response to achieve project scope with an outlined project methodology to cover:

- a. Risk management process i.e. risk assessment, mitigation strategies and business continuity
- b. Mitigation plan for security risk or threats
- c. Guarding and patrol monitoring system
- d. Qualified project Manager
- e. Daily operation instruction procedures, emergency planning and procedure for handling of security incidents outside of daily operations

- f. Site takeover plan from the contracting phase, recruitment and vetting procedures as well as the exit strategy.

6. The criteria below will be utilised to evaluate the scope of work.

Criteria	Description	Rating
0 %	Does not satisfy the minimum requirements. Non compliance	0
20 %	Satisfies the requirement with major reservations. Considerable reservations of the supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no supporting evidence.	1
40 %	Satisfies the requirement with minor reservations. Some minor reservations of the supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no supporting evidence.	2
60 %	Satisfies the requirement. Demonstration by the supplier of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with supporting evidence.	3
80 %	Satisfies the requirement with minor additional benefits. Above average demonstration by the supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	4
100%	Exceeds the requirement. Exceptional demonstration by the supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	5

TECHNICAL PROPOSAL ASSESSMENT – 100 POINTS			
CRITERIA	RATE	WEIGHT	TOTAL
1. Proven experience in scope of work		10	
2. Financial Capability		15	
3. Human Resource Capabilities		15	
4. Identified presence or office within the Northern cape			
a. Proof of municipal account- 3 months statement		10	
b. Proof of official functioning office in Kimberley		15	
c. Verifiable clients within the Northern cape		10	
5. Demonstration of methodology to achieve project scope		25	
<b>Total</b>		<b>100</b>	

Bidders must obtain at least 65% to qualify on functionality. Bidders who do not achieve the minimum of 65% will be disqualified.

#### 11.3. 80/20 POINT SYSTEM

In addition to the criteria stipulated in the official bid documentation, bids/proposals will be evaluated in terms of the following criteria:

1. The bid will be awarded based on the 80/20 preference point system. Bidders must submit proof of their BBBEE Level Contributing certificate to gain the points.
2. In terms of Regulation 6 (1) of the Preferential Procurement Regulations 2017 and section 2 of the Preferential Procurement Act, preference points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below: (For more information check (PPPF Regulation,2017)).

<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

- a. Sworn affidavit for BBBEE Exempted Micro Enterprise
- b. B-BBEE Status Level Certificate accredited by SANAS

As a minimum requirement, all valid B-BBEE Status Level Verification Certificates should have the following information detailed on the face of the certificate:

- i. The name and physical location of the measured entity;
- ii. The registration number and, where applicable, the VAT number of the measured entity;
- iii. The issuing and expiry dates must be indicated. The certificate is valid for a one (1year period only. The certificate number for identification and reference;
- iv. The scorecard that was used (for example EME, QSE or GENERIC);
- v. The name and / or logo of the Verification Agency;
- vi. The SANAS logo;
- vii. The certificate must be signed by the authorized person from the Verification Agency; and the B-BBEE Status Level of Contribution obtained by the measured entity.

## 12. DEFINITION

Unless inconsistent with or otherwise clearly indicated by the context, the following term shall have the meanings assigned to hereunder, namely:

**“Department”** Refers to the Department of Economic Development and Tourism.

**“Parties”** Refers to the Department of Economic Development and Tourism and The service Provider

**“Province”** Refers to Northern Cape

**“Geographical Area”** Refers to Kimberley

**“Security manager”** Refers to the Security manager of the Department

**“Security Committee”** Refers to the Departmental Security Committee

**“Service Provider”** Refers to the successful bidder who has been appointed to render security services to the Department

**“Site”** Refers to MetLife Towers (11,12,13 Floors), KIDJA, Mzimkhulu House, Khaya La Bantu, Consumer Protection Office, Liquor board Office, Flagship & Mittah Siperepere, Skate Park.

### **13. SECURITY OFFICER REQUIRED**

**Security Officer required means a security officer grade D**

Means an employee who performs any or more of the following duties:

- a) Controlling or reporting on the movement of persons or vehicles through checkpoints or gates;
- b) Searching persons and if necessary, restraining them;
- c) Supervising or controlling Security Officers grade E;
- d) Searching goods or vehicles; and
- e) Who may be required to perform any or all of the duties of a Security officer, grade E.
- f) 53 security officers are required

### **14. CONTRACTUAL AGREEMENT**

The successful bidder will be required to enter into a formal contract with NC-DEDaT that shall be based on this bid specification, the accepted bid, and the letter of acceptance. The contractual agreement may be extended upon mutual agreement between the successful service provider and NC-DEDaT.

The bidder shall not, after the bid has been awarded, assign or cede the contract to any other party without the prior written consent.

Variations and amendments to the contract shall be valid only if they are done in writing and by mutual consent. Any contract between the Department and the successful bidder shall be governed by the laws of the Republic of South Africa. The contract is for 3 years from the date of appointment.



## 15. REPORT

The successful bidder will submit monthly reports in one original and copies if necessary. This will be incorporated into the Service Level Agreement (SLA). The security manager in collaboration with the security committee will be responsible for receiving and approving the reports.

## 16. MONITORING AND EVALUATION

The security manager with assistance from the security committee and contract management will be responsible for the monitoring and evaluation of the execution of the contract.

## 17. GENERAL SPECIFICATIONS

- 17.1. Information obtained by a security guard(s) during the course of duty shall be treated as strictly confidential and may not be divulged to a third party. Each employee dispatched to **The Department** is required to sign the Declaration of Secrecy with the Security Manager.
- 17.2. The Department of Economic Development and Tourism reserves the right to increase/decrease security personnel or alter the guard category at any current or new location.
- 17.3. A strike or lockout at **The Department** shall not affect the security company's obligation to render security services.
- 17.4. The preferred bidder shall continue fulfilling all contractual services and obligations notwithstanding the fact that its security guards are on strike or lockout by their employer.
- 17.5. If security services are no longer required due to circumstances beyond the control of either the preferred bidder or **The Department** (e.g. fire, floods, war, relocation, etc.) the suspension or termination of security services shall be without cost to either party.
- 17.6. Any information provided to the preferred bidder during the course of the contract shall be treated as strictly confidential. Under no circumstances may information be divulged to any other person, the media or company. A Declaration of Secrecy shall be signed by all security guards in the employment of the successful bidder.
- 17.7. Reports and records prepared by security guards regarding their duties and responsibilities of assignment required by the security company should be made available to The Security manager. Security reports must be written by the private security company to the security establishment of the department monthly (e.g. every 20<sup>th</sup> of each month) and the incident report must reach the office of the Security Manager daily by 10:00).
- 17.8. The security company shall be accountable to provide services to **The Department** as set out in the Services Level Agreement.
- 17.9. The security company must provide properly trained back-up support for absences, e.g. within two hours in a multi-guard location or within an hour at a single guard location.

- 17.10. Supervision of security personnel is the responsibility of the security company. Supervision may be provided through the use of an on-site supervisor and/or patrol officers. Patrol officers should conduct and record their patrols at least once per shift. Supervision by the Security Manager of **The Department** or any other departmental supervisory security personnel shall also be involved in compilation of the Service Level Agreement.
- 17.11. Patrol officers shall be familiar with the work sites under their jurisdiction.
- 17.12. The security company shall supply vehicles if required and a continuous communication link to their patrol officers and security control room.
- 17.13. New or replacement guards shall not be assigned to **The Department** sites until they are suitably trained; familiar with their required duties and security screened by SAPS and a copy of the screening certificate handed to the Security Manager.
- 17.14. Security company supervisor shall be responsible for consulting with **The Department's** Security Manager regarding assignment of post and work requirements, schedules and breaks and conducting on-the job-training.
- 17.15. During break periods, security personnel shall be required to remain on the site and be subject to a call back to duty in the event of an emergency situation.
- 17.16. Property supplied by **The Department** to security guards under the contract shall remain the property of **The Department**.
- 17.17. Any misuse or abuse of equipment or departmental property shall be rectified by the security company.
- 17.18. The use of departmental property by security guards shall be for official business purposes only.
- 17.19. **The Department** shall have the ability to deduct payment from the security company for incidents that rise from inappropriate attendance, behaviour, appearance, performance, insufficient training, failure to provide back up support and the supply of unqualified security officials. This will be formalised into the SLA.
- 17.20. Security officials shall either enforce and/or report on discrepancies with any legislation, departmental policy, security plan, directives, standing orders or other procedures. Security officials shall observe and comply with any legislation, departmental policy, security plan, directives, standing orders or other procedures.
- 17.21. Security personnel shall have completed first aid training by a recognized First Aid Training organization using qualified instructors.
- 17.22. The **Department of Economic Development and Tourism** has the right to amend, modify and re-issue Post orders or other special orders. This modification to the basic Service Level Agreement should not otherwise affect the SLA unless such changes increase or decrease the number of work hours required.
- 17.23. The **Northern Cape Department of Economic Development and Tourism** reserves the right to have the security company:

- Remove and replace incompetent security officials;
- Conduct inspections regarding behaviour, appearance and performance; and
- Determine security official suitability on re- assignment.

17.24. The security company shall not provide security guards that have been on duty for more than 12 consecutive hours (as an example) and the guards shall have had a break of 12 hours (as example) between shifts. Applicable labour legislation and agreements must be adhered to.

17.25. The security company shall furnish security guards with the equipment necessary to carry out their duties and be responsible for the repair, maintenance and replacement thereof.

17.26. The security company shall use experience personnel to provide on-the-job training at no cost to the department before new security guards are assigned or re-assigned to a post.

17.27. Note

- **MetLife Towers**  
Security staff will only work one shift, Monday to Friday, excluding Public Holidays, from 07H00 – 17H00
- **KIDJA Building**  
Security staff will work from Monday to Monday, 06H00 – 18H00 and from 18H00 – 06H00.
- **UMzikhulu**  
Security staff will work from Monday to Monday, 06H30 – 18H00 and from 18H00 – 06H00
- **Khaya La Bantu Building**  
Security staff will work from Monday to Monday, 06H30 – 18H00 and from 18H00 – 06H00
- **Consumer Protection Office**  
Security staff will work from Monday to Monday, 06H30 – 18H00 and from 18H00 – 06H00
- **Liquor Board office**  
Security staff will only work one shift, Monday to Friday, excluding Public Holidays, from 07H00 – 17H00
- **Flagship & Mittah Siperepere**  
Security staff will work from Monday to Monday, 06H30 – 18H00 and from 18H00 – 06H00
- **Skate Park**  
Security staff will work from Monday to Monday, 06H30 – 18H00 and from 18H00 – 06H00

## 18. SUBMISSION OF BID

Interested Service Providers must place bid in the Tender Box with the following details:

### a. Physical Address

Northern Cape Economic Development and Tourism  
Cnr. of Knight and Stead Street  
Metlife Towers (Entrance)  
Ground Floor  
Kimberley  
8300

**b. Briefing session**

**A compulsory briefing session will be organised as follows**

**i. Kimberley Office**

Date: 28 February 2020

Venue: Frances Baard Tourism Information Centre

Time: 14H00

**c. Closing Details**

Date: 13 March 2020

Time: 11:00

**d. Collection of documents**

[www.etenders.gov.za](http://www.etenders.gov.za)

<http://www.northern-cape.gov.za/>

## 19. DOCUMENTS

## PART A

## INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
<b>BID NUMBER:</b>	DEDaT 0007/2019	<b>CLOSING DATE:</b>	13 MARCH 2020	<b>CLOSING TIME:</b>	11H00
<b>DESCRIPTION</b>	APPOINTMENT OF A SECURITY COMPANY TO PROVIDE SECURITY IN KIMBERLEY FOR A PERIOD OF 3 YEARS.				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
GROUND FLOOR(ENTRANCE)					
METLIFE TOWERS					
MARKET SQUARE					
KIMBERLEY					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	THEBE RABOIKANYO		CONTACT PERSON	TITIPANE TSIETSI	
TELEPHONE NUMBER	053 839 4056		TELEPHONE NUMBER	053 839 4097	
FACSIMILE NUMBER	053 831 3668		FACSIMILE NUMBER		
E-MAIL ADDRESS	TRaboikanyo@ncpg.gov.za		E-MAIL ADDRESS	TTitipane@ncpg.gov.za	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					

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

**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED--(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a>.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."</p>

**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: .....

**PRICING SCHEDULE – FIRM PRICES  
(PURCHASES)**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
----------	----------	-------------	-----------------------------------------------------------------

- Required by: .....

- At: .....

- Brand and model .....

- Country of origin .....



- Does the offer comply with the specification(s)? \*YES/NO
- If not to specification, indicate deviation(s) .....
- Period required for delivery .....  
\*Delivery: Firm/not firm
- Delivery basis .....

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

\*\* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

\*Delete if not applicable

**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>): .....
  - 2.3.1.1 Company Registration Number: .....
  - 2.4 Tax Reference Number: .....
  - 2.5 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 **YES / NO**  
presently employed by the state?

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 **YES / NO**  
the appropriate authority to undertake remunerative  
work outside employment in the public sector?

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

(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.

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

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:

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

**Full details of directors / trustees / members / shareholders.**

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

**DECLARATION**

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

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

- 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>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>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.</b></p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>

4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?  <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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	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**



**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 *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (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:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

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

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am 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.
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

## 20. ANNEXURES

### ANNEXURE A

#### GUIDE FOR CALCULATING TOTAL BID PRICE PER OFFICER - KIMBERLEY

	TOTAL
Hourly Rate	
Weekly Wage Cost	
Monthly Wage Cost	
Sunday Pay Premium	
Public Holiday Premium	
Leave Provision	
Sick pay	
Study Leave	
Family responsibility Leave	
Night Shift Allowance	
Provident Fund	
Bonus	
UIF	
RSC	
COID/WCA	
Uniform	
Training	
Cleaning allowance	
Equipment issued for offices (Annexure B) <ul style="list-style-type: none"> <li>• Metlife Towers</li> <li>• KIDJA Building</li> <li>• Umzimkhulu</li> <li>• Khaya La Bantu Building</li> <li>• Consumer Protection Office</li> <li>• Liquor Board office</li> <li>• Flagship &amp; Mittah Siperepere</li> <li>• Skate Park</li> </ul>	
Shared of overheads	

Total	
-------	--

**ANNEXURE B**

**EQUIPMENT ISSUED PER OFFICER**      **SITE: METLIFE TOWERS**  
**FLOORS 11, 12, 13**

TYPE OF EQUIPMENT	QUANTITY	UNIT COST	TOTAL COST
Two-way radio			
Batten			
Security Spray			
Torch			
Handcuffs			
Other (Specify)			
<b>TOTAL</b>			

Please list the equipment that each officer will be provided with by your company. This annexure should be used as a guide to ensure that all possible expenses are covered. Please carry the total forward to Annexure A

**ANNEXURE B**

**EQUIPMENT ISSUED PER OFFICER**      **SITE: KIDJA BUILDING**

TYPE OF EQUIPMENT	QUANTITY	UNIT COST	TOTAL COST
Two-way radio			
Batten			
Security Spray			
Torch			
Handcuffs			
Other (Specify)			
<b>TOTAL</b>			

Please list the equipment that each officer will be provided with by your company. This annexure should be used as a guide to ensure that all possible expenses are covered. Please carry the total forward to Annexure A.

**ANNEXURE B****EQUIPMENT ISSUED PER OFFICER****SITE: UMZIMKHULU HOUSE**

TYPE OF EQUIPMENT	QUANTITY	UNIT COST	TOTAL COST
Two-way radio			
Batten			
Security Spray			
Torch			
Handcuffs			
Other (Specify)			
<b>TOTAL</b>			

Please list the equipment that each officer will be provided with by your company. This annexure should be used as a guide to ensure that all possible expenses are covered. Please carry the total forward to Annexure A

**ANNEXURE B****EQUIPMENT ISSUED PER OFFICER****SITE: KHAYA LA BANTU BUILDING**

TYPE OF EQUIPMENT	QUANTITY	UNIT COST	TOTAL COST
Two-way radio			
Batten			
Security Spray			
Torch			
Handcuffs			
Other (Specify)			
<b>TOTAL</b>			

Please list the equipment that each officer will be provided with by your company. This annexure should be used as a guide to ensure that all possible expenses are covered. Please carry the total forward to Annexure A

**ANNEXURE B****EQUIPMENT ISSUED PER OFFICER****SITE: CONSUMER PROTECTION OFFICE**

<b>TYPE OF EQUIPMENT</b>	<b>QUANTITY</b>	<b>UNIT COST</b>	<b>TOTAL COST</b>
Two-way radio			
Batten			
Security Spray			
Torch			
Handcuffs			
Other (Specify)			
<b>TOTAL</b>			

Please list the equipment that each officer will be provided with by your company. This annexure should be used as a guide to ensure that all possible expenses are covered. Please carry the total forward to Annexure A

**ANNEXURE B****EQUIPMENT ISSUED PER OFFICER****SITE: LIQUOR BOARD OFFICE**

<b>TYPE OF EQUIPMENT</b>	<b>QUANTITY</b>	<b>UNIT COST</b>	<b>TOTAL COST</b>
Two-way radio			
Batten			
Security Spray			
Torch			
Handcuffs			
Other (Specify)			
<b>TOTAL</b>			

Please list the equipment that each officer will be provided with by your company. This annexure should be used as a guide to ensure that all possible expenses are covered. Please carry the total forward to Annexure A.

**ANNEXURE B****EQUIPMENT ISSUED PER OFFICER****SITE: FLAGSHIP & MITTAH SIPEREPERE**

TYPE OF EQUIPMENT	QUANTITY	UNIT COST	TOTAL COST
Two-way radio			
Batten			
Security Spray			
Torch			
Handcuffs			
Other (Specify)			
<b>TOTAL</b>			

Please list the equipment that each officer will be provided with by your company. This annexure should be used as a guide to ensure that all possible expenses are covered. Please carry the total forward to Annexure A

**ANNEXURE B****EQUIPMENT ISSUED PER OFFICER****SITE: SKATE PARK**

TYPE OF EQUIPMENT	QUANTITY	UNIT COST	TOTAL COST
Two-way radio			
Batten			
Security Spray			
Torch			
Handcuffs			
Other (Specify)			
<b>TOTAL</b>			

Please list the equipment that each officer will be provided with by your company. This annexure should be used as a guide to ensure that all possible expenses are covered. Please carry the total forward to Annexure A



**ANNEXURE C****SECURITY STAFF COMPLEMENT****BUILDING: METLIFE TOWERS****FLOORS 11, 12, 13****NAME OF THE BIDDER :** \_\_\_\_\_

<b>SITE</b>	<b>SHIFT</b>	<b>NUMBER OF GUARDS</b>	<b>GRADE</b>	<b>REMARKS</b>
MetLife Towers 11 <sup>TH</sup> Floor	07H00-17H00	2	D	
MetLife Towers 12 <sup>TH</sup> Floor	07H00-17H00	1	D	
MetLife Towers 13 <sup>TH</sup> Floor	07H00-17H00	1	D	

**ANNEXURE C****SECURITY STAFF COMPLEMENT****BUILDING: KIDJA BUILDING****NAME OF THE BIDDER:** \_\_\_\_\_

SITE	GRADES & NR. SECURITY PER SHIFT							
SITE	SHIFT	NUMBER OF GUARDS	GRADE	SHIFT	NUMBER OF GUARDS	GRADE	RELIEF STAFF	REMARKS
KIDJA Building	06H00- 18H00	4	D	18H00-06H00	4	D	4	

## ANNEXURE C

**SECURITY STAFF COMPLEMENT****BUILDING: MZIMKHULU HOUSE****NAME OF THE BIDDER:** \_\_\_\_\_

<u>SITE</u>	<u>GRADES &amp; NR. SECURITY PER SHIFT</u>							
<u>SITE</u>	<u>SHIFT</u>	<u>NUMBER OF GUARDS</u>	<u>GRADE</u>	<u>SHIFT</u>	<u>NUMBER OF GUARDS</u>	<u>GRADE</u>	<u>RELIEF STAFF</u>	<u>REMARKS</u>
UMzimkhulu House	06H00- 18H00	2	D	18H00-06H00	2	D	2	

## ANNEXURE C

**SECURITY STAFF COMPLEMENT****BUILDING: KHAYA LA BANTU BUILDING****NAME OF THE BIDDER:** \_\_\_\_\_

	<b>GRADES &amp; NR. SECURITY PER SHIFT</b>							
<b>SITE</b>	<b>SHIFT</b>	<b>NUMBER OF GUARDS</b>	<b>GRADE</b>	<b>SHIFT</b>	<b>NUMBER OF GUARDS</b>	<b>GRADE</b>	<b>RELIEF STAFF</b>	<b>REMARKS</b>
Khaya La Bantu Building	06H30- 18H00	3	D	18H00-06H00	3	D	3	

## ANNEXURE C

**SECURITY STAFF COMPLEMENT****BUILDING: CONSUMER PROTECTION OFFICE****NAME OF THE BIDDER:** \_\_\_\_\_

<b><u>SITE</u></b>	<b><u>GRADES &amp; NR. SECURITY PER SHIFT</u></b>							
<b><u>SITE</u></b>	<b><u>SHIFT</u></b>	<b><u>NUMBER OF GUARDS</u></b>	<b><u>GRADE</u></b>	<b><u>SHIFT</u></b>	<b><u>NUMBER OF GUARDS</u></b>	<b><u>GRADE</u></b>	<b><u>RELIEF STAFF</u></b>	<b><u>REMARKS</u></b>
KIDJA Building	06H00- 18H00	1	D	18H00-06H00	1	D	1	

## ANNEXURE C

**SECURITY STAFF COMPLEMENT****BUILDING: LIQUOR BOARD OFFICE****NAME OF THE BIDDER:** \_\_\_\_\_

<b>SITE</b>	<b>SHIFT</b>	<b>NUMBER OF GUARDS</b>	<b>GRADE</b>	<b>REMARKS</b>
Liquor Board Office	07H00-17H00	1	D	

## ANNEXURE C

**SECURITY STAFF COMPLEMENT****BUILDING: FLAGSHIP & MITTAH SEPEREPERE****NAME OF THE BIDDER:** \_\_\_\_\_

<u>SITE</u>	<u>GRADES &amp; NR. SECURITY PER SHIFT</u>							
<u>SITE</u>	<u>SHIFT</u>	<u>NUMBER OF GUARDS</u>	<u>GRADE</u>	<u>SHIFT</u>	<u>NUMBER OF GUARDS</u>	<u>GRADE</u>	<u>RELIEF STAFF</u>	<u>REMARKS</u>
UMzimkhulu House	06H00- 18H00	4	D	18H00-06H00	4	D	4	

## ANNEXURE C

**SECURITY STAFF COMPLEMENT****BUILDING: SKATE PARK****NAME OF THE BIDDER:** \_\_\_\_\_

<u>SITE</u>	<u>GRADES &amp; NR. SECURITY PER SHIFT</u>							
<u>SITE</u>	<u>SHIFT</u>	<u>NUMBER OF GUARDS</u>	<u>GRADE</u>	<u>SHIFT</u>	<u>NUMBER OF GUARDS</u>	<u>GRADE</u>	<u>RELIEF STAFF</u>	<u>REMARKS</u>
UMzimkhulu House	06H00- 18H00	2	D	18H00-06H00	2	D	2	

## 21. CHECKLIST FOR SITE VISIT

CHECKLIST	YES/NO	COMMENTS
1.The company must be officially registered in South Africa as a company		
2.The company or close corporation and every director of the company or member of the close corporation must be registered in terms of Section 20 of the Private Security Industry Regulation Act (PSIRA), no. 56 of 2001		
3.All security officers in the employ of the company or close corporation must be registered as a security service provider in terms of section 20 of PSIRA		
4.All security officers must be trained to the standards set by PSIRA or by a training centre accredited by PSIRA		
5. The company must have a well-established and equipped 24 hours security control room (control room to be inspected by the institution before a contract is signed).		
5.1. Control room with requisite infrastructure		
5.1.1. Control room specification adherence ( double brick walls, concrete slab ceiling, steel strong room door, no window, access controlled)		
5.1.2. Functional communication equipment		
5.1.3. Radio licence if radios are used		
5.1.4. Guard monitoring system		
5.1.5. Health and safety plan, quality management checks and registers		
5.1.6. Operational and emergency plans		
5.1.7. Response procedures with emergency contact numbers		
5.1.8. Safety equipment		
5.1.9. Ability to operate 24 hours		
6.The company must have a supervisor immediately available on a 24 hours basis to react in the event of emergencies		
7. The company must preferably have rendered a similar service to other institutions. A list of references be supplied		
8.The company must have a sufficient number of staff available to render a service at the institution during crisis situations		

9.The following requirements wrt the security officers to be supplied must be adhered to by the company :-		
✓ Educated to matric level		
✓ Communicate, read and write at least in English/ Afrikaans and in one of the official languages		
✓ Not younger than 18 years		
✓ At least 2 years relevant experience as security officers		
✓ Physically healthy and medically fit		
✓ Must always present an acceptable image and appearance		
10.The company must agree to the following:-		
➤ Reliability checks by the relevant National Intelligence Structure (as determined in section 2A of the National Strategic Intelligence Act) on the company and every director of the company or member of the close corporation prior to the signing of any contract		
➤ Security screening of every security officers supplied to render a service to the institution (the level of clearance must be determined by the institution)		
➤ Signing of declaration of confidentiality by the directors and officers		
➤ Inspection at any time of the services to be rendered by security officials in the employ of the institution, including registers, occurrence books, equipment used		
➤ Shifts worked by security officers must not be longer than 12 hours		
➤ Security officers must be issued with appropriate equipment to enable them to properly execute their duties, i.e. radios firearms, batons, registers, uniforms		
➤ Adherence to all internal security policies and procedures of the institution		
11.The following duties must be performed by the security officers of the company or close corporation:-		
❖ To act as authorized officers in terms of the Control of Access to Public Premises and Vehicles Act, no. 53 of 1985		
❖ To perform access control duties, patrol premises and execute functions as determined by the security manager of the institution, including the safeguarding of all assets		
❖ To record security breaches/ incidents/ events in an occurrence register and report such breaches/ incidents/ events to the security manager of the institution and their own supervisors		
❖ Guards must be inspected once per day (weekends and public holidays included) and twice per night by supervisors		
❖ Regular reports must be made by radio to the security control room of the company		
❖ Supervisors of the company must report to the security manager of the institution daily		