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REQUEST FOR QUOTATION (RFQ)

RFQ NUMBER	RFQ/LOG/2021/75
RFQ ISSUE DATE	29 JUNE 2021
BRIEFING SESSION DATE & TIME NON-COMPULSORY	1 JULY 2021 @ 10:00am
LINK FOR BRIEFING SESSION	Join on your computer or mobile app Click here to join the meeting Learn More Meeting options
RFQ DESCRIPTION	SABC AUCKLAND PARK FUTURE CAMPUS WORKSPACE REQUIREMENT ASSESSMENT
CLOSING DATE & TIME	6 JULY 2021 @ 12:00pm

Submissions must be electronically emailed to RFQSubmissions@sabc.co.za on or before the closing date of this RFQ,

For queries, please contact Tshepo Makgato on this email address MakgatoTV@sabc.co.za

The SABC requests your quotation on the service listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. Late and incomplete submissions will invalidate the quote submitted.

SUPPLIER NAME: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

FAX NO. : _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

South African Broadcasting Corporation SOC Limited: Registration Number: 2003/023915/30

Non-Executive Directors: Mr B E Makhathini (Chairperson); Ms M Mohlala-Mulaudzi (Deputy Chairperson); Prof S Cooper; Adv M B B Lekalakala; Mr D M Maimela; Mr M G Markovitz; Mr D K Mohuba; Ms J Patel; Mr J H Phalane; Ms M B Papayya; Dr M Socikwa

Executive Directors: Mr M T Mxakwe (Group Chief Executive Officer); Mr I C Plaatjes (Chief Operations Officer); Ms Y van Biljon (Chief Financial Officer); **Company Secretary:** Ms L V Bayi

NOTES ON QUOTATIONS AND PROPOSALS SUBMISSION

1. All electronic submissions must be submitted in a PDF format that is protected from any modifications, deletions or additions.
2. Financial/pricing information must be presented in a separate attachment from the Technical / Functional Response information.
3. The onus is on the Bidder to further ensure that all mandatory and required documents are included in the electronic submission.
4. All electronic submissions should be prominently marked with the full details of the tender in the email subject line.
5. Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email.
6. Tender submission emails received after submission date and time will be considered late bid submissions and will not be accepted for consideration by SABC.
7. SABC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:
 - receipt of incomplete bid
 - file size
 - delay in transmission receipt of the bid
 - failure of the Bidder to properly identify the bid
 - illegibility of the bid; or
 - Security of the bid data.

NOTES ON THE BRIEFING SESSION

1. The briefing session will be arranged by means of an online session using Microsoft Teams, the date and time is as published with this RFQ – refer page 1.
2. Bidders who have access to Microsoft Teams are kindly requested to participate in the online briefing session by clicking on the link provided.
3. The briefing session is meant to address all bidders' queries and provide clarity on any items contained in this bid document.
4. Bidders who are unable to connect via Microsoft Teams are requested to submit their queries related to the bid as follows:
 - Bidders are requested to submit their queries related to the bid via email
 - Bidders must send their queries to the Bid Office via the email tenderqueries@sabc.co.za
 - The queries must be submitted at least within 5 days after the tender has been advertised on the SABC Website.
 - The Bid Office will forward the queries to the Bid Specification Team for relevant response.
 - All queries and responses will be consolidated into a schedule of questions and answers and published on all the platforms that were utilized to advertise the tender within 5 days after the query deadline.

1. PHASE 1: MANDATORY DOCUMENTS

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

MANDATORY REQUIREMENT	COMPLY/ NON-COMPLY
1.1 Certified copy of the bidding entity's valid Estate Agency Affairs Board Fidelity Fund Certificate	
1.2 Proof of Professional Civil Engineer registration in the form of a certificate or letter of confirmation with Engineering Council of South Africa (ECSA)	

NON-SUBMISSION OF THE MANDATORY DOCUMENTS WILL RESULT IN AUTOMATIC DISQUALIFICATION

2. REQUIRED DOCUMENTS

- 2.1 Tax Compliance Status with the SARS "Pin" to validate supplier's tax matters.
- 2.2 Original or Certified copy of Valid BBBEE Certificate (from a SANAS accredited Verification Agency).
- 2.3 All EME's and 51% Black-Owned QSE's are only required to obtain a **Sworn Affidavit** on an annual basis, confirming the following:
 - 2.3.1 Annual total revenue of R10 Million or less (EME), or revenue between R10 Million and R50 Million for QSE
 - 2.3.2 Level of Black Ownership

Note 1:

Verification Agencies and Auditors who are accredited by the IRBA (Independent Regulatory Board for Auditors) are no longer the 'approved regulatory bodies' for B-BBEE verification and therefore IRBA auditors are not allowed to issue B-BBEE certificates after 30 September 2016.

Note 2:

Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE act as amended.

- 2.4 Proof of Valid TV License Statement (Company's, Shareholders and all Directors'), or affidavit proving that company and/or officials are not in possession of TV licence. Verification will also be done by the SABC internally.
- 2.5 Certified copy of Company Registration Document that reflect Company Name, Registration number, date of registration and active Directors or Members.
- 2.6 Certified copy of Shareholders' certificates.
- 2.7 Certified copy of ID documents of the Directors or Members.
- 2.8 Last three years audited/reviewed financial statements OR the Company's Management Accounts.
- 2.9 Proof of registration on Centralised Data Base (CSD)- <https://secure.csd.gov.za>

NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDER WHOSE TAX AND TV LICENCE MATTERS ARE NOT IN ORDER. NO CONTRACT WILL BE AWARDED TO ANY BIDDER WHO IS NOT REGISTERED ON CSD.

DETAILED TECHNICAL SPECIFICATION

1. INTRODUCTION

The SABC seeks to appoint a competent service provider to conduct an assessment on the future habitability of the SABC Radio Park Building, establish possible alternatives hereto and the total cost implications thereof. The ideal service provider is expected to have verifiable experience in the following fields:

- 1.1 Property Advisory Services
- 1.2 Building Assessment
- 1.3 Facilities Management
- 1.4 Engineering
- 1.5 Architecture
- 1.6 Workspace Planning
- 1.7 Quantity Surveying
- 1.8 Building Construction
- 1.9 Costing/ Feasibilities
- 1.10 Occupational Health and Safety Services

2. BACKGROUND

The SABC Radio Park Building, first occupied in the year 1972, is a 31-floor office building measuring 61 650m² and is situated upon Erf 1 Uitsaaisentrum.

Over the years, the SABC workforce and scale of technological infrastructure has increased significantly. Consequently, the overall capacity of the Radio Park Head Office must be aligned to the operational requirements. The SABC needs to ensure that a strategic direction in the management of ergonomics in the Head Office is provided and therefore, it is for this reason that all available options for the future of the Radio Park Head Office be explored, and the best viable option identified.

3. SCOPE OF WORK

This RFQ is for SABC Auckland Park Future Campus Workspace Requirement Assessment. The successful Bidder must conduct a thorough assessment of the Radio Park building infrastructure, to determine the following:

- 3.1 Remainder of lifespan
- 3.2 Required Capital Expenditure
- 3.3 Current cost of maintenance
- 3.4 Desired operational efficiency
- 3.5 Workspace Optimization
- 3.6 Compliance with the OHS Act

The Bidder is required to provide an outline of the resources available, the estimated project period (not more than 2 months), the proposed approach to the project rollout, and the total cost implications thereof.

The successful bidder will be required to compile an Assessment Report and various other outputs that will be concluded during the Service Level Agreement stage. The report will be presented to various Executive Committees within the SABC. The report is expected to detail the full results of the workspace assessment. The assessment will be based on the following:

- 3.7 Existing infrastructure
- 3.8 Three or more alternatives
- 3.9 Total Cost implications for each of the proposed solutions

BELOW IS DETAILED INFORMATION ON THE ABOVE.

3.10 Assessment of existing Radio Park infrastructure

- 3.10.1 Conduct a physical inspection and assessment of existing building infrastructure to determine the following:
 - 3.10.1.1 Current condition – civil/structure, electrical, mechanical & electronics
 - 3.10.1.2 Current energy efficiency status
 - 3.10.1.3 Current design agility (fit for purpose)
 - 3.10.1.4 Current maintenance cost
 - 3.10.1.5 Current remaining lifespan
 - 3.10.1.6 Current compliance to OHS & building standards – list identified risks
 - 3.10.1.7 Current total capital expenditure layout
 - 3.10.1.8 Current workspace optimisation rate
 - 3.10.1.9 Comparison with property industry
 - 3.10.1.10 Current benefits and disadvantages to business
- 3.10.2 Recommend required infrastructure improvement activities over short term and long term if SABC remain in Radio Tower:
 - 3.10.2.1 Required maintenance activities – civil, electrical, mechanical and electronics
 - 3.10.2.2 Required maintenance cost
 - 3.10.2.3 Required critical expenditure
 - 3.10.2.4 Required total capital expenditure suggested implementation period
 - 3.10.2.5 Desired energy efficiency improvement after implementation
 - 3.10.2.6 Expected compliance rate to OHS & building standards – list risks
 - 3.10.2.7 Additional expected lifespan after total capital expenditure layout
 - 3.10.2.8 Expected workspace optimisation rate
 - 3.10.2.9 Comparison with the property industry
 - 3.10.2.10 Solution benefits and disadvantages to business

3.11 Exploration of alternatives – Examine alternatives for accommodation of 3500 employees and modern specialised studio facilities for broadcasting services.

3.11.1 The TV Park section of the SABC Head Office is a multi-storey building that consists of multiple studios situated upon Erf 2 Uitsaaisentrum and measuring 62 702m². The Bidder is expected to interrogate TV Park actual capacity and advise on the possibility of the entire head office operation being accommodated there.

3.11.1.1 Required maintenance activities – civil, electrical, mechanical and electronics

3.11.1.2 Required maintenance cost

3.11.1.3 Required critical expenditure

3.11.1.4 Required total capital expenditure suggested implementation period

3.11.1.5 Desired energy efficiency improvement after implementation

3.11.1.6 Expected compliance rate to OHS & building standards (list risks)

3.11.1.7 Additional expected lifespan after total capital expenditure layout

3.11.1.8 Expected workspace optimisation rate

3.11.1.9 Comparison with the property industry

3.11.1.10 Solution benefits and disadvantages to business

3.11.2 Design and determine the capacity of a building to accommodate head office operations

3.11.2.1 Workspace requirements for head office operations (capacity)

3.11.2.2 Proposed new building designs and identified location

3.11.2.3 Construction feasibilities – total capital expenditure required

3.11.2.4 Estimated construction period

3.11.2.5 Estimated energy efficiency

3.11.2.6 Estimated maintenance cost

3.11.2.7 Construction proposal plan (accommodation during construction period)

3.11.2.8 Expected building lifespan

3.11.2.9 Comparison with property industry

3.11.2.10 Solution benefits and disadvantages to business

3.12 Remote Work Optimisation

The SABC currently adopts a part-time remote work strategy. Although the exact number of employees working from home and the IT infrastructure that can be operated remotely still needs to be determined, the successful bidder will need to explore this option as one of the alternatives.

3.13 Other options

The SABC acknowledges that none of the above may be the best viable solution. It is for this reason that the employ of forward-thinking specialists is required. The successful bidder may, in addition to the other alternatives propose workspace solutions that best fit a 21st century media house.

4. CONTRACT PERIOD

The total time allocated for this project is capped at two (2) months. This means that the successful bidder is expected to conduct all necessary assessments, compile the results, and present the findings to the relevant Executive Committees within two (2) months from project award.

5. EVALUATION CRITERIA

Bidders should note that only bids who meet the Mandatory Criteria of the bid shall be evaluated further for Functionality (where indicated), and Price and B-BBEE.

Responses will be evaluated using a predetermined set of evaluation criteria. The evaluation criteria is designed to reflect the SABC's requirements in terms of identifying a suitable service provider and ensure the selection process is transparent and afford all the Bidders a fair opportunity for evaluation and selection.

During the evaluation process, the SABC may require a Bidder's representative to answer questions regarding the proposal and/or require certain Bidders to make a formal presentation to the evaluation team.

5.1 FUNCTIONALITY EVALUATION

The evaluation is based on functionality, which will be evaluated using the following criteria and points:

5.1.1 The tender submission will be functionally evaluated out of a maximum of 170 points.

5.1.2 A threshold of 119 out of the 170 has been set.

5.1.3 All Bidders achieving less than the set threshold will not be evaluated further and will be deemed Non-Responsive.

5.2 Functionality Criteria:

Evaluation Area	Evaluation Criteria	Max. Points	Min. Points
Company's Years of Experience in the Industry	<p>The Bidder must submit company profile illustrating that they have a minimum of five (5) years experience in the property advisory services industry.</p> <ul style="list-style-type: none"> • 5 – 10 years' experience = 4 points • Over 10 years' experience = 5 points 	5	4
Company's Track Record with similar projects	<p>Bidders must submit reference letters from thier current or previous clients, demonstrating knowledge of executing projects of a similar nature within the property advisory services industry.</p> <p>Reference Letters must fully comply with the below. Reference must be:</p> <ul style="list-style-type: none"> ➤ on the client's letterhead from clients where related property advisory services were rendered. ➤ inclusive of the relevant contact person, registered address, email address, and contact number. ➤ Clearly stipulate that the executed project was in a commercial workspace of not less than 5000 sqm ➤ The project/s have been started and completed within the past 10 years from closing date of this bid. <ul style="list-style-type: none"> • 3-5 reference letters = 15 points • More than 5 = 20 points 	20	15
CVs of key personnel	<p>The CVs with relevant experience, certified copies of qualifications and proof of registration in the form of a certificate or a letter of confirmation with professional bodies must be submitted for the personnel that will form part of the project execution team.</p> <ul style="list-style-type: none"> • Senior Property expert with minimum 5 year's experience, NQF 7 qualification in Property related Studies = 5 points • Quantity Surveyor – CV with minimum 3 years' experience, certified copy of minimum NQF 7 qualification, Proof of registration with the South African Council for the QS Profession = 5 points • Architect – CV with minimum 3 years' experience, certified copy of minimum NQF 7 qualification, proof of registration with South African Council for the Architectural Profession = 5 points • Professional Electrical Engineer – CV, certified copy of minimum NQF 6 	25	20

	<p>qualification, proof of registration with Engineering Council of South Africa = 5 points</p> <ul style="list-style-type: none"> Professional Mechanical Engineer – CV, certified copy of minimum NQF 6 qualification, proof of registration with Engineering Council of South Africa = 5 points 		
Project Methodology	<p>The Bidder must detail how they intend to undertake work in line with the job specification detailed in the scope of work, and must, as the minimum, fully address the following areas:</p> <ul style="list-style-type: none"> Physical inspection and assessment of existing building and infrastructure (refer 3.10.1) = 10 points Recommend required infrastructure improvement (refer 3.10.2) = 10 points Assess TV Centre Workspace capacity (refer 3.11.1) = 10 points Design and determine the capacity of a building to accommodate head office operations (refer 3.11.2) = 10 points <p>The Bidder must additionally include a detailed methodology on the following areas to meet the full requirement:</p> <ul style="list-style-type: none"> Remote Work Optimisation (refer 3.12) = 10 points Other options (refer 3.13) = 10 points 	60	40
Project Plan	<p>The Bidder is to submit a project plan in the form of a Gantt chart indicating major milestones to be executed within the estimated 2 months' project period.</p> <p>The project plan MUST as a minimum cover the following major milestones:</p> <ul style="list-style-type: none"> Physical inspection and assessment of existing building and infrastructure (refer 3.10.1) = 10 points Recommend required infrastructure improvement (refer 3.10.2) = 10 points Assess TV Centre Workspace capacity (refer 3.11.1) = 10 points Design and determine the capacity of a building to accommodate head office operations (refer 3.11.2) = 10 points <p>The Bidder must additionally include the following milestones to meet the full requirement:</p> <ul style="list-style-type: none"> Remote Work Optimisation (refer 3.12) = 10 points Other options (refer 3.13) = 10 points 	60	40
Total		170	119

5.3 Price and BBEE

The bid responses will be evaluated on the 80/20 preference point system.

5.4 Costing Model

5.4.1 Bidders will be evaluated on the **total cost of project**.

5.4.2 Bidders are to provide a detailed breakdown of all direct and indirect costs for the successful completion of the project, including all required deliverables, and within the specified project duration of 2 months.

5.4.3 Bidders must submit pricing in excel format as a soft copy, and as a hard copy document along with the proposal. The pricing must be marked clearly.

5.4.4 Bidders must provide a detailed price breakdown by listing items according to the cost per specialist, cost per milestone, or against any other benchmark but including all deviations required for the successful completion of the project.

5.4.5 Notwithstanding clause 5.4.4, the bidder's price breakdown **MUST** clearly show the total cost of project for the project duration of 2 months. Failure to provide this total cost may result in the bid not being accurately evaluated.

5.4.6 Additionally, the bidder must complete Annexure A.

5.4.7 Pricing must be provided in South African currency, ZAR.

5.4.8 The total cost of project **MUST** be inclusive of VAT @15%.

5.5 Effective Date of Bid

Vendors should state in writing in its quotation to the SABC that all furnished information, including price, will remain valid and applicable for 90 days from the date the vendor quotation is received by the SABC.

5.6 Objective Criteria

5.6.1 The SABC reserve the right not to consider proposals from Bidders who are currently in litigation with the SABC.

5.6.2 The SABC further reserve the right not to award this tender to any Bidder based on the proven poor record of accomplishment of the Bidder in previous projects within the SABC.

5.6.3 Bidders who are blacklisted or have committed other acts of fraud and misrepresentation of facts e.g. tax compliance, BBEE, company financials, etc. will be eliminated from the bid process.

6. ADJUDICATION USING A POINT SYSTEM

- 6.1 The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder
- 6.2 Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- 6.3 In the event that two or more bids have scored equal points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 6.4 However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality
- 6.5 Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

7. POINTS AWARDED FOR PRICE

THE 80/20 PREFERENCE POINT SYSTEM

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

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:

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

- 7.1 Bidders who qualify as EME's in terms of the B-BBEE Act must submit a certificate issued by an accounting officer as contemplated in the CCA or a verification Agency accredited by SANAS.
- 7.2 Bidders other than EMEs must submit their original and valid B-BBEE status levels verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a verification agency accredited by SANAS.
- 7.3 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 7.4 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 7.5 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 7.6 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intend sub-contracting more than 30% 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 capacity and the ability to execute the sub-contract.
- 7.7 A person awarded a contract may not sub-contract more than 30% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

8. COMMUNICATION

Respondents are warned that a response will be disqualified should any attempt be made by a tenderer either directly or indirectly to canvass any officer(s) or employees of SABC in respect of a tender, between the closing date and the date of the award of the business.

All enquiries relating to this RFQ should be emailed three days before the closing date.

9. CONDITIONS TO BE OBSERVED WHEN TENDERING

- 9.1 The Corporation does not bind itself to accept the lowest or any tender, nor shall it be responsible for or pay any expenses or losses which may be incurred by the Tenderer in the preparation and delivery of his tender. The Corporation reserves the right to accept a separate tender or separate tenders for any one or more of the sections of a specification. The corporation also reserves the right to withdraw the tender at any stage.
- 9.2 No tender shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.
- 9.3 The Corporation reserves the right to:

9.3.1 Not evaluate and award submissions that do not comply strictly with his RFQ document.

9.3.2 Make a selection solely on the information received in the submissions and;

- i. Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this tender.
- ii. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders. During the evaluation process, no change in the content of the RFQ shall be sought, offered or permitted.
- iii. Award a contract to one or more bidder(s).
- iv. Accept any tender in part or full at its own discretion.
- v. Cancel this RFQ or any part thereof at any time.
- vi. Should a bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the Corporation and not necessarily on the basis of the lowest costs, aligned to the BBEE & Preference Point system.

10. COST OF BIDDING

The Tenderer shall bear all costs and expenses associated with preparation and submission of its tender or RFQ, and the Corporation shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

END OF RFQ DOCUMENT

A N N E X U R E S

- ANNEXURE A:** TENDER PRICE SUMMARY
- ANNEXURE B:** DECLARATION OF INTEREST
- ANNEXURE C:** CONSORTIUMS, JOINT VENTURES AND SUB-CONTRACTING
REGULATIONS
- ANNEXURE D:** DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT
PRACTICES
- ANNEXURE E:** CERTIFICATE OF INDEPENDENT BID DETERMINATION

ANNEXURE A

TENDER PRICE SUMMARY

ALL-INCLUSIVE TENDER PRICE

Bidders will be evaluated on the total cost of project.

The bidder's price breakdown **MUST** clearly show the **total cost of project** for the project duration of 2 months. Failure to provide this total cost may result in the bid not being accurately evaluated. Pricing must be provided in South African currency, ZAR. The total cost of project **MUST** be inclusive of VAT @ 15%.

Additionally, the bidder's total cost of project must reflect below as follows:

SUBTOTAL	R	<input type="text"/>
VAT @ 15%	R	<input type="text"/>
TOTAL TENDER AMOUNT	R	<input type="text"/>

ANNEXURE B**DECLARATION OF INTEREST**

1. Any legal or natural person, excluding any permanent employee of SABC, may make an offer or offers in terms of this tender invitation. In view of possible allegations of favouritism, should the resulting tender, or part thereof be awarded to-
 - (a) any person employed by the SABC in the capacity of Tenderer, consultant or service provider; or
 - (b) any person who acts on behalf of SABC; or
 - (c) any person having kinship, including a blood relationship, with a person employed by, or who acts on behalf of SABC; or
 - (d) any legal person which is in any way connected to any person contemplated in paragraph (a), (b) or (c),

it is required that:

The Tenderer or his/her authorised representative shall declare his/her position *vis-à-vis* SABC and/or take an oath declaring his/her interest, where it is known that any such relationship exists between the Tenderer and a person employed by SABC in any capacity.

Does such a relationship exist? [YES/NO]

If YES, state particulars of all such relationships (if necessary, please add additional pages containing the required information):

	[1]	[2]
NAME	:
POSITION	:
OFFICE WHERE EMPLOYED	:
TELEPHONE NUMBER	:
RELATIONSHIP	:

2. Failure on the part of a Tenderer to fill in and/or sign this certificate may be interpreted to mean that an association as stipulated in paragraph 1, *supra*, exists.
3. In the event of a contract being awarded to a Tenderer with an association as stipulated in paragraph 1, *supra*, and it subsequently becomes known that false information was provided in response to the above question, SABC may, in addition to any other remedy it may have:
 - recover from the Tenderer all costs, losses or damages incurred or sustained by SABC as a result of the award of the contract; and/or
 - cancel the contract and claim any damages, which SABC may suffer by having to make less favourable arrangements after such cancellation.

SIGNATURE OF DECLARANT

TENDER NUMBER

DATE

POSITION OF DECLARANT

NAME OF COMPANY OR TENDERER

ANNEXURE C**CONSORTIUMS, JOINT VENTURES AND SUB-CONTRACTING REGULATIONS****1. CONSORTIUMS AND JOINT VENTURES**

- 1.1 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 1.2 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.

2 SUB-CONTRACTING

- 2.1 A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- 2.2 A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 2.3 A person awarded a contract may not subcontract more than 30% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

3 DECLARATION OF SUB-CONTRACTING

- 3.1 Will any portion of the contract be sub-contracted? YES / NO
- 3.2 If yes, indicate:
- 3.2.1 The percentage of the contract will be sub-contracted%
- 3.2.2 The name of the sub-contractor
- 3.2.3 The B-BBEE status level of the sub-contractor.....
- 3.2.4 whether the sub-contractor is an EME YES / NO

SIGNATURE OF DECLARANT_____
TENDER NUMBER_____
DATE_____
POSITION OF DECLARANT_____
NAME OF COMPANY OR TENDERER

ANNEXURE D

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1.0** This Standard Bidding Document must form part of all bids invited.
- 2.0** 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.
- 3.0** 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.
- 4.0** 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	Is the Bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the Bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	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"/>

4.4	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

ANNEXURE E

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1.0 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2.0 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3.0 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.
- 4.0 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.
- 5.0 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for SABCs 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 RFQ _____

in response to the invitation for the bid made by: **South African Broadcasting Corporation SOC Limited "SABC"**

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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the 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.

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

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