



SOUTH AFRICAN BROADCASTING SABC SOC LIMITED
(“the SABC”)

REQUEST FOR PROPOSAL (RFP)

RFP NUMBER: RFP/RAD/2022/9

**RFP TITLE: BRAND CAMPAIGNS FOR 5FM, METROFM AND SAFM
BRANDS AND SUB-BRANDS**

EXPECTED TIMEFRAME

BID PROCESS	EXPECTED DATES
Bid Advertisement Date	28 March 2022
Bid Documents Available From	SABC Website (http://www.sabc.co.za/sabc/tenders/) National Treasury's tender portal (http://www.etenders.gov.za)
Briefing Session	4 April 2022 @ 11h00am
Venue / Link for virtual Briefing Session	Join on your computer or mobile app Click here to join the meeting Learn More Meeting options
Bid Closing Date and Time	18 April 2022 @ 12h00pm
Contact details	tenderqueries@sabc.co.za
Applicable Preference Point System	80/20

The SABC retains the right to change the timeframe whenever necessary and for whatever reason it deems fit.

BIDS DELIVERY
PHYSICAL

SABC's Tender Box
SABC Office
Radio Park
Henley Road; Auckland
Johannesburg

OR

ELECTRONIC

RFPSubmissions@sabc.co.za

During the COVID-19 pandemic, Bidders may submit bids in the tender box or electronically until further notice. Refer to Document A for Conditions to be observed when bidding.

Late Bid submissions will not be accepted for consideration by the SABC.

1. PREQUALIFICATION CRITERIA

The bidder must meet at least one of the B-BBEE Statuses listed below:

NO.	CRITERIA	COMPLY/NOT COMPLY
1	EME or QSE with B-BBEE Status Level 1 (100% Black-owned)	
2	EME or QSE with B-BBEE Status Level 2 (51% Black-owned)	
3	Generic with B-BBEE Status Level 1 (100% Black Owned)	
4	Generic with B-BBEE Status Level 2 (100% Black-Owned)	

NON-COMPLIANCE TO THE PRE-QUALIFICATION CRITERIA WILL RESULT IN AUTOMATIC DISQUALIFICATION.

EME SWORN AFFIDAVIT TEMPLATE ATTACHED AS ANNEXURE B TO THE DOCUMENT.

B-BBEE TEMPLATES OBTAINABLE FROM www.thedtic.gov.za

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;
 - 3.3.1. Annual total revenue of R10 Million or less (EME), or revenue between R10 Million and R50 Million for QSE
 - 3.3.2. 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.

C O N T E N T S

DOCUMENT A:	CONDITIONS TO BE OBSERVED WHEN BIDDING
DOCUMENT B:	GENERAL CONDITIONS OF THE BID/PROPOSAL
DOCUMENT C:	QUESTIONNAIRE
DOCUMENT D:	DECLARATION OF INTEREST
DOCUMENT E:	FUNCTIONALITY REQUIREMENTS
DOCUMENT F:	CONFIDENTIALITY
DOCUMENT G:	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017- SBD 6.1
DOCUMENT H:	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES - SBD 8
DOCUMENT I:	CERTIFICATE OF INDEPENDENT BID DETERMINATION SBD 9
DOCUMENT J:	ACCEPTANCE OF CONDITIONS OF BID
DOCUMENT K:	VENDOR FORM (SABC SUPPLIER/VENDOR REGISTRATION FORM) - (ATTACHED SEPARATELY) / PLEASE ALSO REGISTER ON CENTRALISED DATA BASE - https://secure.csd.gov.za

DOCUMENT A

CONDITIONS TO BE OBSERVED WHEN BIDDING

1.0 LODGING OF PROPOSALS

- 1.1 Bidders are required to complete and sign the RFP Document and initial all pages (including proposal and brochures).
- 1.2 During the COVID-19 pandemic, Bidders may submit bids in the tender box or electronically until further notice as follows:

1.2.1.Tender box submission

Bids submitted in the tender box must adhere to the following:

- Bids must be submitted as one (1) original, two (2) copies of the original and 1 (one) soft copy (CD) or memory stick, by hand and be enclosed in a sealed envelope marked distinctly with the RFP number. This envelope must indicate the Bid number, the name and delivery address of the Bidder. All soft copies should be in PDF format and must contain proposal, all completed forms, and attachments.

1.2.2.Electronic submission:

Bids submitted electronically must adhere to the following:

- The single point of entry is RFPSubmissions@sabc.co.za.
- Electronic submissions must be submitted in a PDF format that is protected from any modifications, deletions or additions.
- Financial/pricing information must be presented in a **separate** attachment from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.
- All electronic submissions must be prominently marked with the full details of the bid in the email subject line namely, Bidder's Name, Bid No. and Bid Description.
- 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

- Bid submission emails received after submission date and time will be declared late bid submissions and will not be accepted for consideration by SABC.

1.4 The 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 or receipt of the bid
- Failure of the Bidder to properly identify the bid
- Illegibility of the bid; or
- Security of the bid data.

1.5 Bidders must ensure that bids are delivered timeously to the correct address. Bids not received in a specified manner, and by the specified time and date as set out in this RFP document will be rejected. The bid box is generally open 24 hours a day, 7 days a week.

2.0 COMPLIANCE WITH CONDITIONS OF PROPOSAL

2.1 No alteration, amendment or variation of the submitted proposal by the closing date of this bid shall be permitted, unless otherwise agreed in writing by both the SABC and the Bidder. Should the Bidder desire to make any amendments to the conditions of their proposal document, they shall stipulate upfront in their proposal document. The SABC reserves the right to reject such bid document.

3.0 COMPLIANCE WITH TECHNICAL SPECIFICATIONS

3.1 All Bidders are required to submit bids in accordance with stipulated technical specification as indicated in this bid document. Failure to comply with the required technical specification will result in disqualification.

4.0 SCHEDULE OF QUANTITIES

4.1 Bidders are required to submit a detailed Schedule of Quantities indicating how the bid amount is composed. This schedule shall contain itemised descriptions, quantities, and unit prices.

5.0 BID PRICES

- 5.1 No change in the submitted bid prices shall be accepted and/or approved by the SABC after receipt and before award of this bid.
- 5.2 All prices are to be quoted in the Republic of South African Rand with VAT as a separate item.
- 5.3 All local suppliers quoting in foreign currency must convert the currency to Rands and indicate the exchange rate applicable. The local suppliers must provide reasons with evidence why they are quoting in foreign currency
- 5.4 The prices quoted should be inclusive of all costs needed to perform the specified services, not limited to, all kinds of local guarantee bonds, taxes and duties, customs, customs clearance, inland transportation, storage, unpacking, positioning, installation, integration and testing. The prices quoted should be inclusive of all costs for the duration of the project.
- 5.5 This bid document is not an offer to purchase, order or contract.
- 5.6 Prices must be fixed for the first year and shall, where applicable, be subject to an increase of not more than the applicable CPI.
- 5.7 Bid prices for supplies in respect of which installation/erection/assembly is a requirement, shall include ALL costs on a basis of delivery on site as specified.
- 5.8 Bid prices shall, where applicable, include packaging. If desired, packaging material may be returned to the Bidder provided the amount of credit that will be allowed for the returnable packaging is shown against each item concerned.
- 5.9 Any response submitted by a Bidder is subject to negotiation and review by the SABC.

6.0 SOURCE OF SERVICE AND MATERIAL

- 6.1 In the case of equipment/goods, which are partially or completely designed and/or manufactured in the Republic of South Africa, Bidders shall state the local content percentage.

6.2 Documentation certifying the local content percentage shall be submitted.

7.0 ACCEPTANCE OF PROPOSALS

7.1 The SABC does not bind itself to accept the lowest or any bid/proposal, nor shall it be responsible for or pay any expenses or losses which may be incurred by the Bidders in the preparation and delivery of its/his/her bid/proposal. The SABC reserves the right to accept a separate bid/proposal or separate bids/proposals for any one or more of the sections of a specification. The SABC also reserves the right to withdraw the bid at any stage.

7.2 No bid shall be deemed to have been accepted unless and until a formal contract/ letter of award is prepared and signed.

7.3 The SABC reserves the right, should it deem it necessary, to monitor every stage of the contract to ensure:

- that the directors who were awarded the bid are in control of the company and/or that changes in the directorship does not affect delivery of the goods/services/work adversely;
- that, if there are changes in the control of the company, these should be brought to the attention of the SABC;
- that in the event that the bid or any part thereof is to be subcontracted to another company or organisation after the bid was awarded, the Bidders are to immediately advise the SABC and the SABC shall approve same as it deems fit;
- successful delivery of the goods/services/works in terms of the contract, or timeous termination of the contract should such action be in the best interest of the SABC;
- the successful Bidder's contract is audited from time to time.

7.4 This bid will remain valid 180 (one hundred and eighty) days from the date of bid closing.

8.0 DEFAULT BY BIDDERS

8.1 If Bidders purport to withdraw their bid(s)/proposals within the period for which they have agreed that their bid/proposal shall remain open for

acceptance, or fails to enter into a written contract when called upon to do so, or fails to accept an order in terms of the bid, the SABC may, without prejudice to any other legal remedy which it may have, accept their bid(s) notwithstanding the purported withdrawal, or proceed to accept any other less favourable bid or call for bids afresh and may recover from the defaulting Bidders any additional expense it has incurred for the calling for new bids or the acceptance of any less favourable bid.

9.0 AMPLIFICATION OF PROPOSALS

9.1 The SABC may, after the opening of bids, call on the Bidder to amplify in writing any matter which is not clear in the Bidder's submission and such amplification shall form part of the original bid.

9.2 In the event of the Bidders failing to supply such information within the specified timeframe, the bid will be liable to rejection.

9.3 The SABC reserves the right to:

- not evaluate and award bids that do not comply strictly with this bid document;
- make a selection solely on the information received in the bids;
- enter into negotiations with any one or more of preferred Bidder(s) based on the criteria specified in the evaluation of this bid;
- 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 bid shall be sought, offered or permitted;
- award a contract to one or more Bidder(s);
- accept any bid in part or full at its own discretion; and
- cancel this bid or any part thereof at any time.

Should Bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the SABC and not necessarily on the basis of the lowest costs.

10.0 IMPORT/EXPORT PERMITS

10.1 Bidders are required to include complete information on equipment and/or components requiring export/import permits, where applicable.

11.0 COST OF BIDDING

11.1 The Bidder shall bear all costs and expenses associated with preparation and submission of its bid/proposal, and the SABC 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.

12.0 COMMUNICATION

12.1 The SABC has provided a single point of entry for any questions or queries that the Bidder may have. All queries must be submitted in writing and directed to authorised contact person. **Unauthorised communication with any other personnel or member of staff of the SABC, with regard to this bid is strongly discouraged and will result in disqualification of the respective Bidder's bid/proposal submission.**

12.2 Should there be a difference of interpretation between the Bidder and SABC; SABC reserves the right to make a final ruling on such interpretation.

12.3 The closing time for clarification of queries is 3 (three) days before the deadline for bid/proposal submission. The Bidders should take note that questions together with responses will be sent to all Bidders.

13.0 AUTHORISED CONTACT PERSONS

13.1 All enquiries in respect of this bid must be addressed to:

Tender Office

SCM Division

Radio Park Office Block

Henley Road

Auckland Park

Johannesburg

South Africa

E-mail: tenderqueries@sabc.co.za

14.0 BROAD-BASED ECONOMIC EMPOWERMENT

- 14.1 According to the 2013 B-BBEE Revised Code of Good Practice the Exempted Micro Enterprise (EME) is only required to produce a sworn affidavit signed by the Commissioner of Oaths as per the requirement in the Justice of Peace and Commissioners of Oaths Act, 1963 (Act No. 61 of 1963) or the Companies and Intellectual Property Commission ("CIPC") certificate on an annual basis.
- 14.2 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS.
- 14.3 Only South African Accreditation Systems (SANAS) is the authorised body to issue B-BBEE certificates.
- 14.4 IRBA and Accounting Officers are **not** allowed to issue B-BBEE affidavit or certificates to EMEs and QSEs as it was under 2007 Codes.
- 14.5 EME's and QSE's must submit an affidavit confirming that the entity's turnover is below R10 million and percentage of black ownership to claim B-BBEE points.
- 14.6 QSEs have to comply with all elements.
- 14.7 Start-up enterprises are verified similar to EMEs, but can opt to be rated using the QSE and Generic Scorecard.
- 14.8 QSE with at least 51% black ownership or above are only required to obtain a sworn affidavit on an annual basis with a confirmation of turnover and black ownership.
- 14.9 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that B-BBEE status level certificate under the consortium name is submitted.
- 14.10 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.
- 14.11 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.

14.12 A Bidder will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a Bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a Bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

14.13 A Bidder awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

15.0 MISREPRESENTATION AND FRONTING IS PROHIBITED

Fronting means a deliberate circumvention or attempted circumvention of the B-BBEE Act and the Codes. Fronting commonly involves reliance on data or claims of compliance based on misrepresentations of facts, whether made by the party claiming compliance or by any other person.

It is an offence to misrepresent or provide false information regarding a company's information or engaging in a fronting practice. If there is any contravention of some sought, the SABC may open a criminal and/or civil case/s against the Bidder and its directors/members in terms of applicable legislation, and ban the Bidder & its directors/members from doing business with the SABC for a pre-determined period.

It is important to note that any proposal that does not conform fully to the instructions and requirements in this RFP may be disqualified.

Suppliers might be required to demonstrate their proposed capabilities by means of a presentation, clear and easily verifiable reference documentation and/or a visit to an existing client site where their capabilities may be demonstrated.

Bids, which do not meet the technical requirements, will not be considered for further evaluation.

END OF DOCUMENT

DOCUMENT B

GENERAL CONDITIONS OF PROPOSAL

1.0 COMPLIANCE WITH COMPLETION OF PROPOSAL

- 1.1 The bid forms should not be retyped or redrafted but photocopies may be prepared and used.
- 1.2 Bid forms must be signed in the original form; in ink and forms with photocopied signatures or other such reproduction of signature will be rejected.
- 1.3 Should bid forms not be filled in by means of mechanical devices, for example typewriters, ink, preferably black, must be used to fill in bid.
- 1.4 Bidders shall check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability shall be accepted in regard to claims arising from the fact that pages are missing or duplicated. Incomplete bids will result in disqualification.

2.0 COMPLIANCE WITH TECHNICAL SPECIFICATIONS

- 2.1 Unless a departure is clearly stated by the Bidder at the time of bidding, the works shall be taken as complying in detail with the Technical Specifications, and the Bidder shall be held liable on all the terms and conditions of the contract as if this bid contained no departures. Technical specifications contained in any brochures or any other descriptions submitted shall apply for acceptance test purposes.

3.0 WARRANTY

- 3.1 If there are any defects arising from failure of goods to meet the specifications within the period specified in the contract, the Bidder shall replace the defective items at his expense or shall refund the SABC such costs as the SABC may incur in replacing such defective item. The Bidder shall also bear the cost of transporting replaced/repaired items to the place of destination.

4.0 INSPECTION

- 4.1 The Bidder shall permit and assist the SABC's representatives in carrying out any inspections that are called for in the proposal or specifications.

5.0 PACKAGING

- 5.1 Goods purchased on this bid must be adequately protected and securely packaged during shipment and until delivery at the destination.
- 5.2 Goods must be clearly marked with the Bidder's name, description of contents and the SABC's order number and delivery address.

6.0 RISK

- 6.1 The Bidder will be responsible for losses that SABC incurred due to Bidder's negligence or intention and Bidder must provide Liability Insurance. This will be a condition of contract.

7.0 DELIVERY

- 7.1 Delivery of the professional service will be based on the contractual terms and conditions agreed upon between the service provider and the SABC. Physical delivery will be to the stores of the relevant SABC regional offices, Republic of South Africa based on the contractual terms and conditions agreed upon between the service provider and the SABC

8.0 PAYMENT

- 8.1 Payment, in currency other than South African Rand, will be made by means of a telegraphic or wired bank transfer.

The Bidder must provide:

- Name and address of their bank.
- Company account number to be credited.
- Sort/swift code of bank.

- 8.2 The SABC's standard payment terms are 30 days from date of Invoice.

9.0 ASSIGNMENT OF CONTRACT

- 9.1 The Bidder shall not have the right to cede any right or delegate any obligation in terms of this contract to any third party unless with the prior written approval of the SABC.

10.0 PROPOSALS ARE CONSIDERED TO BE BINDING ON THE BIDDERS

- 10.1 Representations made in the bid/proposal, including claims made in respect of commitments to dates of delivery, shall be considered binding on the Bidder on acceptance of the bid/proposal by the SABC and same will be form part of the contract to be concluded, unless specifically noted by the Bidder in the bid/proposal that same maybe subject to change;

11.0 COMPLIANCE WITH SABC POLICIES

- 11.1. SABC will not procure any goods, services, works or content from any employee or employee-owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 11.2. SABC will not procure any goods, services, works or content from any SABC Independent Contractor or Independent Contractor-owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 11.3. No former employees, SABC's Non-Executive members and Independent Contractors will be awarded contracts with the SABC within 24 months after resigning from SABC employment or not being engaged with the SABC.
- 11.4. Should former employees, SABC's Non-Executive members and Independent Contractors resign from the employment of the SABC or not being engaged with the SABC and become directors of other businesses bidding with SABC, such bid will not be considered until the cooling off period of two years has expired.
- 11.5. "The SABC has a zero tolerance to theft, fraud and corruption. Such activities will be investigated and stringent action institutes such as laying of criminal charges or even removal from the SABC database of service providers. Should you suspect or become aware of any suspicious acts of fraud, theft or corruption involving SABC employees or other suppliers rendering services to the SABC, contact the SABC whistle blower's hotline at **"0800 372 831"**

12.0 FAILURE TO COMPLY WITH THESE CONDITIONS

- 12.1 These conditions form part of the bid and failure to comply therewith may invalidate a bid.

13.0 RFP SCHEDULE

- 13.1 Bidders will be contacted as soon as practicable with a status update. At this time, short-listed Bidders may be asked to meet with SABC representatives. Bidders should provide a list of persons and their contact details who are mandated to negotiate on behalf of their company.

14.0 ADDITIONAL NOTES

- 14.1 All returnable documents as indicated in the bid form must be returned with the response.
- 14.2 Changes by the Bidder to his/her submission are not allowed after the closing date.
- 14.3 The person or persons signing the bids must be legally authorized by the Bidder to do so. A list of the person(s) authorized to negotiate on your behalf must be submitted along with the bid.
- 14.4 SABC reserves the right to undertake post-bid negotiations with the preferred Bidder or any number of short-listed Bidders.

FAILURE TO OBSERVE ANY OF THE ABOVE-MENTIONED REQUIREMENTS MAY RESULT IN THE BID BEING OVERLOOKED.

15.0 DISCLAIMERS

- 15.1 Bidders are hereby advised that the SABC is not committed to any course of action as a result of its issuance of this BID and/or its receipt of a bid in response to it. In particular, please note that the SABC may:

- 15.1.1 change all services on bid and to have Supplier re-bid on any changes
- 15.1.2 reject any bid which does not conform to instructions and specifications issued herein
- 15.1.3 disqualify bids after the stated submission deadline
- 15.1.4 not necessarily accept the lowest priced bid
- 15.1.5 reject all bids, if it so deems fit
- 15.1.6 award a contract in connection with this bid at any time
- 15.1.7 award only a portion as a contract
- 15.1.8 split the award of the contract to more than one Supplier
- 15.1.9 make no award of a contract.

Kindly note that SABC will not reimburse any Bidder for any preparation costs or other work performed in connection with this bid, whether or not the Bidder is awarded a contract.

END OF DOCUMENT B

DOCUMENT C

QUESTIONNAIRE TO BE COMPLETED WHEN BIDDING

If the information required in respect of each item cannot be inserted in the space provided, additional information may be provided on a separate sheet of paper with a suitable reference to the questionnaire number concerned.

1. Company's Treasury CSD unique registration reference number.	
2. Have your company been issued with a SARS Compliance Status PIN.	
3. If yes, please provide PIN number. The provision of the PIN will be construed as your permission to SABC Procurement to access your tax status on-line.	
4. Are you registered in terms of section 23(1) or 23(3) of the Value-added Tax Act, 1991 (Act 89 of 1991)?	
5. If so, state your VAT registration number and original current tax clearance certificate to be submitted	
6. Are the prices quoted fixed for the full period of contract?	
7. Is the delivery period stated in the bid firm?	
8. What is the address in the Republic of South Africa where an item of the type offered by you may be inspected preferably under working conditions? (Where Applicable)	
9. What is the approximate value of	

stock in the Republic of South Africa for this particular item? (If required).	
10. Where are the stock held?	
11. What facilities exist for servicing the items offered?	
12. Where are these facilities available?	
13. What are the names and addresses of the factories/suppliers where the supplies will be manufactured and may be inspected, if required?	

*

ALSO INDICATE WHICHEVER IS NOT APPLICABLE

END OF DOCUMENT C

DOCUMENT D

SBD-4

DECLARATION OF INTEREST

1.0 Any legal person, including persons employed by the state, 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.

2.0 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, shareholder²):

.....

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹"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.

²"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 the appropriate authority to undertake remunerative work outside employment in the state? **YES/NO**

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

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

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

.....

.....

.....

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

2.8.1 If so, furnish particulars:

.....

.....

.....

.....

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

2.9.1 If so, furnish particulars.

.....

.....

.....

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

2.10.1 If so, furnish particulars.

.....

.....

.....

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

2.11.1 If so, furnish particulars:

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

Full Name	Identity Number	Personal Tax Reference Number	State Number / Employee Pers. Number

4.0 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

END OF DOCUMENT D

DOCUMENT E

TECHNICAL SPECIFICATION

1 INTRODUCTION

SABC Radio intends to appoint multiple full-service agencies that will create and implement an integrated marketing approach for selected SABC radio stations. The agencies are expected to provide media, creative, strategy and account management services for 5FM, METRO FM and SAfm radio stations. SABC Radio has embarked on a strategy to improve its content offering across the radio stations. The intention is to:

- 1.1 restore brand credibility,
- 1.2 grow existing audiences,
- 1.3 enter new markets, and
- 1.4 protect and grow revenues.

2 BACKGROUND

The SABC, as a public broadcaster, delivers a variety of high-quality content and support services that inform, educate, entertain, and support the public at large through its electronic media.

Radio is a very popular form of media in South Africa, reaching urban areas and having the added advantage of reaching very remote rural areas. There are 19 SABC radio stations enjoying the highest radio audience share across all official languages as mandated by ICASA. The SABC needs to meet key mandatory programming deliverables in terms of language and genre (format) as outlined by the Broadcasting Act 4 of 1999. Under these guidelines, the public broadcaster needs to ensure that it represents a plurality of views and caters for the diverse South African radio audiences.

Although radio is considered a traditional medium, audiences have embraced social media and new technology that is accessed digitally through mobile devices, tablets, and smart phone applications. Radio streaming and podcasts have become more popular and mobile wireless penetration is increasing rapidly. These developments are leading to fragmentation of audiences; broadband (terrestrial and mobile), mobile television, and Internet Radio which the broadcaster also caters for.

3 SCOPE OF WORK

Agencies must deliver a brand building campaign for each of the following brands: 5FM, METROFM and SAfm radio stations. The ideal agency/ agencies must be highly responsive, agile and have a well-resourced team that can cater for each individual brand's diversity and provide a tailored approach hereto.

Responding agencies may submit a response for either one (1), two (2) or all three (3) radio stations in line with the agency's preference and capacity. It is the agency's responsibility to ensure that in the case of multiple proposals; each proposal is complete and meets the requirements as stated.

The agency/ agencies must have the capability to support Business to Business and Business to Consumer strategies. Strategy Development and Implementation for Traditional Media, Digital Paid Media and Below The Line must form the basis of the brand building campaign. Campaigns must be measurable against;

- 3.1 Brand Equity and Engagement
- 3.2 Lead to Revenue generation
- 3.3 Traditional and Digital audience growth
- 3.4 Reinforcement of Brand Relevance

In response to the unique identity and positioning of each station, the agency is expected to conceptualize and implement multi-channel brand campaigns.

3.5 Brand Equity and Engagement

- 3.5.1 Analyse media landscape and conduct market research (quantitative, focus groups, etc) within which the stations operate.
- 3.5.2 Attend stations' brand campaign status meetings.
- 3.5.3 Disseminate and collate brand campaign plans to all relevant partners.
- 3.5.4 Conduct and report on post campaign evaluations throughout the brand campaign.
- 3.5.5 Work closely with station management to ensure brand and campaign objectives are consistently achieved.

3.6 Media Buying and Implementation

- 3.6.1 Check and verify insertions, displays and broadcast of advertising.
- 3.6.2 Negotiate and monitor all media buying discounts, media owner and media trade exchanges in consultation with the radio stations.
- 3.6.3 Identify and recommend preferred media platforms for each radio station based on the demographics.
- 3.6.4 Prepare media schedules and buy for radio stations.
- 3.6.5 Pay all media owners.
- 3.6.6 Provide station management with copies of instructions, tear sheets and proof of placement.
- 3.6.7 Manage media errors, incorrect bookings, and flighting codes.

3.7 Account Management

- 3.7.1 Provide a dedicated Account Manager to manage each station's brand campaigns.
- 3.7.2 Vetting of media proposals from external parties.
- 3.7.3 Ensure that media plans and schedules are in line with objectives and specified briefs before presentation to radio stations.
- 3.7.4 Submit brand campaign, plans and schedules for approval by station management for every brief.
- 3.7.5 Prepare media campaign cost estimates and obtain approval from authorized individuals.
- 3.7.6 Issue invoices, manage and resolve financial queries.
- 3.7.7 Provide budget reconciliation for station campaigns.
- 3.7.8 Manage 3rd party service providers and suppliers.

Key Project Team Members

Agencies must ensure that there is sufficient capacity to successfully execute the brand campaign. As a minimum, project team members occupying the following roles are required:

Account Management	Video and Animation
Strategy and Data Analysis	PR
Creative Conceptualisation	Digital
Copywriting	Experiential
Design	Media Buying

4 BRAND PORTFOLIO SYNOPSIS

The brand campaign will reflect and build a 360-degree integrated marketing communication approach including Traditional Media, Paid Digital Media and

Below The Line, strengthening what the brands stand for, what they are about and update their development.

4.1 5FM

5FM is the biggest youth entertainment radio station for South African youth, offering the most contemporary and current hit music and entertainment on radio. Daring to walk on the wild side, the station inspires personal development and encourages freedom of expression of its listeners as core to its values. The station boasts an ever-growing and very loyal social media following in South Africa and abroad.

5FM is best known for its music, DJs and events. The station is on the pulse of global music and content trends, thereby offering audiences' access and opportunity to be part of the energy and dynamism of the fast-changing youthful global community.

5FM's inclusive youthful mind-set, combined with its passionate innovative attitude, allow the station to deliver an environment where the diverse youth of South Africa meet and amplify their experiences.

5FM has a national footprint and majority of its audience base reside in Gauteng, Western Cape, KZN and Eastern Cape.

The radio station has not repositioned its brand in over two decades and have not implemented a brand campaign that focuses on aspects of marketing funnel, to build a crucial foundation to eventually acquire customers and listeners for the past 3 years. The brand has relied on its strong brand credibility and the recent programming changes to reclaim the biggest youth radio station position in South Africa. The station relied on events and association marketing for the previous years and now seek to keep the brand top-of-mind with its audience, for audience to become familiar and comfortable with it. The Brand campaign should also help the station to achieve a range of business objectives and goals. Defend and grow audience, improve digital offering, build brand affinity, and cultivate leads.

4.2 METRO FM

METRO FM is the largest national urban commercial station in South Africa with over 5 million listeners. The station embodies and reflects the style and attitude of its listeners, who are ambitious, highflyers with the confidence that comes from being comfortable in a multiracial multicultural South Africa.

METRO FM is a mentor and guide for youthful urban adults that embrace a pragmatic and successful life and is influential in their constantly changing

environment. As the iconic leader in its market broadcasting in English, METRO FM is ideally positioned to deliver both a national and global perspective that instils confidence and inspires its audiences. METRO FM has a combined online following of over 3 million followers and has been voted the coolest radio station at the Sunday Times Gen Next Awards for 9 consecutive years (2013-2021).

With the changes experienced in the industry and radio broadcasting environment in recent months, the station has worked to consistently be relevant and engage its audience on different platforms through its on-air personalities, content and digital interactions. Stay tuned to the coolest radio station to keep informed and entertained. Visit www.metrofm.co.za

4.3 SAfm

SAfm is the leading talk radio station for eager and discerning listeners who are positioned in SEM's 7 to 10. The station prides itself in leading the conversation with listeners who subscribe to a diaspora of information and current affairs.

SAfm in the recent BRC RAMS has showcased significant audience growth exceeding the 800 000 mark however there is no correlation between audience increase and inconsistent revenue generation. SAfm as the leading talk radio station should ideally be capturing the bulk of advertisers who utilize talk radio as their communication touchpoint. The catalysts to diminishing revenue are lack of marketing (ATL, BTL, TTL), coherent programming strategy, micro and macro socioeconomic factors, new entrants into the market and digital migration. SAfm needs to reaffirm its position as the leading talk radio station with compelling content and great music which may be accessed through digital terrestrial radio and via online platforms from multiple devices and locations.

The station needs to address key challenges in order to realise positive results which include top of my mind awareness and brand promotion, entrance into new markets, increase in market share, brand presence in the digital sphere, monetizing content available on digital platforms.

5 CONTRACT PERIOD

The total time allocated for this project rollout is capped at 12 months.

6 EVALUATION CRITERIA

Agencies should note that only bids which 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 agencies a fair opportunity for evaluation and selection.

During the evaluation process, the SABC may require an agency's representative to answer questions with regard to the proposal and/or require certain agencies to make a formal presentation to the evaluation team.

6.1 FUNCTIONALITY EVALUATION

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

- 6.1.1 The tender submission will be functionally evaluated out of a maximum of 55 points.
- 6.1.2 Agencies submitting a proposal for more than one (1) radio station will be evaluated based on the below criteria for each respective station individually.
- 6.1.3 Proposals for various radio stations must be clearly marked.
- 6.1.4 A threshold of 39 out of 55 has been set.
- 6.1.5 All agencies achieving less than the set threshold will not be evaluated further and will be deemed non-Responsive.

6.2 Phase 2: Functionality Criteria

Evaluation Area	Evaluation Criteria	Max. Points	Min. Points
Experience and Expertise	<p>Agencies must submit documentary proof in the form of client reference letters that meet ALL of the following requirements:</p> <ul style="list-style-type: none"> ➤ on a signed client letterhead, ➤ indicate project cost, ➤ duration of the service offered (start and end dates), ➤ description of services performed and extent of bidder's responsibilities, ➤ name, title, and email and/or contact number of client. <p>All submitted reference letters must be for a brand campaign executed in the following areas, but not limited to:</p> <ul style="list-style-type: none"> ➤ Brand Equity and Engagement ➤ Lead to Revenue generation ➤ Traditional and Digital audience growth ➤ Reinforcement of Brand Relevance <ul style="list-style-type: none"> • 1 – 2 similar assignments conducted with reference letters = 4 points • 3 – 5 similar assignments conducted with reference letters = 5 points 	5	4
Qualifications and Competence of Key Personnel	<p>Agencies must indicate on a signed company letterhead the company structure, inhouse expertise, dedicated team to work on the brand account/s, experience and qualification.</p> <p>Company Structure</p> <ul style="list-style-type: none"> • Key project team only = 2 points • Executive and project team including reporting structure = 3 points <p>Inhouse Expertise</p> <ul style="list-style-type: none"> • Some project team functions outsourced to a third party = 2 points • Complete project team team is inhouse = 3 points <p>CVs of Key Personnel</p> <ul style="list-style-type: none"> • CVs submitted but incomplete = 2 points 	15	10

	<ul style="list-style-type: none"> CVs of complete project team included = 3 points <p>Overall Team Experience</p> <ul style="list-style-type: none"> 60-70% of team members have 4-5 years relevant experience = 2 points More than 70% of team members have 4-5 years relevant experience = 4 points 60-70% of team members have 6+ years relevant experience = 4 points More than 70% of team members have 6+ years relevant experience = 6 points 		
Company Track Record/ Case Studies	<p>Submit three (3) Case Studies based on either national or multinational clients where a brand campaign was executed in the period 2018, 2019, 2020, 2021 or 2022. Each Case Study submission must detail ALL of the following information:</p> <ul style="list-style-type: none"> An overview of the brief given to the agency stipulating what objectives and/or business challenges need to be addressed and/or achieved; The strategy formulated from the brief by the agency; The application of campaign budget/ Breakdown of the budget utilization (allocation of budget per line item) An overview of how the agency used Through The Line (with an emphasis on digital advertising) Measurement of the campaign's effectiveness – audience/market response and return on investment Project timeline and implementation of each phase <p>1 Case Study that fully satisfies the above requirements = 5 points 2 Case Studies that fully satisfy the above requirements = 10 points 3 Case Studies that fully satisfy the above requirements = 15 points</p>	15	5
Culture Fit	<p>Agencies to submit a brief portfolio of evidence detailing previous brand campaign experience completed for strictly media/ broadcasting companies. Portfolio of evidence must include as a</p>	5	5

	minumum:- creative, collateral, and campaign analysis.		
Brand Knowledge	Agencies must provide a detailed account of the radio station's market positioning, displaying an understanding of the respective station's: <ul style="list-style-type: none"> • brand tone • target market • personality 	15	15
Total		55	39

6.3 PRESENTATION EVALUATION

The presentation will be evaluated using the following criteria and points:

- 6.3.1 Agencies which meet the minimum threshold for Functionality Criteria will be invited to present a pitch virtually.
- 6.3.2 Agencies which meet the minimum threshold for functionality for more than one (1) radio station, in line with their proposal will be invited to present accordingly.
- 6.3.3 Presentations for each respective radio station will be evaluated individually.
- 6.3.4 The presentation will be evaluated out of a maximum of 90 points.
- 6.3.5 A threshold of 70 out of 90 has been set.
- 6.3.6 All agencies achieving less than the set threshold will not be evaluated further and will be deemed non-Responsive.

6.4 Phase 3: Presentation Criteria

Presentation Criteria	Max Score	Min Score
In the Proposed Treatment agencies must propose and present a brand campaign that is creative, displays the adaption/ alignment to the brand, shows an awareness of the current brand positioning, proposes the achievement of the brand's objectives by successfully executing the below elements:		
1. Creative campaigns	10	10
2. Content marketing	10	0
3. Positioning and key messaging	10	10
4. Use of various integrated marketing platforms e.g media mix	15	15
5. Internal and external launch	10	10
6. Experiential Activations	10	0
7. 12-month project timeline, detailing the key phases of the project rollout	15	15
8. Brand tracking and monitoring	10	10
TOTAL	90	70

6.5 Price and BBBEE

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

6.6 Costing Model

Bidders must provide a detailed cost breakdown to rollout the brand campaign for period of 12 months that must indicate:

- 6.6.1 All agency fees,
- 6.6.2 Production cost,
- 6.6.3 Usage cost including licensing, music, stock images and photographs, models, etc for a minimum period of 24 months,
- 6.6.4 Any other cost relating to the complete delivery of the campaign.

Bidders must additionally provide the **total cost to rollout the brand campaign**. 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%.

6.7 Financial Stability

- 6.7.1 The financial stability evaluation is used to assess the financial risk of the shortlisted bidders.
- 6.7.2 Respondents are required to submit their audited financial statements for the past 3 years with their Proposal/Bid to enable the SABC to establish financial stability as follows:

Area	Assessment Criteria
Financial Due Diligence	Bidders' financial due diligence will be assessed based on submitted audited financial statements using financial ratios.

6.8 Objective Criteria

- 6.8.1 The SABC reserve the right not to consider proposals from Bidders who are currently in litigation with the SABC.
- 6.8.2 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.
- 6.8.3 Bidders who are blacklisted or have committed other acts of fraud and misrepresentation of facts e.g. tax compliance, BBBEE, company financials, etc. will be eliminated from the bid process.

ANNEXURE TO DOCUMENT E:

ANNEXURE A: GUIDELINE FOR BRIEFING SESSION

ANNEXURE B: EME SWORN AFFIDAVIT TEMPLATE

END OF DOCUMENT E

DOCUMENT F

CONFIDENTIALITY

All information related to this bid both during and after completion is to be treated with strict confidence. Should the need however arise to divulge any information gleaned from the service which is either directly or indirectly related to the SABC, written approval to divulge such information will have to be obtained from SABC.

The Bidders must ensure that confidential information is: maintained confidential; not disclosed to or used by any unauthorised person; so as to prevent any disclosure or unauthorised use with at least the standard of care that Bidders maintain to protect their own confidential information; only used for the purpose of considering and responding to this RFP; and not reproduced in any form except as required for the purpose of considering and responding to this bid. Bidders must ensure that: access to confidential information is only given to those of its partners, officers, employees and advisers who require access for the purpose of considering and responding to this RFP; and those partners, officers, employee and advisers are informed of the confidential information section and keep that information confidential. This bid remains at all times the property of the SABC. No rights other than as provided in this bid and in respect of the confidential information are granted or conveyed to Bidder/s

NAME OF BIDDER: _____

PHYSICAL ADDRESS: _____

Bidder's contact person:

Name : _____

Telephone : _____

Mobile : _____

Fax.: _____

E-mail address : _____

END OF DOCUMENT F

DOCUMENT G**SBD 6.1****PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017**

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

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

1.0 GENERAL CONDITIONS

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

- the **80/20** system for requirements with a Rand value above R30 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed R30 000 (all applicable taxes included) and therefore the.....**80/20**.....system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

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

1.4 Failure on the part of a Bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2.0 DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R10 million or less as per the Amended Codes of Good Practice (COGP).
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably

has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;

- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a Bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3.0 ADJUDICATION USING A POINT SYSTEM

- 3.1 The Bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4.0 AWARDED FOR PRICE

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

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

80/20 or 90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

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

5.0 Points awarded for B-BBEE Status Level of Contribution

- 15.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a Bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

7	2	4
8	1	2
Non-compliant contributor	0	0

6.0 BID DECLARATION

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

7.0 B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution:..... =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE affidavit or certificate issued by a Verification Agency accredited by SANAS.

8.0 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

(i) What percentage of the contract will be subcontracted?
.....%

(ii) The name of the sub-contractor?
.....

(iii) The B-BBEE status level of the sub-contractor?
.....

(iv) Whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9.0 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm:

.....

9.2 VAT registration number:

.....

9.3 Company registration number

.....

9.4 Type Of Company/ Firm

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

9.5 Describe Principal Business Activities

.....

.....

.....

.....

9.6 Company Classification

- ☐ Manufacturer
 - ☐ Supplier
 - ☐ Professional service provider
 - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?
.....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the SABC that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the SABC may, in addition to any other remedy it may have;
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the Bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

WITNESSES:

1.

.....

BIDDER(S)

SIGNATURE(S)

OF

2.

DATE:

ADDRESS:

.....

.....

.....

.....

END OF DOCUMENT G

DOCUMENT H

SBD 8

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).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	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.		
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

END OF DOCUMENT H

DOCUMENT I

SBD 9

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 RFP/RAD/2022/9 for Brand Campaigns for 5FM, METROFM and SAfm Brands and Sub-Brands

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

END OF DOCUMENT I

DOCUMENT J

ACCEPTANCE OF CONDITIONS OF BID

By signing the BID document, the Bidder is deemed to acknowledge and accept that all the conditions governing this BID, including those contained in any printed form stated to form part thereof and SABC Limited will recognize no claim for relief based on an allegation that the Bidder overlooked any such condition or failed properly to take it into account for the purpose of calculating bided prices or otherwise.

SIGNED at _____ this _____ day
of _____ 2022

NAME OF COMPANY _____

NAME OF THE SIGNATORY (IES) _____

CAPACITY: _____

Are you authorised to sign on behalf of the company (YES/NO) _____

WITNESSES:

1. _____

2. _____

BIDDER

END OF DOCUMENT J

ANNEXURE A

GUIDELINE FOR BRIEFING SESSION

- The briefing session meeting will be arranged by means of an online session using the Microsoft Teams, the date and time is as published with this RFP – refer page 1.
- Bidders who have access to Microsoft Teams are kindly requested to participate in the online briefing session by clicking on the link provided [Click here to join the meeting](#)
- 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 3 days before the closing date of the tender.
 - The Bid Office will forward the queries to the Bid Specification Team for relevant response.

END OF THE REQUEST FOR PROPOSAL DOCUMENT