

**REQUEST FOR EXPRESSION OF INTEREST -FOR (RFB MUT 04 /2024)**

**(EXPRESSION OF INTEREST (EOI) – FOR RFB MUT 04/2024)**

**APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDERS TO FORM PART OF A PANEL OF AT LEAST 3 SUPPLIERS TO SUPPLY, DELIVER, INSTALL AND CONFIGURE AUDIO-VISUAL EQUIPMENT SERVICE AT MANGOSUTHU UNIVERSITY OF TECHNOLOGY (MUT) MAIN CAMPUS**

<b>BID NUMBER:</b>	<b>EXPRESSION OF INTEREST - RFB MUT 04 /2024</b>
<b>DOCUMENT ISSUED ON:</b>	<b>19 MAY 2024</b>
<b>COMPULSORY BRIEFING SESSION/SITE INSPECTION:</b>	<b>NO BRIEFING SESSION</b>
<b>BRIEFING SESSION VENUE:</b>	<b>NOT APPLICABLE</b>
<b>CLOSING DATE &amp; TIME:</b>	<b>11 JUNE 2024 @ 11:00AM</b>
<b>SUBMISSION FORMAT</b>	<b>ONE (1) ORIGINAL DOCUMENT AND ONE (1) ELECTRONIC COPY IN A USB ( IN PDF SECURE FILE FORMAT)</b>
<p>Bid Documents marked “Expression of Interest for RFB MUT 04/2024 for the Supply, Delivery, Installation, and configuration of the Audio-Visual Equipment at Mangosuthu University of Technology (MUT) must be dropped off in the Bid box situated at Security Foyer, West Wing -Administrative Building, Main campus, Mangosuthu Highway, Umlazi</p>	

**BIDDER’S INFORMATION**

<b>COMPANY NAME:</b>	
<b>ADDRESS:</b>	
<b>CONTACT NUMBER:</b>	
<b>NAME &amp; SURNAME OF AUTHORISED PERSON:</b>	
<b>EMAIL:</b>	
<b>COMPANY REGISTRATION NUMBER</b>	

## SECTION 1: NOTICE TO BIDDERS

### 1.1 NOTICE TO BIDDERS

#### 1.1.1 Compulsory Briefing/Information Session

There will be no briefing session for this expression of interest.

#### 1.1.2 Document Submission / Closing Date

**Tender Submission.** Expression of Interest for - Request for Bid RFB MUT 04 /2024, Supply, Delivery, installation and configuration of audio-visual equipment at Mangosuthu University of Technology (MUT) must be dropped off in the Bid box situated at Security Foyer, West Wing -Administrative Building, Main campus, Mangosuthu Highway, Umlazi

**Closing Date: 11 JUNE 2024 @ 11AM**

Filing Guidelines:

- **Section one (1) Mandatory documents must be marked as *Commercial Proposal*.**

**NB: No late bids will be accepted.**

Queries relating to the issue of these documents shall be addressed to the Employer's Agent(s)

<b>MUT Representative/s to whom Commercial Enquiries must be addressed</b>	Name: Mr Sikhulile Ayanda Thusi Telephone Number: 031 819 9535 Email address: thusi.sikhulile@mut.ac.za (All enquiries must be in writing.)
<b>MUT Representative to whom Technical Enquires must be addressed to</b>	Name: Mr Mandlenkosi Mhlongo Telephone Number: 031 907 7593 Email address: mandla.mhlongo@mut.ac.za (All enquiries must be in writing.)


## SECTION 2: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS

### 1. Introduction

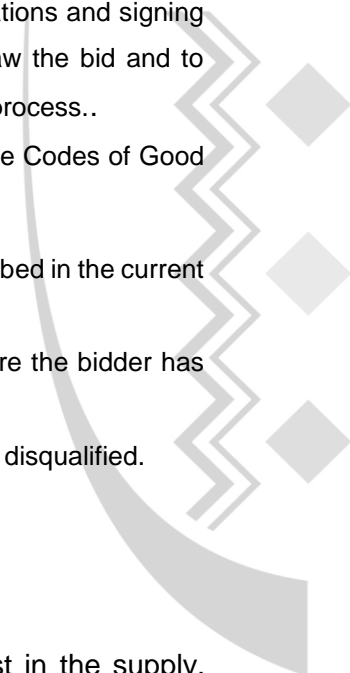
- Mangosuthu University of Technology (MUT) is situated at Umlazi South of Durban and overlooks the beautiful Indian Ocean. MUT provides students with career-oriented skills through a combination of theoretical knowledge and practical experience in the workplace.
- MUT co-operates closely with commerce and industry to ensure that the curriculum of a particular qualification is completely relevant to the chosen field and that the qualification is market related.
- MUT provides quality education and prepares its undergraduate and post-graduate students on its campus to be leaders of the highest calibres.
- Graduates enter the workplace equipped with the essential knowledge, range of abilities and practical experience relevant to their chosen careers. MUT provides students with career-oriented skills through a combination of theoretical knowledge and practical experience in the workplace.

### 2.1 Completion of this Document forms, Special Instruction and Notice

- 2.1.1 Under no circumstances may the bid document be retyped or redrafted. Photocopies of the original bid document may be submitted electronically, but an original signature must appear on the physical document and the electronic copy of the original.
- 2.1.2 The bidder is advised to check the number of pages and satisfy himself that none are missing or duplicated.
- 2.1.3 Bids submitted must be fully completed, initialled, and signed where necessary failure to which may lead to disqualification.
- 2.1.4 The bid document must be submitted at the address indicated not later than the closing time specified, and in accordance with the directives in the bid documents.
- 2.1.5 All bids received in sealed envelopes with an electronic copy included (via USB in PDF file secure format),
- 2.1.6 All bids must be received sealed, and any opened envelopes will not be accepted.
- 2.1.7 No bids submitted by telegraphic or other electronic means will be considered unless otherwise stated.
- 2.1.8 Where samples are required, clear instruction will be given for the submission of such.
- 2.1.9 No alteration made by the bidder in the bid document shall be accepted (exceptions may be considered on the pricing schedule and must be initialled).
- 2.1.10 Use of correcting fluid is prohibited.
- 2.1.11 Bids will not be opened in public.

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- 2.1.12 Prices will not be announced publicly.
  - 2.1.13 In the case of more than one offer against any individual item, such offers should be given on a separate pricing schedule marked option two (2).

## **2.2 MUT's Rights**

- 2.2.1 The MUT reserves the right not to award or to further negotiate with the successful bidder(s) an applicable cost dispensation. All prices to be inclusive of VAT.
  - 2.2.2 The MUT reserves the right not to appoint the lowest bidder.
  - 2.2.3 The MUT may request clarification on any aspect of a bid submitted by the Bidders, such requests, and the responses to be in writing.
  - 2.2.4 The MUT may reject all responses submitted by Bidders and embark on a new bidding process as it deems fit if there is failure to receive satisfactory responses.
  - 2.2.5 The Bid awarded will be conditional and subject to successful negotiations and signing of a written contract, failing which MUT reserves the right to withdraw the bid and to award same to another bidder without the need to repeat the bidding process..
  - 2.2.6 MUT will endeavour to promote enterprise development in line with the Codes of Good Practice.
  - 2.2.7 The treatment of Exempted Micro Enterprises (EMEs) will be as prescribed in the current B-BBEE Act.
  - 2.2.8 The MUT reserves the right not to appoint a Bidder in the event where the bidder has existing contracts with MUT.
  - 2.2.9 Bidders who previously provided unsatisfactory service to MUT will be disqualified.
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## **2.3 Project/Service Background**

This is aimed at ascertaining the number of suppliers who have an interest in the supply, delivery, Installation, and configuration of audio-visual equipment at Mangosuthu University of Technology – Main-Campus, Umlazi. All the suppliers who meet the minimum requirements for this Expression of Interest request will then be required at a later stage to provide pricing based on future needs. The scope of work and specification cannot be determined at this stage and can only be determined once all suppliers who qualify in terms of mandatory requirements are shortlisted. There is a large number of classrooms and lecture venues that need to be installed with the top of the range latest technology audio-visual equipment. The suppliers shall remain in the list of short-listed suppliers until all these venues have been installed.



## 2.4 Contract Period

The shortlisted suppliers will be required to provide pricing on the scope of work which will be provided by MUT at a later stage when the need arises. They will be required to remain in the list until all venues have been properly installed. The equipment must come with at least 2-year warranty.

## 2.5 Validity of Bid

- The information provided in response to this expression of interest requirement must remain open until all the venues are fully installed.
- MUT will then request quotations from all shortlisted suppliers in order to appoint the most competitive supplier(s).

## 2.6 Tax Compliance Requirements


- 2.6.1 A valid Tax Pin must be attached.
- 2.6.2 Bidders are required to complete the letter of Authorisation Form granting MUT permission to validate/ verify the Bidder's Tax Compliance Status from SARS.
- 2.6.3 Non -Compliant status. Bidder will be afforded an opportunity to rectify their status within five (5) working days failing which will lead to disqualification.

## 2.7 Project/ Service Overview /Scope

Mangosuthu University of Technology (MUT) requests proposals for the expression of interest from experienced Bidders for the supply, delivery, Installation, and configuration of audio-visual equipment. Where possible **at least 3 suppliers** will be shortlisted to provide prices when the need arises otherwise all tenderers who meet the mandatory requirements above will be shortlisted.

## 2.8 No Rights or Claims for Bidders

- 2.8.1 Receipt of the invitation to Bid does not confer any right on any bidder in respect of the Services/Goods or in respect of or against the MUT. MUT reserves the right, in its sole discretion, to withdraw by notice to Bidders any Services/Goods or combination of Services from the bidding process, to terminate any party's participation in the Bid process or to accept or reject any response to this invitation to Bid on notice to the Bidders without liability to any party. Accordingly, parties have no rights, expressed or implied, with respect to any of the Services/Goods because of their participation in the bidding process.



2.8.2 Neither the MUT nor any of their respective representatives will assume any obligations for any costs or expenses incurred by any party in or associated with any appraisal and/or investigation relating to this invitation to Bid or the subsequent submission of a Bid in response to this invitation to Bid in respect of the Services/Goods or any other costs, expenses or liabilities of whatsoever nature and howsoever incurred by Bidders in connection with or arising out of the Bidding process.

## 2.9 Non-Disclosures.

- The invitation to Bid and its contents are made available on condition that they are used in connection with the bidding process set out in the invitation to bid and for no other purpose. All information pertaining to this invitation to Bid and its contents shall be regarded as restricted and divulged on a “need to know” basis with the approval of MUT.
- When the Bidder is appointed in accordance with this invitation to Bid such Bidder may be subject to security clearance and Safety, Health, Environmental and Quality (SHEQ) compliance standards prior to commencement of the Services/Goods.
- The Bidder undertakes to ensure that all data and information (including but not limited to any technical, commercial, scientific information, processes, designs, technical specifications, copyright and data in any form) in connection with or arising from this Bid shall be kept confidential and agree not to disclose it to third parties and not to make use of such information other than for the purpose of participating in the Bid and to release such information to its employees on a “Clarity” basis only, provided that such employees undertake to be bound by the confidentiality contained herein.
- The bidder accepts that all information relating to completed bids received is confidential. Accordingly, MUT will not disclose this information to any third party.

## 2.10 Information Accuracy

The information contained in the invitation to bid has been prepared in good faith. Neither MUT nor any of their respective representatives or employees, make any representation or warranty or give any undertaking express or implied, or accept any responsibility or liability whatsoever, as to the contents, accuracy or completeness of the information contained in the invitation to bid, or any other written or oral information made available in connection with the bid and nothing contained herein is, or shall be relied upon as a promise or representation, whether as to the past or the future.

## 2.11 Competition Act

- 2.11.1 Bidders and their respective officers, employees and agents are prohibited from engaging in any collusive action with respect to the Bidding process which serves to limit competition amongst Bidders.
- 2.11.2 In general, the attention of Bidders is drawn to Section 4(1) (iii) of the Competition Act 1998 (Act No. 89 of 1998) (the Competition Act) that prohibits collusive Bidding.
- 2.11.3 If Bidders have reason to believe that competition issues may arise from any submission of a response to this Bid invitation they may make, they are encouraged to discuss their position with the competition authorities before submitting a response.
- 2.11.4 Any correspondence or process of any kind between Bidders and the competition authorities must be documented in the responses to this invitation to Bid.

## 2.12 Appeals

- 2.12.1 Bidders who are not successful may appeal in writing to MUT's Head of Supply Chain within three (3) working days of receiving the "Letter of Regret" notifying that the bid was unsuccessful.
- 2.12.2 Bidders are not allowed to enquire about another bidders' response, as this may contain privileged information (e.g., financial statement)

## 2.13 Fraud and Corruption

- 2.13.1 MUT takes a zero tolerance approach to fraud, corruption, bribery and dishonesty.
- 2.13.2 Any unlawful or illegal practice, or attempt thereto, by the bidder or MUT's personnel to offer, promise or give a bribe in relation to obtaining or the execution of such contract will lead to disqualification of the bidder and disciplinary action taken against the alleged parties.
- 2.13.3 Any bidder who acted in a fraudulent, collusive, anti-competitive or improper manner or in bad faith towards the University; or made any incorrect statement in any bid or declaration and is unable to prove to the satisfaction of the University that the statement was made in good faith or reasonable steps were taken to confirm the correctness of the statements will be disqualified and blacklisted from future opportunities within MUT.
- 2.13.4 MUT will uphold all laws relevant to the countering of bribery and corruption.
- 2.13.5 MUT will disqualify any bidder that was involved in any dishonest acts, is dishonest in the bidding document and makes any attempt to obtain a successful bid improperly.
- 2.13.6 Should the verification process identify any irregularities such bidding organization will be disqualified.

## SECTION 3: EVALUATION PROCESS

### 3.1 Introduction

To ensure that all bidders are afforded the opportunity to compete on an equal footing and to enable the Mangosuthu University of Technology to evaluate the Bids received on an equal basis, a pre-described process of evaluating bids will be followed.

### 3.2 Methodology

The evaluation will be based on the mandatory requirements that the bidders will be required to comply with. A minimum of three or any number of service providers who will meet the minimum requirements will then be shortlisted based on the compliance with all the mandatory requirements. All the shortlisted service providers will then be required to provide MUT with competitive prices based on the specification which will be provided by the end users of different venues. The prices provided by the shortlisted tenderers will then be subjected to evaluation by the relevant structures until the final award is made.

The evaluation of bids will be divided into two (2) stages (Mandatory requirements and at a later stage after the shortlisting of suppliers then BBBEE and Price- preferential point system)

#### **Stage 1: Mandatory Requirements.**

Mandatory documentation – whether all required documentation and/or certification have been included.

- 3.2.1 The MUT has defined minimum mandatory criteria listed in the table below that must be met by the Bidder for the MUT to accept an offer for evaluation.
- 3.2.2 Where there is failure to comply with the mandatory requirements or for any reason that MUT is unable to verify any of the mandatory documents the bid will not progress to the next stage of evaluation.
- 3.2.3 Documents submitted in support of this Bid must be documents of the Bidding entity. It is not permitted that documents submitted pertain to different companies or units within a group. As an example, a Bidder cannot submit its own BBBEE certificate but the financial statements of its parent or another company in the same group. Similarly, a Bidder cannot submit its own financial statement, but the BBBEE certificate, SARS certificate, etc. of other companies in the group.

**Table 1: Mandatory Requirements/Documents**

Item no:	Description of Appendix	Compulsory
1	Signed expression of interest Document	Yes
2	Company Registration Documents	Yes
3	SARS Pin	Yes
4	ID Copies of all Company Directors	Yes
5	Board/Directors Resolution or Proxy (if not sole proprietor)	Yes
6	Proof of business address (utility bill/lease agreement)	Yes
7	Contactable Reference – 3 letters from previous clients reflecting experience in delivery, installation, and configuration of audio-visual equipment.	Yes
8	IT Technician (responsible for Configuration and Installation) with a minimum Extron audio visual certification/ Extron Professional Certification and a minimum of 3 years' experience (attach CV and certificates)	Yes
9	Project Manager with PMP certificate (Project management certificate) and a minimum of 3 years' experience (Attach CV and Certificates)	Yes
10	IT Technician (responsible for Cabling) - must have CommScope certification or Molex cabling certification.	Yes
11	HP partnership certificate (silver, gold and/or platinum)	Yes

**Additional Requirements/Documents**

Item no:	Description	Additional Requirements
1	Comprehensive Company Profile	Yes
2	Proof of Bank Account- bank letter confirming bank account details not less than three (3) months old	Yes
3	BBBEE Certificate/Affidavit (Consolidated BBBEE certificate is required if bidding as Joint Venture) Bidders will score zero if BBBEE Certificate is not submitted.	Yes
5	CSD registration MAAA number	Yes

**Note:**

No points are allocated to this phase; however, bids that do not meet the Mandatory requirements/Submit mandatory documents will not advance to the next phase of the evaluation process.



**Stage 2: Evaluation in terms of the preference point system- this will only be applicable to those bidders who comply with the Mandatory requirements. No need to provide pricing at this stage. This will only be applicable to the shortlisted service providers and the following formula will be used:**

Bids to the value of R50 000 000 (fifty million rand) will be evaluated in accordance with the 80/20 preference point system and bids greater than R50 000 000 (fifty million rand) will be evaluated in accordance with the 90/10 preference point system.

### 3.3 POINTS AWARDED FOR PRICE

#### THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

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

Where

P<sub>s</sub> = Points scored for price of bid under consideration

P<sub>t</sub> = Price of bid under consideration

P<sub>min</sub> = Price of lowest acceptable bid

#### POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

1.1 Preference points will 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

**Note:**

Non-compliant contributors or failure to provide certification substantiating the BBEE status level of contribution will result in the Bidder being awarded zero (0) points for the preference point system.

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## SECTION 4: FORMS

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Annexure A	Reference Letters Client Form
Annexure B	Bidders Past experience (list)
Annexure C	Bidder form, Important Conditions and Miscellaneous requirements
Annexure D	Declaration of Interest
Annexure E	Declaration of Bidder's Past Supply Chain Management Practices
Annexure F	Tax Pin Certificate Requirements
Annexure G	Acknowledgement of Bid Document
Annexure H	Certificate of Independent Bid Determination
Annexure I	Code of Conduct for Bidders
Annexure J	Preference Points Claim Form
Annexure K	Authority to Sign Bid

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## ANNEXURE A

### TEMPLATE OF THE REFERENCE LETTERS FOR A SIMILAR PROJECT.

<p>References for similar projects should be provided to demonstrate your ability to fulfil MUTs requirements and demonstrate Bidder's ability to maintain satisfied client's. Three (3) Reference Letters to be Attached to this or this can be submitted to previous clients for completion and must be stamped.</p>				
<b>Supplier Name (Client)</b>				
<b>Name and Designation of Referee</b>				
<b>Telephone No</b>				
<b>Email Address</b>				
<b>Date of Reference</b>				
<b>Date or period service was provided</b>				
<b>Contract Value</b>				
<b>Service Offering</b> (Please indicate the service/goods provided/supplied by the Bidder)				
<b>Brief description of the bidder's performance</b>				
<b>Criteria</b>	<b>Needs Improvement</b>	<b>Meets Requirements</b>	<b>Exceeds Requirements</b>	<b>Exceeds Requirements and Adds Value</b>
<b>1. How satisfied are you with the level of service/Goods and professionalism received from the Bidder?</b>				

## ANNEXURE B

### Company References and Past Experience

List all previous contract from customers with similar requirements as MUT. These references may also be contacted by MUT for verification purposes in the event where the provided reference letters cannot be verified.

Name of Company	Contact Name	Value of Contract	Contract period	Contact Number	Email Address
1.					
2.					
3.					



**ANNEXURE C:**

**BIDDER FORM, IMPORTANT CONDITIONS & MISCELLANEOUS REQUIREMENTS**

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to MUT on the items and conditions and in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of, and incorporated into, this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/We agree that:
  - 2.1 the offer herein shall remain binding upon me/us and open for acceptance by MUT during the validity period indicated and calculated from the closing time of the Bid.
  - 2.2 if I/we withdraw my/our Bid within the period for which I/we have agreed that the bid should remain open for acceptance, or fail to fulfil the contract when called upon to do so, MUT may without prejudice to its other rights, agree to the withdrawal of my/or bid or cancel the contract that may have been entered into between me/us and MUT and I/we will then pay to MUT any additional expense incurred by MUT having either to accept any less favourable Bids or fresh Bidders have to be invited, the additional expenditure incurred by the invitation of fresh Bid and by the subsequent acceptance of any less favourable Bid, MUT shall also have the right to recover such additional expenditure by set-off against moneys which may be due or become to me/us under this or any other bid or contract or against any guarantee or deposit that have been furnished by me/us or on my/our behalf for the due fulfilment of this or any other Bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such moneys, guarantee or deposit as security for any loss MUT may sustain by reason of my/our default;
  - 2.3 if my/our Bid is accepted the acceptance may be communicated to me/us by electronic mail.
  - 2.4 the law of the Republic of South Africa shall govern the contract created by the acceptance of my/our Bid and that I/we choose domicilium citandi et executandi in the Republic as detailed below.

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

3. I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our Bid, that the price(s) and rate(s) quoted cover all the work/items(s) in these documents; and that the price(s) and rate(s) cover all my/our obligations under a resulting contract. I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
4. I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the Principal(s) liable for the due fulfilment of this contract.



- 5. I/We agree that any action from this contract in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence or judgment which may be pronounced against me/us as a result of such action.
- 6. I/We declare that I/we have participation /no participation in the submission of any other offer for the supplies/service described in the attached documents. If in the affirmative, state name(s) or bid(s) involved.
- 7. Are you duly authorized to sign for this Bid?

**\*YES / NO**

Has the Declaration of Interest been duly completed and included with the other Bid forms?

**\*YES / NO**

\*Delete whichever is not applicable.

<b>SIGNATURE (S) OF BIDDER OR ASSIGNEE(S).</b> .....
<b>DATE:</b> .....

Please complete the following in block letters

Capacity and particulars of the authority under which this Bid is signed.

.....

Name of Bidder .....

Postal Address .....

Telephone number(s) (Toll free if applicable) .....

Facsimile number(s) .....

Email Address(s) .....

Bid Number .....

Name of contact person .....



**ANNEXURE D:**

**DECLARATION OF INTEREST**

1.	If Bidder is a Sole Proprietor: Are you (or your spouse, child, or parent) currently employed by MUT?	Yes	No
1.1	If yes, provide particulars: ..... .....		
2.	If Bidder is a Sole Proprietor: Have you (or your spouse, child or parent) been employed by MUT in the past 12 months?	Yes	No
2.1	If yes, provide particulars: ..... .....		
3.	If Bidder is a Sole Proprietor: Do you (or your spouse, child or parent) have any relationship (family, friend or other) with any person who may be involved with the evaluation or adjudication of this Bid?	Yes	No
3.1	If yes, provide particulars: ..... .....		
4	If Bidder is a company, close corporation, partnership, trust or association: Are any of the Bidder's employees, shareholders, directors, members, partners, beneficiaries or trustees (or any of their spouses, children or parents) currently employed by MUT?	Yes	No
4.1	If yes, provide particulars: ..... .....		
5.	If Bidder is a company, close corporation, partnership, trust or association: Have any of the Bidder's employees, shareholders, directors, members, partners, beneficiaries or trustees (or any of their spouses, children or parents) been employed by MUT in the past 12 months?	Yes	No
5.1	If yes, provide particulars: ..... .....		
6.	If Bidder is a company, close corporation, partnership, trust or association: Do any of the Bidder's employees, shareholders, directors, members, partners, beneficiaries or trustees (or any of their spouses, children or parents) have any relationship (family, friend or other) with any person who may be involved with the evaluation or adjudication of this Bid?	Yes	No
6.1	If yes, provide particulars: ..... .....		

**DECLARATION OF INTEREST**

I, \_\_\_\_\_ (full names), certify that the information furnished in this declaration of interest is true and correct.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

Signed by or on behalf of **the Bidder**.

If signed on behalf of the Bidder, the signatory hereby warrants that (she/he) is duly authorised to sign this declaration on its behalf.

**Signature:** \_\_\_\_\_

**Designation:** \_\_\_\_\_

**Full details of directors/Trustees/ Members and Shareholders**

Full Name	Identity Number

**ANNEXURE E:**

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

1. This Section must form part of all Bidders invited.
2. It serves as a declaration to be used by MUT in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The Bid of any Bidder may be disregarded if that Bidder, or any of its directors have:
  - a. abused MUT's supply chain management system.
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
4. **In order to give effect to the above, the following questionnaire must be completed and submitted with the Bid.**

Item	Question	Yes	No
4.1	Is the Bidder or any of its directors listed on the National Treasury/MUT's database as companies or persons prohibited from doing business with the public sector?	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 Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars. .... ..... .....		
4.3	Was the Bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars. .... ..... .....		
4.4	Was any contract between the Bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars. .... ..... .....		



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

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**

\_\_\_\_\_  
**Designation**

\_\_\_\_\_  
**Name of Bidding Entity**





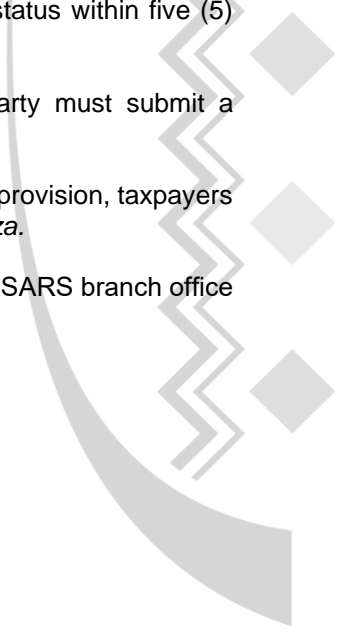
## ANNEXURE F:

### TAX PIN CERTIFICATE REQUIREMENTS

It is a condition of a Bidder that the taxes of the successful Bidder **must** be in order, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) to meet the Bidder's tax obligations.

1. An original valid Tax Pin Certificate must be submitted together with the Bid. Failure to submit an original and valid Tax Pin Certificate will result in the invalidation of the Bid.
2. Certified copies of the Tax Pin Certificate will not be acceptable.
3. Bidders to complete **Letter of Authorisation Form** below, granting MUT authority to verify/validate the Bidders Tax Compliance Status from SARS. The Bidder is also required to attach a copy of their Tax Pin Status printed from the online portal.

Upon evaluation of the bid, should the Bidder's Tax Pin Status printed from the online portal, not be in order, Bidder will be afforded an opportunity to rectify their status within five (5) working days failing which will lead to disqualification.

4. In Bids where Consortia/Joint Ventures/Sub-Bidders are involved; each party must submit a separate valid Tax Pin for their organization.
  5. Applications for the Tax Pin may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za).
  6. Copies of the TCC 001 "Application for a Tax Pin" form are available from any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
- 

**TAX PIN LETTER OF AUTHORISATION**

I, the undersigned

(full names) \_\_\_\_\_

Hereby grant authorisation to the Mangosuthu University of Technology to validate my Organisation/  
Companies current tax status.

**Tax No.** \_\_\_\_\_

**Tax Pin No. issued by SARS.**

\_\_\_\_\_

\_\_\_\_\_  
**Signature of authorized person**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Designation**

\_\_\_\_\_  
**Name of Bidding Entity**

Bidders are to ensure that the information supplied in the above form is completed in whole and that the information is true and correct, failing which, this will lead to the Employer not being able to validate the bidders tax status online, which shall lead to the disqualification of the bidders bid.

**ANNEXURE G:**

**ACKNOWLEDGEMENT OF THE EXPRESSION OF INTEREST DOCUMENT**

I/We \_\_\_\_\_ are having examined the expression of interest document and all other information available prior to the closing date, hereby offer to execute, complete, and maintain the whole of the said works and to supply all the requisite services in conformity with the aforesaid documents.

Name of Bidder: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Company Stamp: \_\_\_\_\_



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## ANNEXURE H:

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging). <sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregards 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. cancels a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_

(Name of Institution)

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

I certify, on behalf of: \_\_\_\_\_ that:  
(Name of Bidder)

1. I have read and I understand the contents of this Certificate.
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder.
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder.
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether affiliated with the bidder, who:



**(a) has been requested to submit a bid in response to this bid invitation.**

- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities, or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement, or arrangement with any competitor regarding:

- (a) prices.**
- (b) geographical area where product or service will be rendered (market allocation)**
- (c) methods, factors, or formulas used to calculate prices.**
- (d) the intention or decision to submit or not to submit, a bid.**

(e) the submission of a bid which does not meet the specifications and conditions of the bid; or

(f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

.....  
Signature

.....  
Date


.....  
Position

.....  
Name of Bidder



## ANNEXURE I:

### CODE OF CONDUCT FOR SERVICE PROVIDERS

1. **By submitting this proposal, the service provider hereby acknowledges and confirms adherence to the following:**
    - 1.1. the founding provisions of the Constitution of South Africa, that describe the Republic as a state founded, inter alia, on human dignity, the achievement of equality and the advancement of human rights and freedoms.
    - 1.2. the provisions in the Bill of Rights that address labour relations, including the right to fair labour practices, to join trade unions and to bargain collectively.
    - 1.3. legislation such as the Labour Relations Act, Basic Conditions of Employment Act and Employment Equity Act, which set out the legal framework for industrial relations.
    - 1.4. the University's Mission Statement, including its commitment to promote equal opportunity and the full development of human potential, to transcend the legacy of apartheid and to overcome all forms of gender and other oppressive discrimination.
    - 1.5. decent standards of work and full adherence to the laws of the Republic of South Africa, including legislation that protects the rights of workers.
    - 1.6. Freedom of association and collective bargaining
  
  2. **By submitting this proposal , the service provider hereby acknowledges and confirms adherence to the following:**
    - 2.1 The right of workers to join or form trade unions and to bargain collectively.
    - 2.2 A constructive and open attitude towards the activities of trade unions and their organisational activities.
    - 2.3 Worker representatives are not discriminated against and are provided with access to the workplace to carry out their representative functions.
    - 2.4 Regular monitoring takes place, culminating in an annual report prepared by the Bidder on adherence to the code of conduct.
    - 2.5 Permit workers to comment on adherence to the code of conduct and on the employer's report.
    - 2.6 Permit MUT to conduct random inspections as deemed appropriate to ensure compliance to code of conduct.
  
  3. **Working conditions- The service provider pledges to:**
    - 3.1 Ensure a safe and hygienic working environment is provided, bearing in mind prevailing knowledge of the industry and of any specific hazards.
    - 3.2 Ensure that adequate steps are taken to prevent accidents and injury to health arising out of, associated with, or occurring in the course of work by eliminating, as far as is reasonably practicable, the causes of hazards inherent in the working environment. Occupational health and safety practices are conducted in accordance with a best practice checklist provided by
    - 3.3 Ensure that regular and recorded health and safety training is provided, and such training is repeated for new or re-assigned workers.
    - 3.4 Ensure that all its staff members are always provided with PPE as per requirement.
    - 3.5 Ensure that all chemicals are handled in the prescribed format.
    - 3.6 Ensure that access to clean ablution and changing facilities and to potable water and, if required, sanitary facilities for food storage are provided.
    - 3.7 Ensure that responsibility for health and safety is allocated to a senior management representative nominated by the specific Bidder.
    - 3.8 Ensure compliance at all times with all laws, rules and regulations to ensure COVID safety.
- 

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## ANNEXURE J:

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT

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**

**1. BID DECLARATION**

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

**2. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED**

B-BBEE Status Level of Contribution: \_\_\_\_\_ = \_\_\_\_\_ (maximum of 10 or 20 points) must be in accordance with the table below and must be supported by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

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

3.1 Name of company/firm \_\_\_\_\_

3.2 VAT registration number \_\_\_\_\_

3.3 Company registration number \_\_\_\_\_

3.4 TYPE OF COMPANY/ FIRM  
 Partnership/Joint Venture / Consortium       One person business/sole propriety  
 Close corporation       Company       (Pty) Limited  
[TICK APPLICABLE BOX]

3.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3.6 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]  
 Manufacturer       Supplier       Professional service provider  
 Other service providers, e.g., transporter, etc. Please state below:

3.7 Total number of years the company/firm has been in business?  
\_\_\_\_\_



**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT SUBSTANTIATED BY B-BBEE VERIFICATION CERTIFICATE  
(CONTINUED)**

3.8 I/we, the undersigned, who is / are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contribution indicated in paragraph 2 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 2 of this form.
  - (iii) In the event of a contract being awarded because of points claimed as shown in paragraph 2, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct; and
  - (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 purchaser may, in addition to any other remedy it may have –
    - (a) disqualify the person from the bidding process.
    - (b) recover costs, losses or damages it has incurred or suffered because of that person's conduct.
    - (c) cancel the contract and claim any damages which it has suffered because of having to make less favorable arrangements due to such cancellation.
- 1 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 / tertiary institution for a period not exceeding 10 years, after the audit alteram partem (hear the other side) rule has been applied; and forward the matter for criminal prosecution.

**SIGNATURE(S) OF BIDDER:**

**DATE:**

\_\_\_\_\_

\_\_\_\_\_

**WITNESSES:**

1. \_\_\_\_\_

2. \_\_\_\_\_

  
**ANNEXURE K:**

**AUTHORITY TO SIGN A BID**

**A. COMPANIES**

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

**AUTHORITY BY BOARD OF DIRECTORS**

By resolution passed by the Board of Directors on.....20.....

Mr/Mrs/Miss..... (whose signature appears below)  
has been duly authorized to sign all documents in connection with this bid on behalf of

(Name ..... of ..... Company)  
.....

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

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

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

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

2 .....



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

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

.....

.....

.....  
**SIGNATURE**

.....  
**DATE**





**C. PARTNERSHIP**

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

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

We, the undersigned partners in the business trading as.....  
hereby authorized .....to sign this bid as well as any  
contract resulting from the bid and any other documents and correspondence in connection with  
this bid and /or contract on behalf of

.....  
**SIGNATURE**  
(PRINT NAME)

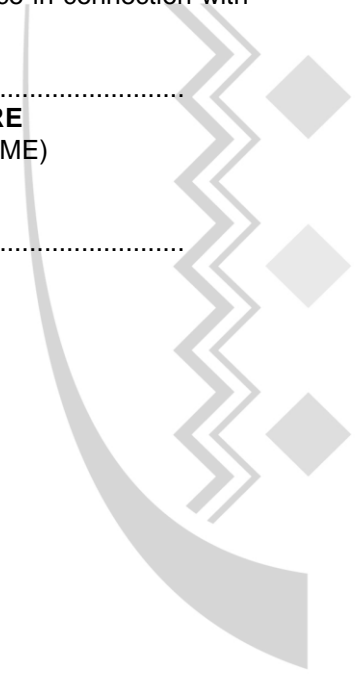
.....  
**SIGNATURE**  
(PRINT NAME)

.....  
**SIGNATURE**  
(PRINT NAME)

.....  
**DATE**

.....  
**DATE**

.....  
**DATE**





**D. CLOSE CORPORATION**

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

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

.....Mr/Mrs/Miss....., whose signature appears below, has been authorized to sign all documents in connection with this bid on behalf of (Name of Close Corporation) .....

.....

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

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

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

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

2 .....



**E CO-OPERATIVE**

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

By resolution of members at a meeting on ..... 20..... at .....  
Mr/Mrs/Miss....., whose signature appears below,  
has been authorized to sign all documents in connection with this bid on behalf of (Name of cooperative) .....

**SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:**  
(PRINT NAME)

.....

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

**DATE:** .....

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

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

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

2 .....





**F JOINT VENTURE**

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

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

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

Mr/Mrs./Miss....., Mr/Mrs/Miss.....

Mr/Mrs/Miss.....and Mr/Mrs/Miss.....

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

(Name of Joint Venture) .....

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

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

SIGNATURE: ..... DATE: .....

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

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

SIGNATURE: ..... DATE: .....

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

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

SIGNATURE: ..... DATE: .....

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

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

SIGNATURE: ..... DATE: .....





**G. CONSORTIUM**

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

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

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

Mr/Mrs/Miss.....

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

(Name of Consortium) .....

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

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

(PRINT NAME)

