

SBD1

**PART A
 INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)					
BID NUMBER:	Q5879/2018	CLOSING DATE:	09 March 2018	CLOSING TIME:	11:00 am
DESCRIPTION	APPOINTMENT OF CONSULTANT TO UNDERTAKE A REVIEW OF THE CUSTODIANS OF RARE AND ENDANGERED WILDFLOWERS PROGRAMME				
Quotations can be submitted in the tender box located in the Biodiversity Building at the Pretoria National Botanical Garden, 2 Cussonia Avenue, Brummeria, Pretoria during office hours on 09 March 2018 by 11:00. Normal office hours: 08:00 – 16:00 (see street address above) or posted to the following address: SCM Manager South African National Biodiversity Institute (SANBI) Private Bag X101 Pretoria 0001 Submission of proposals: proposals must be emailed to Ms. Nomsa Mathebula at n.mathebula@sanbi.org.za with a copy to Mr. Prince Hlongwane at p.hlongwane@sanbi.org.za					

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT ☐ Yes ☐ No	

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IF YES, WHO WAS THE CERTIFICATE ISSUED BY?			
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	
	☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	
	☐	A REGISTERED AUDITOR NAME:	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY	SANBI	CONTACT PERSON	Ms Domitilla Raimondo
CONTACT PERSON	Nomsa Mathebula	TELEPHONE NUMBER	012 843 5177
TELEPHONE NUMBER	012 843 5033	FACSIMILE NUMBER	NONE
FACSIMILE NUMBER		E-MAIL ADDRESS	d.raimondo@sanbi.org.za
E-MAIL ADDRESS	n.mathebula@sanbi.org.za		

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS. 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA. 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID. 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER. 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐

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YES ☐ NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, 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 an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity

Number:.....

.....

2.3 Position occupied in the Company (director, trustee, shareholder², member):

.....

.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

.....

.....

2.5 Tax Reference Number:

.....

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2.6 VAT Registration Number:

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

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 presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

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

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

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

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.....

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 Full details of directors / trustees / members / shareholders.

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

4 DECLARATION

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

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature Date

.....
 Position Name of bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to **not exceed** R500 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) The 80/20 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

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

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

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

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

- 1.6 The purchaser reserves the right to require 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 purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:

1)	B-BBEE Status level
	certificate issued by an authorized body or person;
2)	A sworn affidavit as
	prescribed by the B-BBEE Codes of Good Practice;
3)	Any other requirement
	prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in

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paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company

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- ☐ (Pty) Limited
 [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

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

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear

the other side) rule has been applied; and
 (e) forward the matter for criminal prosecution.

WITNESSES

1.
2.

.....
 SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database 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 National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
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)? As this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		

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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 ☐	No ☐
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 ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

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
 Js365bW

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CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all quotations¹ 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).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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 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:

SANBI: Q5879/2018: APPOINTMENT OF CONSULTANT TO UNDERTAKE A REVIEW OF THE CUSTODIANS OF RARE AND ENDANGERED WILDFLOWERS PROGRAMME

(Quotation Number and Description)

in response to the invitation for the quote made by:

SANBI (Name of Institution)

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

I certify, on behalf of:

_____ that:

(Name of Bidder)

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

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- (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.
- 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.
- 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.
 - 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

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Consultant to undertake a review of the Custodians of Rare and Endangered Wildflowers Programme

Terms of Reference / Invitation to Quote: Q5879/2018

The South African National Biodiversity Institute (SANBI) wishes to appoint a Service Provider (individual or team) on an Independent Contractor Agreement to undertake a review of the Custodians of Rare and Endangered Wildflowers (CREW) Programme that has been implemented by SANBI since 2003.

1. Background

The South African National Biodiversity Institute (SANBI) leads and coordinates research, as well as monitors and reports on the state of biodiversity in South Africa. The Institute is mandated to provide knowledge and information, planning and policy advice, and to pilot best-practice management models in partnership with stakeholders to support the sustainable use of the country's biodiversity. Giving effect to this mandate, the SANBI plays an important role in supporting the translation of science into policy.

SANBI has a Biodiversity Assessment and Monitoring (BAM) Directorate mandated to monitor and report on the conservation status of South Africa's indigenous plant and animal species. SANBI has a strong focus on citizen science and has developed and supported projects and virtual museum platforms to facilitate the submission of field monitoring records from the public. Through these various platforms SANBI channels the South African public's interest and passion for biodiversity conservation into expanding SANBI's monitoring capacity. BAM employs staff to co-ordinate the collection of information on species through long term programmes involving volunteers from the public, scientists, taxonomists and conservationists from partner institutions across the country. Citizen science platforms that have been or are actively supported include: the South African Bird Atlas Project, the Virtual Museums, iNaturalist for South Africa, the Rural Citizen Science Birding Project and the Custodians of Rare and Endangered Wildflowers (CREW) Programme.

The CREW Programme is jointly funded by SANBI and the Botanical Society of South Africa (BotSoc). CREW promotes the participation of citizens to survey and monitor plant species of conservation concern in areas where these species are known to occur.

The CREW programme has the following specific objectives:

- 1) Develop a network of civil society volunteers across South Africa's threatened ecosystems to survey and conserve plants of conservation concern.
- 2) Contribute to *in situ* conservation of threatened plants via supporting provincial stewardship programmes and inputting into land-use decision making processes.
- 3) Work with national botanical gardens across South Africa to conserve threatened plant species in ex situ collections and pilot reintroduction of threatened plants into threatened ecosystems.
- 4) Develop capacity in plant conservation through targeted training of citizen scientists, students from tertiary education institutions and early career scientists.

The programme's three nodes – Cape Floristic Region, Summer Rainfall Region and the Eastern Cape Region – provide support to the citizen scientist groups by providing resources, training and identification courses, as well as linking the groups to their local conservation agencies. Threatened plant data collected by the CREW citizen science groups is analysed by SANBI Threatened Species Unit's (TSU) Red List scientists using the International Union for Conservation of Nature's (IUCN) Red List Categories and Criteria to assess the risk of extinction of South Africa's plants. The Red List status of South Africa's species is one of the key indicators regularly reported to government via

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the National Biodiversity Assessment and through provincial and national state of the environment reporting.

In addition, the TSU co-ordinates and promotes the application of threatened species information in all spheres of biodiversity conservation – from national and international conservation legislation and policy, to conservation planning, protected area selection, protection of threatened habitats, and ex-situ breeding programmes within the SANBI National Botanical Gardens. All of these focal areas of work are included in South Africa's Strategy for Plant Conservation that has been completed under South Africa's responsibilities for implementing the Convention on Biological Diversity.

SANBI has completed an external review of the work of its Biodiversity Science and Policy Advice Branch in 2017, this noted a number of positive aspects of the CREW Programme and recommended additional collaborations between CREW and other areas of SANBI's work. In addition, the programme has been in implementation for 15 years and thus needs to be evaluated to see if it is still effectively contributing towards the SANBI mandate. This review will form an important part of the CREW programme's learning process.

2. Scope of work of Service Provider

- a) Evaluate how well the CREW programme is achieving its objectives and determine how well aligned the objectives of CREW are with the needs of SANBI and the Botanical Society.
- b) Determine what added value SANBI gets from engagement with citizen scientists through the CREW Programme versus if this work was done by employed SANBI staff.
- c) Identify areas where CREW may be able to provide greater support for SANBI work.
- d) Determine if the level of investment in CREW is appropriate given both SANBI's needs and the CREW programmes' objectives.
- e) Evaluate the Human Capacity Development component of the CREW programme which has 3 elements
 - a. Training volunteers to gain taxonomic skills,
 - b. Training interns to gain a suit of conservation skills, including plant identification, project management, data collection and processing,
 - c. Exposing university students to work on threatened plant conservation and job opportunities within this sector.
- f) Investigate the use of available technologies for monitoring species, suggesting ways in which the CREW programme can make better use of available technologies.
- g) Analyse who is involved in the CREW programme – and suggest ways to improve representation of South Africa's different demographic groups in the project.

The Service Provider will be expected to liaise with various stakeholders including those working in the CREW Programme and those working in plant conservation as well those working in indigenous species monitoring programmes. Extensive interviews should take place, preferably face to face or via skype/ zoom calls. The Service Providers will need to work closely with SANBI staff in the Biodiversity Assessment and Monitoring Directorate. Interviews with stakeholders from the following government agencies will need to take place: Cape Nature, Ezemvelo KZN Wildlife, City of Cape Town municipality, eThekweni Municipality. Key botanical experts and consultants who support the programme as well as programme participants including CREW citizen scientists and programme staff must be interviewed. Additionally, the consultant/ consultants are expected to conduct a visit to CREW's nodes based in Pretoria, Cape Town, Durban, and Grahamstown.

h) Skills, competencies and other requirements

In order to fulfil this role, the Service Provider requires the following skills and competencies. The response to the terms of reference should indicate the extent to which the Service Provider fulfils these requirements.

Knowledge, experience and skills are required in:

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- the plant conservation sector
- conducting interviews with stakeholders and promoting science to the public
- data analysis, synthesis and report writing
- working independently and delivering efficiently on high quality and accurate deliverables within tight agreed timeframes

Knowledge and understanding of the following will be an advantage:

- the policy and institutional environment in the biodiversity sector
- knowledge on the use of citizen science programmes to monitor biodiversity
- human capital development for the biodiversity sector

i) Requirements for proposals and quotations

Service Providers interested in contributing towards this project should submit a concise written proposal that addresses the scope of work and the above requirements and outputs. The proposal must include:

a. A response to the Terms of Reference

- Description of how the Service Provider is qualified and able to meet the requirements of the project detailed above, including a brief section on methods applied and lessons learnt in similar processes.
- A proposed work plan for the Service Provider to accomplish the deliverables mentioned above in the timeframe stipulated in the budget section below.
- Details of the Service Provider (individual or team), including relevant skills, experience and track record – short CV(s) must be included.
- Contact details of at least three current or recent clients, preferably in related work.
- Examples of relevant recent research and writing that the consultant was personally responsible for conceptualising, researching, analysing and writing.

b. Budget

This is a specialist consultancy and, as such, quotes must state the daily rates of the Service Provider, with VAT listed separately if applicable. The contract will require approximately 25 days of a Service Provider's time over a 3 month period from March 2017 to May 2017, depending on date of commencement of contract. Notes for the budget:

- The budget should only cover the Service Provider's time.
- Subsistence and travel should NOT be included in the budget and will be arranged separately and covered by SANBI in line with SANBI's policies and rates.
- Cell phone and computer expenses are for the Service Provider's own account.

c. Other supporting documents

The Service Provider(s) must be registered on the Central Suppliers Database (CSD) of National Treasury and provide their CSD Registration number. In registering on the CSD all tax clearance and other requirements must be met. The Service Provider is welcome to provide other supporting documents not available on the CSD (e.g. BBBEE scorecard), if relevant.

j) Evaluation criteria

The Preferential Procurement Policy Framework Action (No. 5 of 2000) and SANBI procurement processes applies to these Terms of Reference. Proposals will be evaluated in two stages:

- The first stage will evaluate functionality according to the criteria listed in the table below:

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Criteria for measuring functionality		Weight
1.	Technical merit of the proposal: - Approach, deliverables and timeframes - Demonstrated understanding of the requirements, and included innovative ideas to undertake the work	40 total (20) (20)
2.	Relevant past experience (appropriateness of work portfolio, previous relevant projects and overall track record)	15 total
3.	Evidence of competencies: - Knowledge of the plant conservation sector and its stakeholders - Conducting interviews with stakeholders and promoting science to the public - Data analysis and synthesis and report writing - Working independently and delivering efficiently on high quality and accurate deliverables within tight agreed timeframes	45 total (15) (10) (10) (10)
TOTAL		100

Service Providers who fail to score a minimum of 70 points out of a possible 100 points on the functionality criteria will not be eligible for further consideration.

- b. The second stage will evaluate the price and preference points of those bids that meet the minimum threshold for functionality. The 80/20 point system will be applied in evaluating proposals that qualify for further consideration, where price constitutes 80 points and the B-BBEE Status Level Certificate scores constitutes 20 points.

k) Nature of appointment and contractual arrangements

- The final review report should describe the full approach taken and the rationale for the approach making explicit the underlying assumptions, challenges, strengths and weaknesses about the methods and approach of the review
- Accountability and reporting will be to the Manager: Threatened Species Unit, Ms Domitilla Raimondo; with feedback to other members of the SANBI team when required.
- The contract will be drawn up between SANBI and the Service Provider.
- Invoices will be paid for deliverables received as agreed in the contract.
- Invoices must indicate the deliverables produced. No upfront payments will be made.
- SANBI will pay for the satisfactory completion of work within 30 days of date of invoice (addressed to the South African National Biodiversity Institute).

l) Proposal submissions

Closing date for submission of proposals: 11h00 on 09 March 2018

Submissions to: Ludwe Madayi at n.mathebula@sanbi.org.za and copy Prince Hlongwane at p.hlongwane@sanbi.org.za.

Queries for further information related to the ToR can be submitted via email to Domitilla Raimondo on d.raimondo@sanbi.org.za

Note: Late submissions will be disqualified.

Procurement is through the SANBI processes and the SANBI quotation number for this call is **Q5879/2018**

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