**PART A**
**INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)

**BID NUMBER:** SANBI: Q6790/2020  **CLOSING DATE:** 26 March 2020  **CLOSING TIME:** 11:00 AM

THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES THE SERVICES OF A SUITABLY QUALIFIED SERVICE PROVIDER FOR AIR CONDITIONING MAINTENANCE AND REPAIRS AT THE PRETORIA NATIONAL BOTANICAL GARDEN.

Please note that this procurement includes Local content as per SBD 6.2 and find attached Local content Annexures

The respondents must have a contractor grading designation of CIDB 1 ME or higher

**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

Proposals must be emailed to S.SCM-Quotations@sanbi.org.za with a copy to Mr. L Madayi at L.Madayi@sanbi.org.za

**BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO**  **TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**

<table>
<thead>
<tr>
<th>CONTACT PERSON</th>
<th>MR. LUDWE MADAYI</th>
<th>CONTACT PERSON</th>
<th>SHAUN NKMUNE</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONE NUMBER</td>
<td>(012) 843 5130</td>
<td>TELEPHONE NUMBER</td>
<td>012 843 5247</td>
</tr>
<tr>
<td>FACSIMILE NUMBER</td>
<td>N/A</td>
<td>FACSIMILE NUMBER</td>
<td>N/A</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:L.MADAYI@SANBI.ORG.ZA">L.MADAYI@SANBI.ORG.ZA</a></td>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:S.NKUMANE@SANBI.ORG.ZA">S.NKUMANE@SANBI.ORG.ZA</a></td>
</tr>
</tbody>
</table>

**SUPPLIER INFORMATION**

<table>
<thead>
<tr>
<th>NAME OF BIDDER</th>
<th>POSTAL ADDRESS</th>
<th>STREET ADDRESS</th>
<th>TELEPHONE NUMBER CODE</th>
<th>NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>TELEPHONE NUMBER</th>
<th>CODE</th>
<th>NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>CELLPHONE NUMBER</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FACSIMILE NUMBER</td>
<td>CODE</td>
<td>NUMBER</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E-MAIL ADDRESS</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>VAT REGISTRATION NUMBER</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>SUPPLIER COMPLIANCE STATUS</th>
<th>TAX COMPLIANCE SYSTEM PIN:</th>
<th>OR</th>
<th>CENTRAL SUPPLIER DATABASE No:</th>
<th>MAAA</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE</td>
<td>TICK APPLICABLE BOX</td>
<td>B-BBEE STATUS LEVEL SWORN AFFIDAVIT</td>
<td>[TICK APPLICABLE BOX]</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

[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]

---

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## Questionnaire to Bidding Foreign Suppliers

<table>
<thead>
<tr>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are you a foreign based supplier for the goods/services/works offered?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Are you the accredited representative in South Africa for the goods/services/works offered?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

*IF YES, ANSWER THE QUESTIONNAIRE BELOW*

**Questionnaire to Bidding Foreign Suppliers**

- Is the entity a resident of the Republic of South Africa (RSA)?
  - Yes
  - No

- Does the entity have a branch in the RSA?
  - Yes
  - No

- Does the entity have a permanent establishment in the RSA?
  - Yes
  - No

- Does the entity have any source of income in the RSA?
  - Yes
  - No

- Is the entity liable in the RSA for any form of taxation?
  - Yes
  - No

*If the answer is “No” to all of the above, then it is not a requirement to register for a tax compliance status system pin code from the South African Revenue Service (SARS) and if not register as per 2.3 below.*
# PART B
**TERMS AND CONDITIONS FOR BIDDING**

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

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER: ............................................................

CAPACITY UNDER WHICH THIS BID IS SIGNED: ............................................................

(Proof of authority must be submitted e.g. company resolution)

DATE: ............................................................

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

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);
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:

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

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.

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>Personal Income Tax Reference Number</th>
<th>State Employee Number / Persal</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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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
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:

<table>
<thead>
<tr>
<th>Points</th>
<th>PRICE</th>
<th>B-BBEE STATUS LEVEL OF CONTRIBUTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total points for Price and B-BBEE must not exceed</td>
<td>80</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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:

\[
\frac{Ps}{Pt - P_{\text{min}}} = \begin{cases} 
80 & \text{if 80/20 system is used} \\
90 & \text{if 90/10 system is used}
\end{cases}
\]

Where

\(Ps\) = Points scored for price of bid under consideration

\(Pt\) = Price of bid under consideration

\(P_{\text{min}}\) = 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:

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

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 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?

(\textit{Tick applicable box})

\begin{tabular}{|c|c|}
\hline
YES & NO \\
\hline
\end{tabular}

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

(\textit{Tick applicable box})

\begin{tabular}{|c|c|}
\hline
YES & NO \\
\hline
\end{tabular}

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

<table>
<thead>
<tr>
<th>Designated Group: An EME or QSE which is at last 51% owned by:</th>
<th>EME</th>
<th>QSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black people</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are youth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are women</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people with disabilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people living in rural or underdeveloped areas or townships</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cooperative owned by black people</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are military veterans</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

OR

<table>
<thead>
<tr>
<th>Designated Group: An EME or QSE which is at last 51% owned by:</th>
<th>EME</th>
<th>QSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any EME</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any QSE</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

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Anytime
8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

☐ Manufacturer
☐ Supplier
☐ Professional service provider
☐ Other service providers, e.g. transporter, etc.
[TOCK 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.

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>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 <em>audi alteram partem</em> rule was applied).</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4.1.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.2</td>
<td>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, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, 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.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4.2.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.3</th>
<th>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?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.3.1</th>
<th>If so, furnish particulars:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>4.4</th>
<th>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?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.4.1</th>
<th>If so, furnish particulars:</th>
</tr>
</thead>
</table>

---

**SBD 8**

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME)…………………………………………………… Certified 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 quotations\(^1\) 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: Q6790/2020 THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES THE SERVICES OF A SUITABLY QUALIFIED SERVICE PROVIDER FOR AIR CONDITIONING MAINTENANCE AND REPAIRS AT THE PRETORIA NATIONAL BOTANICAL GARDEN.

__________________________________________
(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
(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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TERMS OF REFERENCE
QUOTATION NO: Q6790/2020

Maintenance and Repairs of Air Conditioning Units

Pretoria National Botanical Garden

2 Cussonia Avenue
Brummeria, Pretoria
Gauteng

Private Bag X101
Silverton
0184
BACKGROUND
The South African National Biodiversity Institute (SANBI) requires the services of a suitably qualified service provider for air conditioning maintenance and repairs at the Pretoria National Botanical Garden.

The Garden, located in the suburb of Brummeria in east Tshwane, was established in 1946 after the University of Pretoria’s experimental farm and private properties were acquired by the Department of Agriculture. The garden was formerly a research facility under the management of the Botanical Research Institute, which dates back to 1903. The Pretoria National Botanical Garden opened to the public in 1984.

INVITATION TO QUOTATION
Quotations are hereby invited for the appointment of a service provider for the one-time repair and maintenance of all listed air conditioning units at the Pretoria National Botanical Garden. The quote process will be co-ordinated by SANBI’s Supply Chain Management (SCM) Directorate at the following address:

Deputy-Director: Supply Chain Management  
South African National Biodiversity Institute (SANBI)  
Private Bag X101  
Silverton  
0184

DESCRIPTION OF THE WORKS
The South African National Biodiversity Institute (SANBI) requires the services of a suitably qualified and experienced service provider at the Pretoria National Botanical Garden for the one-time repair and maintenance of all installed air conditioning units listed in Paragraph 4. The scope of works includes but are not necessarily limited to the following:

- Ensure the normal running and functioning of air conditioner equipment.
- Servicing and maintenance of all air conditioner components in accordance with the original equipment manufacturer’s specifications, industry standards and applicable regulations.
- Submission of a detailed report indicating (per unit):
  - Operating condition before and after maintenance activities.
  - Clear description and details of faults and tests performed.
- Clear description of repairs and maintenance operations performed.
- Life expectancy and need for replacement of entire unit.

In the event of repairs to or replacement of air conditioner components, as well as replacement of entire air conditioner units, other than priced for by the bidder in Annexure A items 1-4, a quotation for such additional work must be submitted to the SANBI representative for approval prior to proceeding with the additional repairs or replacements.

**ALL PARTICULARS WITH REGARDS TO SCOPE MUST BE CONFIRMED WITH SANBI IN WRITING PRIOR TO COMMENCEMENT OF WORK.**

**RECOMMENDATIONS & SPECIFICATIONS**
The bidder will be responsible for all maintenance servicing and repairs of air conditioners as specified below:

<table>
<thead>
<tr>
<th>Building Name</th>
<th>No. of Air Conditioning Units</th>
<th>Type of Air Conditioning</th>
<th>Is the Unit Operational?</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Herbarium</td>
<td>12</td>
<td>Ceiling cassettes/under ceiling cassettes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>16</td>
<td>Single Phase</td>
<td>Yes</td>
</tr>
<tr>
<td>Biodiversity Centre</td>
<td>2</td>
<td>Central air conditioning</td>
<td>Yes</td>
</tr>
<tr>
<td>Building</td>
<td>22</td>
<td>Single Phase</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Ceiling cassettes/under ceiling cassettes</td>
<td>Yes</td>
</tr>
<tr>
<td>Aloe Lodge</td>
<td>12</td>
<td>Single Phase</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>Ceiling cassettes/under ceiling cassettes</td>
<td>Yes</td>
</tr>
<tr>
<td>DEFF Offices</td>
<td>3</td>
<td>Single Phase Unit</td>
<td>Yes</td>
</tr>
<tr>
<td>Letlapa House</td>
<td>1</td>
<td>Single Phase Split</td>
<td>No</td>
</tr>
</tbody>
</table>

The bidder shall be responsible for the provision of all consumables and chemicals required to render an efficient service. SANBI reserves the right to approve or not approve these consumables and chemicals. The bidder must submit the specifications and Material Safety Data sheets of all consumables and chemicals upon appointment. Manufacturer instructions regarding the use of all chemicals must be strictly followed.

The Bidder must supply a list of SABS approved products, which they intend using, supported by specimen labels.

The bidder's procedures for the procurement, storage, handling, transporting, application and general use of chemicals shall comply with all applicable legislation, Codes of good practice and Provincial Authorities, including but not limited to the SABS national standards with relevance to the Air Conditioning, Refrigeration and Ventilation industry; The Hazardous Substances Act (Act No. 15 of...
EXPERIENCE OF KEY RESOURCES
The bidder must allocate a qualified technician to the appointment. Any of the following qualifications will be acceptable; the relevant certificate/s and Curriculum Vitae (CV) must be submitted in the bid response as proof:

- Courses accredited by the Air Conditioning and Refrigeration Academy (ACRA).
- Air Conditioning & Refrigeration Technology One (Basic/Intermediate)
- Air Conditioning & Refrigeration Technology Two (Intermediate)
- Air Conditioning & Refrigeration Technology Three (Intermediate/ Advanced)
- Diploma in Air Conditioning & Refrigeration Technology (Four)

OPERATING HOURS
The contractor will be required to provide services within the set time of the project, operating hours will be those that are set by the garden 08:00 to 16:00.

BIDDING REQUIREMENTS
Potential Service Providers must submit the following documentation:

- SBDS, SBD 1(Part A and B), 4, 6.1, 6.2, 8, and 9) and Local Content Annexures
- The equity status of the interested party per the attached form SBD 6.1.
- A valid B-BBEE Status Level Certificate / sworn affidavit. (Please note that failure to submit a valid original or certified B-BBEE certificate / sworn affidavit mentioned above will result in the tender not being scored on equity.
- For all electrical work, service provider must be a registered Electrical Contractor with the Department of Labour and such registration must be valid during the period of the contract.
- A copy of the Central Suppliers Database (CSD) registration report.
- Letter of Good Standing from the office of the Compensation Commissioner as required by the Compensation for Occupational Injuries and Diseases Act (COIDA). The letter should be issued by the Department of Labour
- The respondents must have a contractor grading designation of CIDB 1 ME or higher.
- Proof of Public Liability Insurance.
- The bidder must have sufficient experience executing air conditioner maintenance projects at other institutions by providing 3 (three) traceable references of similar work performed in the last 3 years.
CONTRACTUAL REQUIREMENTS
A contractual agreement will be drafted by SANBI and must be signed by both parties prior to
commencing the work. SANBI will draw up a Service Level Agreement (SLA) for monitoring and
compliance purposes. The SLA will be monitored through compliance meetings which will be held
monthly until the completion of the project. The Service Provider will also meet the designated SANBI
representative as and when it deems necessary.

GENERAL INFORMATION
The Service Provider must ensure that its staff members comply with the rules, regulations and by-
laws of the site, which will be covered during the induction.

The SANBI reserves the right:

- To verify any information supplied in quotation documents;
- Not to appoint any Service Provider;
- To cancel or withdraw this RFQ at any time without attracting any penalties or liabilities;
- To have the final say in the appointment and this will be binding;
- To disqualify a quotation or cancel any subsequent contracts should it be found that information
disclosed was factually inaccurate and/or that a misrepresentation of facts may have occurred?
- To disqualify potential Service Providers who may attempt to bribe or influence any person
employed by SANBI during the course of this quotation process.

All documents submitted in response to this Request for Quote (RFQ) must be written in English.

PROPOSAL SUBMISSIONS
Submission of proposals must be emailed to SANBI SCM at S.SCM-Quotations@sanbi.org.za with a
copy to Ludwe Madayi at L.Madayi@sanbi.org.za.

For Technical queries please contact Mr Shaun Nkumane at 012 843 5000 or at the following e-mail
address: s.nkumane@sanbi.org.za.

Emailed applications must not be more than 5MB in size.

CLOSING DATE FOR SUBMISSIONS: 26 March 2020AM
## ANNEXURE A: PRICING SCHEDULE

<table>
<thead>
<tr>
<th>ITEM</th>
<th>DESCRIPTION</th>
<th>QTY</th>
<th>RATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>Repairs and maintenance*</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Single phase split units / Single phase window units</td>
<td>54</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>2</td>
<td>Ceiling cassette units / Under ceiling suspended cassette units (Inverter type)</td>
<td>14</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>3</td>
<td>Central air conditioning units (Mitsubishi PUH-10-MYE or equivalent)</td>
<td>2</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>4</td>
<td>Overheads not included in above.</td>
<td></td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>5</td>
<td><strong>SUBTOTAL (1+2+3+4)</strong></td>
<td></td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>6</td>
<td>Provisional sum (component and unit replacement)**</td>
<td></td>
<td></td>
<td>R 150,000.00</td>
</tr>
<tr>
<td>7</td>
<td><strong>TOTAL (excl. VAT) (5+6)</strong></td>
<td></td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>8</td>
<td>VAT @ 15%</td>
<td></td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>9</td>
<td><strong>TOTAL (incl. VAT)</strong></td>
<td></td>
<td></td>
<td>R</td>
</tr>
</tbody>
</table>

* Repairs and maintenance pricing (items 1-4) to include all spares required during standard servicing.

** Repairs to or replacement of air conditioner components, as well as replacement of entire air-conditioner units, including labour, other than priced for in items 1-4 will be covered from provisional sum amount on approved quotation only.