

SBD1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)					
BID NUMBER: SANBI:Q7185/2021		CLOSING DATE: 29 MARCH 2021		CLOSING TIME: 11:00 AM	
SANBI REQUIRES A QUALIFIED SERVICE PROVIDER TO SUPPLY THE GARDEN WITH COMPOST, RIVER SAND, POTTING SOIL AND FERTILIZERS FOR THE PERIOD OF THREE YEARS AT WALTER SISULU NATIONAL BOTANICAL GARDEN.					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Submission of proposals: proposals must be emailed to S.SCM-Quotaions@sanbi.org.za , with a copy to Mr. Malome Kekana M.Kekana@sanbi.org.za and Ms. T Lubisi at T.Lubisi@sanbi.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms. Tryphina Lubisi		CONTACT PERSON	Mr. Andrew Hankey	
TELEPHONE NUMBER	(012) 843 5163		TELEPHONE NUMBER	086 100 1278	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	T.Lubisi@sanbi.org.za		E-MAIL ADDRESS	A.Hankey@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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		TICK APPLICABLE BOX] ☐ Yes ☐ No
[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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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 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

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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT. 1.3. 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. 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS. 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA. 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. 2.7 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."

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.

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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

SBD 6.1

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

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

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

1. 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

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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:

80/20

or

90/10

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

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 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
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

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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)? Is 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:		

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 *per 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: Q7185/2021 - SANBI REQUIRES A QUALIFIED SERVICE PROVIDER TO SUPPLY THE GARDEN WITH COMPOST, RIVER SAND, POTTING SOIL AND FERTILIZERS FOR THE PERIOD OF THREE YEARS AT WALTER SISULU NATIONAL BOTANICAL GARDEN.

in response to the invitation for the quote made by:

SANBI

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

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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.

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.

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.

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.

SANBI

Biodiversity for Life

South African National Biodiversity Institute



.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

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**TERMS OF REFERENCE
QUOTATION NO:Q7185/2021**

**Walter Sisulu National Botanical
Gardens**

**Supply of fertilizers, sand, compost and other
horticultural
Related products.**

Project:-

**Purchase of Fertilizers, Sand, Compost and other
horticultural related products.**

BACKGROUND

The South African National Biodiversity Institute (SANBI) requires a qualified service provider to supply the garden with compost, river sand, potting soil and fertilizers at the Walter Sisulu National Botanical Garden (WSNBG). The Garden is located in a beautiful setting on the outskirts of Johannesburg. It is approximately 15km from Randburg and 25km from the centre of Johannesburg, accessible from the N1 and arterial roads. The Ruimsig/Poortview area, in which the Garden is located, is one of the fastest developing up-market residential areas in Johannesburg, with the Garden being one of the fastest growing eco-tourism destinations in the Gauteng Province.

The Garden comprises of approximately 300 ha of land situated between the two local municipalities of Mogale City and City of Johannesburg. Comprising the total area of the garden, 27 ha is regarded as landscaped area, while the remaining 273 ha remains unspoiled natural environment. The Garden receives roughly 292 000 visitors per year and is open to the public 365 days a year from 8:00 – 18:00 with entry limited until 17:00.

INVITATION TO QUOTATION

Quotations are hereby invited for the appointment of a service provider for the supply of Compost, Fertilizers, Sand and other horticultural related products to be used at the Walter Sisulu National Botanical Garden for a period of three years. **The service provider must submit a pricelist of all the products listed and not have a total quotation at the end.**

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

Requirements and Specification:

This document outlines the conditions for the successful contractor to supply **Fertilizers, Sand, Compost and other horticultural related products** for use by the Garden (WSNBG). **Materials** – All materials will be procured by the client (WSNBG) in keeping with the

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accounting provisions and procurement requirements.

Deliverable specifications – final deliverable specifications will be guided by the specifications listed in this document.

Site meeting – **To qualify to submit a quotation all applicants must** submit samples (+- 20dm³) of the following five (5) products: Compost; Potting soil, Seedling soil; Top Dressing; Top Soil. These samples will **not** be returned (samples will be disposed) if a supplier is not selected. Samples must be clearly marked with the suppliers name, and the product in each sample must be clearly identified IE Compost, Top Dressing etc.

Project specifications

The following products are routinely purchased and utilized in the day to day running of the WSNBG and may form part of the products procured under this contract:

Fertilizers include (unit of measure for quoting):

- 1:0:1 per bag (50kg)
- 5:1:5 per bag (50kg)
- 2:3:2 per bag (50kg)
- 3:1:5 per bag (50kg)
- Superphosphate (50kg)
- Nitrogen fertilizer (eg. 8:1:5; Ammonium sulphate; LAN; Nitroturf) per bag (50kg or other)
- Gypsum (specify volume unit)
- Multifeed P (25kg bag)
- Osmocote per bag (specify bag volume)
- Multicote per bag (specify bag volume)
- Agriform 21g Tree Planting tablets per box (specify box volume)
- Kelpak per 5l
- Nitrosol per 5l
- Trelmix per 5l
- Talbourne organic fertilizer product range provide (product range, and prices)
- Neutroq organic fertilizer product range (product range, and prices)

Organic products include (unit of measure for quoting):

- Top soil per m³
- River sand (double washed) per m³
- Compost per m³
- Lawn dressing per m³
- Potting soil (bark based) per m³
- Seedling mix (bark based) per m³
- Kraal manure per m³
- Wood chippings per m³

- Mulch organic per m³
- Perlite per bag (specify bag volume)
- Vermiculite per bag (specify bag volume)
- Peat (imported) per bag (specify bag volume)
- Coir fibre (coco peat) per brick (specify brick weight 600g / 5kg)
- Bark chips (ornamental) per bag (specify bag volume)
- Silica sand (various grades) per bag (specify bag volume/ weight)
- Pebbles (various ornamental) per bag (specify bag volume/ weight)
- Gravels (various ornamental) per bag (specify bag volume/ weight)

Other nursery related products:

- Plastic pots (product range, spec and prices)
- Nursery planting bags (product range, spec and prices)

Specifications

For most of the products listed above the industry standards will apply as a quality standard. The product supplied must be of reasonably similar quality to that which is widely available at most public outlets which supply the same or similar products. This will not apply to organic products listed below.

Compost, Potting (seedling) Soil, Top Dressing & Top Soil

The WSNBG recognizes the highly subjective nature of organic products such as those mentioned above. The key issue in the procurement of such products is quality and consistency. The WSNBG requires a service provider who can provide high quality organic products and can meet the same standards of quality with every delivery.

The following standards will be agreed to before the appointment of a service provider who will be appointed on contract to be the selected supplier for a period of three (3) years until the end of the contract duration.

These standards will be implemented to ensure that consistent and high quality organic products and service reliability will be ensured for the duration of the entire contract period.

Compost –

Compost should be comprised of a majority of 80% decomposed organic matter. It should not still be warm/hot and actively decomposing. It should have a pleasing organic smell. It should not have a unpleasant or sulphurous smell. It should not be wet or slimy. Compost must be weed free and should meet the general requirements of a compost as per industry standard. Once the parties have agreed on a standard product sample at the outset of the contract, the supplier will be required to consistently supply the same or reasonably similar compost product for the duration of the contract term. The agreed standard product sample will be held at the office of the WSNBG for reference purposes. The WSNBG reserves the right to conduct weed germination tests for a period of 3 weeks post-delivery of each load. Should the delivered product be found to contain weeds the supplier must remove and replace the

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product with weed free product.

Potting soil and seedling soil –

Potting (and seedling) soil must be weed free and should meet the general requirements of an all-purpose potting (and seedling) soil as per industry standard. Once the parties have agreed on a standard product sample at the outset of the contract, the supplier will be required to consistently supply the same or reasonably similar potting (and seedling) soil product for the duration of the contract term. The agreed standard product sample will be held at the office of the WSNBG for reference purposes. The WSNBG reserves the right to conduct weed germination tests for a period of 3 weeks post-delivery of each load. Should the product be found to contain weeds the supplier must remove and replace the product with weed free product.

Top Dressing (lawn dressing) -

Top dressing should be finely sifted and consist of not less than 30% compost mixed with top soil and sand, be weed free and should meet the general requirements of an all-purpose top dressing as per industry standard. Once the parties have agreed on a standard product sample at the outset of the contract, the supplier will be required to consistently supply the same or reasonably similar top dressing product for the duration of the contract term. The agreed standard product sample will be held at the office of the WSNBG for reference purposes. The WSNBG reserves the right to conduct weed germination tests for a period of 3 weeks post-delivery of each load. Should the product be found to contain weeds the supplier must remove and replace the product with weed free product.

Top soil

Top soil should be coarsely sifted and consist of a reasonable loam soil similar to what is the natural loam soil type in the area of the WSNBG, it must be weed free and should meet the general requirements for top soil as per industry standard. Once the parties have agreed on a standard product sample at the outset of the contract, the supplier will be required to consistently supply the same or reasonably similar top soil product for the duration of the contract term. The agreed standard product sample will be held at the office of the WSNBG for reference purposes. The WSNBG reserves the right to conduct weed germination tests for a period of 3 weeks post-delivery of each load. Should the product be found to contain weeds, the supplier must remove and replace the product with weed free product.

Delivery of products

For purposes of products supplied under this contract, supply includes delivery. All products must be delivered during normal business hours, unless otherwise specified and by prior arrangement with the WSNBG management.

Quoting:

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Prospective suppliers are invited to submit a quotation for all the products listed above. The projected price increases for the three years of the duration of the contract should also be indicated.

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 17:00.

BIDDING REQUIREMENTS

Potential Service Providers must submit the following documentation:

- SBD Form 4, 8 and 9.
- 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.
- 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.
- Proof of Public Liability Insurance.

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;

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- 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.

NON- COMPULSORY SITE BRIEFING

A non- compulsory site briefing for this quotation will be held on 22 March 2021 at 12:00 at the Walter Sisulu National Botanical Garden's Imbizo Training Centre.

Physical address:

Walter Sisulu national Botanical Garden
Cnr of Malcolm and Beacon Road
Poortview
Roodepoort
1724

PROPOSAL SUBMISSIONS

For Technical queries please contact Mr. Andrew Hankey, the Specialist Horticulturist : Walter Sisulu National Botanical Garden, at 086 100 1278 or at the following e-mail address:
A.Hankey@sanbi.org.za.

Submission of proposals must be emailed to SANBI SCM at S.SCM-Quotations@sanbi.org.za with a copy to Malome Kekana at M.Kekana@sanbi.org.za and Ms. Tryphina Lubisi T.Lubisi@sanbi.org.za.

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

CLOSING DATE FOR SUBMISSIONS: 29 MARCH 2021