



social development

Department:  
Social Development  
REPUBLIC OF SOUTH AFRICA

Private Bag X901, Pretoria, 0001  
Tel No: (012) 312 7766  
Fax No: (012) 312 7391

Sir/Madam

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A NATIONAL AUDIT OF 18 000  
REGISTERED EARLY CHILDHOOD DEVELOPMENT CENTRES ACROSS 9 PROVINCES  
OVER A PERIOD OF 18 MONTHS**

1. Tender No: **SD16/2012**
2. Tender for: **CONDUCT A NATIONAL AUDIT OF 18 000 REGISTERED EARLY CHILDHOOD DEVELOPMENT CENTRES ACROSS 9 PROVINCES OVER A PERIOD OF 18 MONTHS**
3. Required at: Department of Social Development
4. Closing Date: **26 OCTOBER 2012 at 11h00**
5. The General Conditions of Contract are obtainable on treasury website and the attached, SBD1; SBD2; SBD3.3; SBD4; SBD6.1; Questionnaire; SBD8; SBD9 and the terms of reference, as well as any other conditions accompanying this request are applicable.
6. **All the documents accompanying this invitation must please be completed in detail, where applicable and returned with your Bid.**
7. Please make sure that your bid reaches this office before the closing time.
8. When submitting your bid the following information must appear on the sealed envelope:
  - i. Name and address of the Bidder
  - ii. Bid number
  - iii. Closing Date
9. This envelope can be placed in the Bid box in the foyer at HSRC Building, 134 Pretorius Street, Pretoria

Kind regards

DIRECTOR GENERAL: DEPARTMENT OF SOCIAL DEVELOPMENT  
DATE: 28/04/2012

## INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT OF SOCIAL DEVELOPMENT)

**BID NUMBER: SD16/2012**

**CLOSING DATE: 26 OCTOBER 2012**

**CLOSING TIME: 11:00**

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A NATIONAL AUDIT OF 18 000 REGISTERED EARLY CHILDHOOD DEVELOPMENT CENTRES ACROSS 9 PROVINCES OVER A PERIOD OF 18 MONTHS**

**The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).**

BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT: HSRC Building (Ground Floor)  
134 Pretorius Street  
Pretoria

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

**THE FOLLOWING PARTICULARS MUST BE FURNISHED  
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER	.....
POSTAL ADDRESS	.....
STREET ADDRESS	.....
TELEPHONE NUMBER	CODE.....NUMBER.....
CELLPHONE NUMBER	.....
FACSIMILE NUMBER	CODE .....NUMBER.....
E-MAIL ADDRESS	.....
VAT REGISTRATION NUMBER	.....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2)

YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1)

YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....☐  
 A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); OR.....☐  
 A REGISTERED AUDITOR .....☐  
 [TICK APPLICABLE BOX]

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)**

## TAX CLEARANCE CERTIFICATE REQUIREMENTS

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

1. In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
6. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za)



TAX CLEARANCE

TCC 001

**Application for a Tax Clearance Certificate**

**Purpose**

Select the applicable option

Tenders

Good standing

If "Good standing" please state the purpose of this application

**Particulars of applicant**

Individual name  
Surnames & surname  
First & second names

Trading name  
Company name

ID/Passport no

Company/Close Corp.  
registered no

Income Tax ref no

PAYE ref no 7

SA registration no 4

SDL ref no L

Company code

UIF ref no U

Company no

Fax  
no

Home address

Workplace address

Spouse address

**Particulars of representative (Public Officer/Trustee/Partner)**

Surname

First & second

ID/Passport no

Income Tax ref no L

SA registration no

Fax  
no

Home address

Workplace address

**Particulars of tender (if applicable)**

Tender number

Estimated Tender  
amount

R

,

Expected duration  
of the contract

year(s)

**Details of the 3 largest contracts previously awarded**

Date started

Date finalised

Principal

Contact person

Telephone number

Amount

**Audit**

Are you currently aware of any Audit investigation against you/the company?

YES

NO

If YES, provide details:

**Appointment of representative/agent (Power of Attorney)**

I, the undersigned confirm that I require a Tax Clearance Certificate in respect of Tenders or Goodstanding

hereby authorise and instruct

to apply to and receive from

Public the appropriate Tax Clearance Certificate on my/our behalf

Signature of representative/agent

Date

Signature of  
representative/agent

**Declaration**

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

Signature of applicant/Public Officer

Date

Signature of applicant/  
Public Officer

**Notes:**

1. It is a serious offence to make a false declaration.

2. Section 23 of the Income Tax Act, 1962, states: Any person who

(a) fails or neglects to furnish, file or submit any return or document as and when required by or under this Act, or

(b) without just cause shown by him, refuses or neglects to-

(i) furnish, produce or make available any information, documents or things;

(ii) reply to or answer truly and fully, any questions put to him ...

As and when required in terms of this Act ... shall be guilty of an offence ...

3. SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.

4. A Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only) if applicable.



South African Revenue Service  
Suid-Afrikaanse Inkomstediens  
Umntshini wezama-Ezingenayo eNingizimu Afrika  
Umntshini ya Afrika-Borwa

**Tax Clearance Certificate Number**  
**0064/1/2005/0001088683**

## **Tax Clearance Certificate-Tender**

Enquiries  
0800 12 12 15

Approved Date  
2005-12-05

Trading Name  
**SARS**

Legal Name  
**SARS**

Expiry Date  
2006-12-05

Identity Number/ Passport Number

Company Registration Number

Income Tax Reference Number

VAT/Diesel Registration Number

PAYE Registration Number

SDL Registration Number

UIF Registration Number

It is hereby confirmed that, on the basis of the information at my disposal, the above-mentioned taxpayer has not contravened the provisions of Income Tax Act (1962), Value Added Tax Act (1991), Employees Tax (PAYE as contained within the Income Tax Act 1962), Skills Development Levies Act (1999) or Unemployment Insurance Contributions Act (2002), as at date of this certificate.

This Certificate is Valid for a period of 1 (One) Year from the date of approval

Verification of this certificate can be done at any SARS Revenue office nationwide.

Photocopies of this certificate are not valid.

SARS reserves the right to withdraw this certificate at any time should it prevail that any taxes, levies or duties are due and outstanding by the abovementioned taxpayer during the one year period for which the certificate is valid

*This certificate is issued free of charge by SARS*

**PRICING SCHEDULE**  
(Professional Services)

BID NO.: SD16/2012	CLOSING TIME 11:00 ON 26 OCTOBER 2012
NAME OF SERVICE PROVIDER:	

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF <u>VALUE ADDED TAX</u>
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**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A NATIONAL AUDIT OF 18 000 REGISTERED EARLY CHILDHOOD DEVELOPMENT CENTRES ACROSS 9 PROVINCES OVER A PERIOD OF 18 MONTHS**

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of VAT for the project. R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT
 

-----	R-----	----- days
-----	R-----	----- days
-----	R-----	----- days
-----	R-----	----- days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----	-----	-----	R.....
-----	-----	-----	R.....
-----	-----	-----	R.....
-----	-----	-----	R.....

TOTAL: R.....

Name of Bidder: .....

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid .....
7. Estimated man-days for completion of project .....
8. Are the rates quoted firm for the full period of contract? .....
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index. ....  
 ....  
 ....  
 ....
10. Any enquiries regarding bidding procedures may be directed to –

Kobus Watson  
 Tel No: (012) 312 7566  
 Email: [kobusw@dsd.gov.za](mailto:kobusw@dsd.gov.za)



## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

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

2. **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, shareholder<sup>2</sup>):  
.....

2.4 Company ..... Registration ..... Number:  
.....

2.5 Tax ..... Reference ..... Number:  
.....

2.6 VAT ..... Registration ..... Number:  
.....

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

<sup>1</sup>"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.

<sup>2</sup>"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 attached 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.**

Full Name	Identity Number	Personal Reference Number	Tax	State Employee Number / 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 IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.**

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### 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 R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed R1 000 000 (all applicable taxes included) and therefore the 90/10 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

	<b>POINTS</b>
<b>1.3.1.1 PRICE</b>	90
<b>1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	10
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>
1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.	
1.5 The 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

2.1 “**all applicable taxes**” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

- 2.2 “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 “**B-BBEE status level of contributor**” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 “**bid**” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 “**comparative price**” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 “**consortium or joint venture**” means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;
- 2.8 “**contract**” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 “**EME**” means any enterprise with an annual total revenue of R5 million or less .
- 2.10 “**Firm price**” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 “**functionality**” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 “**non-firm prices**” means all prices other than “firm” prices;
- 2.13 “**person**” includes a juristic person;
- 2.14 “**rand value**” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 “**sub-contract**” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 “**total revenue**” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### 3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

### 4. POINTS AWARDED FOR PRICE

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

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

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

### 5. Points awarded for B-BBEE Status Level of Contribution

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16

4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

## 6. BID DECLARATION

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

### 7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).



## 8 SUB-CONTRACTING

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

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted? .....
- (ii) the name of the sub-contractor? .....
- (iii) the B-BBEE status level of the sub-contractor? .....
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

## 9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm .....

9.2 VAT registration number : .....

9.3 Company registration number .....

9.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution

**WITNESSES:**

1. ....

.....  
SIGNATURE(S) OF BIDDER(S)

2. ....

DATE:.....

ADDRESS:.....

.....

.....

## QUESTIONNAIRE

Prospective suppliers/service providers are requested to submit the following information:

No	Description	Percentage/number
1.	Percentage ownership by HDI groups?	
2.	Percentage management by HDI groups?	%
3.	Total number of consultants working on the project?	%
4.	Number of consultants from HDI groups that will work on the project?	
5.	Number of permanent jobs created for the project?	%
6.	Number of temporary jobs created for the project?	
7.	Ceiling price for the contract?	R
8.	Number of working days for the completion of the contract?	

- HDI: Black, Indian & coloured people.

.....

## 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 <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access 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.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. 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:

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

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether 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 consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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



**SBD 9**

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

Js914w 2



social development

Department:  
Social Development  
REPUBLIC OF SOUTH AFRICA

## **TERMS OF REFERENCE**

TERMS OF REFERENCE TO APPOINT A SERVICE PROVIDER TO CONDUCT A NATIONAL AUDIT OF 18 000 REGISTERED EARLY CHILDHOOD DEVELOPMENT (ECD) CENTRES ACROSS NINE PROVINCES OVER AN 18 MONTH PERIOD.

### **1. Project Title**

National ECD audit

### **2. Aim of the ECD audit**

The aim of the audit is to provide accurate information on the nature and extent of ECD provisioning, services, resources and infrastructure across the country in order to inform and support ongoing policy and planning initiatives.

For the purpose of the audit, an ECD site is defined as any public or private, formal or informal location wherein ECD services are offered to groups of six or more learners.

### **3. Background**

The Early Childhood development programmes is considered one of the most important interventions and is linked to Government outcome 1, improved quality of basic education.

During the review of the ECD programme, the Department of Social Development accessed the necessity to conduct a national audit of the ECD programme and

condition of the infrastructure to allow for more informed and responsive policy formulation and planning. It had become apparent that the paucity of empirical data concerning the levels and nature of ECD provisioning was hindering informed resource allocation and policy development. This pronounced lack of empirical evidence results in an erosion of the quality of planning for co-ordinated and regulated services in the sector. Validated demographic data will aid: improved planning, inter- and intra- sectoral co-operation and collaboration, increased quality assurance and the establishment of effective provisioning models.

#### **4. Scope of Work**

The service provider is expected to design a research instrument in order to obtain information in respect of the following areas for the ECD audit of 18000 ECD's across the nine provinces. In addition, other dimensions to determine the quality of ECD provisioning must be included.

##### **4.1 Identifying details of ECD site**

- Name of ECD
- Address
- Name of district/municipality
- GIS coordinates
- Do you receive a Department of Social Development subsidy?
- Indication of public or private facility
- Who owns the facility?
- When was it built?

##### **4.2 Service Audit**

###### **4.2.1 Human Resources**

- Staff component of ECD centre and salary levels for each staff member

- Qualifications of staff
- Monthly operating costs and cost items
- Cost of fees for learners

#### **4.2.2 Learners**

- Number of learners within the ECD centre (including age, sex and race)
- Number of children with disabilities (include type of disability)

#### **4.2.3 Curriculum**

- Type of curriculum provided
- Number and type of assessments conducted on learners
- Weekly programme schedule (obtain copy)
- Evidence of individual learner progress reports to parents

#### **4.2.4 Immunisation**

- Audit of children's immunisation records noting gaps

#### **4.2.5 Nutrition**

- Audit of daily menu provided to children and provide a copy.
- Audit of storage of food and expiry dates to be noted.
- Is there a food garden at the ECD site?.

### **5. Infrastructure**

#### **5.1 Conduct a condition assessment of all ECD sites by completing the following:**

- Condition of the external and internal walls;
- Condition of Plumbing and Electrical Services;
- Condition of Roof
- Condition of fixtures and fittings
- Condition of the electrical installation

- Are there any obstacles on the passages
- Is the facility accessible for a child with physical disability?

### **5.2 Complete a utilization assessment of the facility by:**

- Verification of personnel in a facility and the space they currently occupy in the facility.
- Match the space currently occupied to the space norms and standards
- Conduct a gap analysis by analyzing the current utilization and recommend improvement for utilization.

### **5.3 OHS Compliance**

- Is there an exit or evacuation plan?
- Are children trained on the plan?
- Is there a first aid kit available?
- Is there an appointed first aid officer?
- Did the first aid officer receive training?
- Are there fire extinguishers (check service dates)
- Any reported cases of learner injury or other contraventions of OHS.

## **6. Norms and Standards of Children's Act No of 2005**

6.1 Assessment of the facility against the norms and standards as contained in the Children's Act.

7. Take pictures of each facility including the structural risk issues.

8. Draw a sample of sites for quality assurance that the Department of Social Development would visit.

## **9. Deliverables**

9.1 Individual reports for each ECD assessed according to the criteria listed above ( from 4.1 to 6).

9.1.1 These individual reports must be analysed based on the elements mentioned below and categorized into a :

- Municipal/District category
- Provincial category
- National Category

9.1.2 Assess each site according to high, medium and low risk with recommendations of proposed improvements for each site to reach minimum norms and standards.

9.1.3 A national report must be made available based on the key findings of the ECD sites as well as the technical report for the infrastructure components.

9.1.4 The report must be made available electronically and 10 printed copies of the national summary report must be provided

The service provider is expected to have the capacity to manage this national project and appoint a national and provincial project management teams to coordinate the projects within the nine provinces. It is expected that the fieldwork must be given to companies from the nine provinces who should be given preference to conduct the audits within their provinces.

The fieldworkers must have experience in research and or the education sector and can include educator training providers, unemployed ECD educators, and community workers with relevant expertise (like research or teaching) or post-graduate social science students.

**The national project team must completed the following:**

**9.1.5 Develop the ECD Site Instrument**

- Designing and validating the “site” instrument
- Translating the instrument into the number of languages determined by the Department of Education
- Producing, printing and distributing (to the provincial teams) the instrument

#### **9.1.6 Training of Site Enumerators**

- Designing a training programme for the provincial project teams
- Designing a training programme for fieldworkers
- Designing a training manual for fieldworkers
- Formulating criteria for fieldworker selection and deployment
- Managing the overall training process in the provinces

#### **9.1.7 Co-ordination**

- Monitoring provincial implementation
- Receiving fortnightly reports from the provincial project team
- Maintaining daily contact with the provincial team during the data-collection period
- Visiting the provinces as needs dictate

#### **9.1.8 Verification and processing of returns**

- Developing and deploying a tracking system for site returns
- Verifying a stratified sample of returns to ensure quality assurance

### **10. DESIGN AND REPORTING**

- 10.1 The Service provider will liaise with the Director and the official, whose responsibility is to oversee residential facilities,
- 10.2 The framework of the report will be designed by the service provider and handed over to the Department of Social Development for approval/inputs

- 10.3 At the completion of the audit project a presentation of the findings will be made to the Department of Social Development at 1 national and nine provincial engagements.
- 10.4 After completing the task, copies of all documentation shall be provided to the Department.

## **11. TIME FRAME**

The contracted period will be agreed upon in the service level agreement but should not exceed 18 months for completion.

## **12. FINANCIAL IMPLICATIONS**

The service provider must submit a quotation regarding services to be provided. This must be the ceiling price for the project, inclusive of all costs including; material, professional fees, travel and subsistence as well as value added tax (VAT).

## **13. PAYMENT**

A Service Level Agreement (SLA) will be concluded between the Department and the service provider. The SLA will indicate the total contract price, management arrangements and the conditions of payment after each successful presentation of deliverables.

## **14. GENERAL CONDITIONS**

- 14.1 The general conditions of contract as prescribed by National Treasury will be applicable in all instances.



## 15. EVALUATION CRITERIA

15.1 The evaluation of the bids will be conducted in two stages:

- a) Firstly, the proposals will be evaluated on functionality. An evaluation panel will allocate points (scale of 1 - 5) in respect of functionality according to the criteria set out in paragraph 15.4. Proposals scoring less than 60% in respect of functionality will be disqualified and not be evaluated further.
- b) Thereafter, only the qualifying bids will be evaluated in terms of the 90/10 preference point system as contemplated in the Preferential Procurement Policy Framework Act (Act 5 of 2000).

15.2 The 90 points will be used to calculate price only and the 10 points will be used to calculate BBBEE status level of contribution.

15.3 The points in respect of price will be calculated on the ceiling price for the project (inclusive of professional fees, and VAT).

15.4 Technical proposals will be evaluated on a scale of 1-5 in accordance with the criteria below. The rating will be as follows:

1 = Very Poor

2 = Average

3 = Good

4 = Very Good

5 = Excellent

ELEMENT	Rating					Weighting	Total
	1	2	3	4	5		
Approach and Methodology						20	
Experience in conducting service audit						10	
Experience in conducting infrastructure audits						10	

ELEMENT	Rating					Weighting	Total
	1	2	3	4	5		
Skills of project team at a minimum must include: Project management						10	
Functionality						50	

## 16. DISQUALIFYING CRITERIA

- 16.1 Failure to submit a valid Tax Clearance Certificate or Submission of invalid Tax Clearance Certificate.
- 16.4 Late submission of proposal.

## 17 SUBMISSION ON BIDS

- 17.1 Prospective bidders must submit their bids proposals in **two envelopes**:
- 17.2 One envelope with the technical proposal outlining in detail a realistic work- break schedule indicating different milestones to be achieved, and response to the terms of reference and evaluation criteria including other supportive documents, completed bid forms, tax clearance certificate issued by SARS and legal entity registration certificate.
- 17.3 One other envelope with the financial proposal (pricing schedule (SBD 3.3) with all cost related items, cost breakdown).
- 17.4 The entire proposal should be placed on disc in a PDF format
- 17.5 The following information must be endorsed on each envelope:
- Bid number:
  - Closing date:
  - Name of the Bidder:
  - Technical Proposal or Financial Proposal
- 17.6 The closing date for the submission of bid is 11h00 on 26 October 2012

17.7 Failure to comply with these conditions will result in a bid being disqualified.

17.8 The Bids may be:

Deposit in the Tender Box,  
Foyer of the HSRC Building  
134 Pretorius Street  
Pretoria

17.9 Bids received after the closing date and time will be regarded as late and will not be evaluated.

## **18. ENQUIRIES**

**Enquiries may be directed to:**

Mr K. Watson

Tel No: 012 312 7566

Email: kobusw@dsd.gov.za