



**higher education
& training**

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

TALETSO TVET COLLEGE

REQUEST FOR PROPOSALS (RFP) FOR

APPOINTMENT OF A PANEL OF FIVE (5) SERVICE PROVIDERS FOR THE PROVISION OF LEGAL SERVICES FOR A PERIOD OF THIRTY-SIX (36) MONTHS

TENDER NO: TTC 03/2026

Prospective Suppliers who are interested in participating in the aforementioned tender are invited to submit a proposal in full compliance to the requirement of this tender document.

CLOSING DATE AND TIME FOR SUBMISSION OF TENDER DOCUMENTS:

Tender number	TTC 03/2026
Date issued	30/01/2026
Tender closing date	25/02/2026 (Wednesday) Time: 11:00 AM Tender Submission will be at the following address: Taletso TVET College Central office 6 DF Malan Ave Libertas Mahikeng 2745
Compulsory Information Session	Not Applicable

Company Name		
Address		
Contact person	Mr/Mrs/Ms/Dr/Prof.	
Contact numbers	(w)	(cell)
Email address		

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1. INTRODUCTION

1.1 OVERVIEW

1.1.1 WHAT DOES TALETSON TVET COLLEGE AIM TO DO?

Taletson TVET College intends to significantly reduce the Total Costs, while maintaining or improving the quality of the service. Taletson TVET College will pursue its goal through consolidating the volume of the services procured.

- Legal Representation: Represent the College in court proceedings, disciplinary hearings, arbitration, and other legal forums.
- Legal Advisory Services: Provide ongoing legal opinions, advice, and guidance on matters relating to governance, contracts, disciplinary procedures, compliance, and labour relations.
- Policy Training: Conduct training workshops for Council members, management, and staff on applicable legislation, regulations, and College policies.
- Policy Development: Review, update, and draft College policies in line with current legislative and regulatory requirements.
- Development of Standard Operating Procedures (SOPs): Develop and review SOPs aligned with approved College policies and best practices in governance and administration.
- Contract Management: Draft, review, and vet contracts and service level agreements (SLAs).
- General Legal Representation: Represent the College in labour, civil, administrative, and contractual disputes before relevant courts, tribunals, or arbitration panels.

1.1.2 WHAT IS TALETSON TVET COLLEGE LOOKING FOR?

This initiative is intended to identify suppliers of the services ("Suppliers") that can best service Taletson TVET College's requirements for the services. Through this process, Taletson TVET College wishes to establish a new level of cost transparency with its Suppliers in order to facilitate long-term cost control. Invoice price is critically important to us together with the following factors:

- a) Transparency of cost of services;
- b) Minimization and reduction of "Total Costs" (as that term is defined in section 1.3.3 below);
- c) Capability of Suppliers in meeting Taletson TVET College's requirements;
- d) Suppliers' commitment to Taletson TVET College's needs; and
- e) Black Economic Empowerment
- f) Services means "services" and "goods and services"

1.1.3 SUMMARY OF KEY MATTERS FOR CONSIDERATION BY POTENTIAL SUPPLIERS

Key matters for consideration by Suppliers include:

- a) This process will afford Suppliers the opportunity to acquire and /or increase their level of business with Taletson TVET College;
- b) Senior Management in Taletson TVET College are directing this assessment;
- c) A cross-functional team has been formed to facilitate this assessment and is empowered to make decisions in the best interests of Taletson TVET College;
- d) Taletson TVET College is prepared to significantly alter current purchasing patterns of the services in order to take advantage of opportunities and achieve benefits for the whole Membership;
- e) Time is limited in the final Suppliers selection process;

- f) Taletso TVET College's objective is to reduce costs initially and then to achieve further on-going reductions in Total Costs. Taletso TVET College is expecting to identify Suppliers that can meet its need at an extremely competitive cost;
- g) The evaluation of potential Suppliers will also include important non-cost considerations, such as quality, service, implementation ability and other factors;
- h) This sourcing program must not disadvantage any operation at any site operated or managed by that relevant Member; and
- i) Prospective Suppliers' are requested to submit their best price at this time, as only competitive Suppliers will be invited for further discussions.

1.2 PURPOSE AND OBJECTIVE OF THE RFP

1.2.1 PURPOSE

The purpose of this RFP is to collect pricing and general information on your business as part of our program to determine the Supplier or Suppliers most capable of supplying these services to Taletso TVET College. Taletso TVET College's objective is to identify opportunities to significantly reduce purchase costs and to improve the value added from all Suppliers of this service.

1.2.2 HOW AGREEMENT IS TO BE FORMED

Responses to this RFP will form the basis for any agreements reached and such responses will represent a firm offer by the Supplier to agree to supply these services to Taletso TVET College as detailed in the pricing table proposed (see **Appendix A**).

1.3 EVALUATION CRITERIA

1.3.1 OBJECTIVE

Taletso TVET College's objective is to procure the services at competitive prices, acceptable quality and on-time delivery. Suppliers selected to participate with Taletso TVET College to meet this objective can anticipate an on-going commercial relationship.

1.3.2 TOTAL COST

"Total Costs" will be an important parameter for Supplier assessment. "Total Costs" is defined as follows:

"Total Costs" means the sum of all direct and indirect costs associated with the purchase of the services incurred by Taletso TVET College, including but not limited to the invoice price, services life, service maintenance costs, distribution costs, transaction costs, inventory costs, purchasing administration costs and other costs incurred with the use of these services provided by the Supplier."

Suppliers can reduce Total Costs through one or more of the following approaches:

- a) Lowering prices for the services;
- b) Lowering logistic costs;
- c) Increasing value from service and support; and/or
- d) Offering superior service performance.

Suppliers are expected to provide highly competitive pricing - pricing reserved for their largest and most important account - both at the outset of the relationship and on an on-going basis. Taletso TVET College expects to work with Supplier(s) to continuously identify opportunities to reduce Total Costs.

1.3.3 COST TRANSPARENCY

Taletso TVET College desires to achieve clarity on the costs of all aspects of the supply of the services. The details requested in this RFP are intended to deliver the required level of transparency. Any gaps in Supplier responses will be interpreted as an unwillingness to participate with Taletso TVET College in the desired relationship and will seriously disadvantage the Supplier.

1.3.4 SUPPLIER CAPABILITY

Taletso TVET College will make an assessment of Supplier capability on the basis of Taletso TVET College's experience and information provided by Suppliers in response to this RFP.

1.3.5 ADDITIONAL INITIATIVES

Suppliers are encouraged to be creative and develop suggestions to enhance Supplier relationships, quality, and service levels that will be cost effective for Taletso TVET College. These suggestions may lead Taletso TVET College to promote options for new services.

1.3.6 EMPOWERMENT

Taletso TVET College is serious in its commitment to the previously disadvantaged groups and will expect selected Suppliers to demonstrate that they share that commitment. Accordingly, a BBBEE Certificate in terms of the Codes of Good Practice issued by an accredited rating agency must be submitted. Guidelines for Submission of Proposal ("RFP")

2. GUIDELINES FOR SUBMISSION OF PROPOSAL ("RFP")

2.1 PROPOSAL TERMS

Taletso TVET College is inviting your company to submit a Proposal for the supply services.

Taletso TVET College intends to move quickly to award business; hence, Suppliers are encouraged to provide their best offer under the Proposal.

2.1.1 ACCEPTANCE OF PROPOSAL AT TALETSON TVET COLLEGE'S DISCRETION

Taletso TVET College reserves the right, exercisable at its sole discretion, to review, evaluate and dispose of any offer as it sees fit. Nothing stated in this RFP (whether express or implied) binds or obligates Taletso TVET College, or any other member of Taletso TVET College to accept the lowest of any price contained in a Proposal or to accept any offer. Suppliers or their representatives can expect to discuss the details of their Proposal during the evaluation process. Taletso TVET College reserves the right to negotiate specific terms with the preferred Suppliers prior to the award of a final contract (if any).

2.1.2 CONFORMANCE

All Proposals must conform to each of the requirements set out in this RFP. Non-conforming Proposals may not be considered. As well as providing a conforming Proposal, Suppliers may also submit additional or alternative information for further consideration where they believe that this is in the best interests of Taletso TVET College.

2.1.3 COVERAGE

While Taletso TVET College does not require Suppliers to tender on all aspects of this RFP, the broader the range of services quoted on, the greater Supplier's chance of success.

2.1.4 REQUIREMENTS FOR ADDITIONAL INFORMATION

Taletso TVET College may require a Supplier to provide additional information to allow further consideration of the Supplier's Proposal.

2.1.5 COSTS

Taletso TVET College is not responsible for any costs (whether direct or indirect) incurred by a Supplier in preparing and/or submitting a Proposal or otherwise responding to this RFP or in any subsequent discussions or negotiations. All parties and participants must bear their own costs.

2.1.6 SUBMISSION VALIDITY

Each Proposal submitted by a Supplier must remain valid for a period of **90 days** from the required date of submission.

2.1.7 SUPPLIER'S ACCEPTANCE OF TERMS & CONDITIONS

Each Supplier submitting a Proposal agrees to do so on the terms and conditions set out in this RFP. Suppliers who submit responses to this RFP will be deemed to have accepted, and willfully comply with, all of those terms and conditions.

A person fully authorized to commit the Supplier to the terms must sign the Proposal and conditions set out in this RFP. Taletso TVET College is entitled to assume that there is full authority in the signatory of the person.

2.2 PRICING TRANSPARENCY

Taletso TVET College wishes to establish an increased level of cost transparency with the chosen Supplier. The level of transparency will be taken as an indication of each Supplier's willingness to participate with Taletso TVET College in a transparent relationship.

2.3 COLLEGE REPRESENTATIVE

All contact and questions with regard to this RFP must be made through the College representative.

For the purpose of the RFP, the Taletso TVET College representative

Contact Person	
Name & Surname	Jacky Khumalo
Telephone number	(018) 384 2341
E-mail address	Khumalo.j@taletso.edu.za

2.4 QUESTIONS AND CLARIFICATIONS

All questions regarding this RFP must be directed to the College Representative by email. Questions must not be submitted by telephone. College will accept written questions.

Answers to all questions will be e-mailed to all Suppliers who have been provided with this RFP.

All questions must include:

- a) The Supplier's name and address;
- b) A reference to the specific section and page number of the RFP; and
- c) The contact name, telephone number and e-mail address

2.5 RFP FORMAT

All Supplier responses must follow the prescribed format. Refer to "Delivery Instructions" below. Failure to do so may result in disqualification from this RFP/Proposal process.

2.6 DELIVERY INSTRUCTIONS

All Bidders must submit their responses in the following format:

Completed documents with all attachments must be signed and submitted to the following address:

Taletso TVET College
Central office
DF Malan Ave
Libertas
Mahikeng
2745

All Suppliers must submit their responses in the following format:

Description of Appendix	Requirement	Circle yes if submitted	
		Yes	No
RFP Document	Each page of the RFP document to be initialled by a delegated representative	Yes	No
Completed technical pricing	Submit a completed pricing schedule in Appendix A – Pricing Schedule .	Yes	No
Proof of Bank Account	Stamped letter from bank (not older than 6 months)	Yes	No
Proof of Payment	Proof of tender document purchase.	Yes	No
Company registration documents	Company registration documents/CK (CIPC)	Yes	No
ID Copies of directors	Certified & not older than 6 months	Yes	No
SARS	Valid Tax clearance certificate/ Tax pin	Yes	No
Proof of address	Proof of address (e.g. Municipal letter/lease agreement /traditional authority letter)	Yes	No
Fully complete SBD forms	SBD 4, 6.1, 8 and 9 forms	Yes	No
Registration National Treasury (CSD)	Provide a copy of the full report of registration on National Treasury Central Supplier Database.	Yes	No
Legal Practice Council Registration	LPC Certificate of Good Standing (<i>Lead partner-level</i>)	Yes	No
Fidelity Fund Certificates	Certified copies of each attorney's Fidelity Fund Certificate.	Yes	No

2 years annual financial statements	Annual financial statements (Signed by Member/Director and Accounting Officer/Auditor or reviewer) depending on type of company	Yes	No
Submission of Electronic Copies (USB Drive Requirement)	Bidders must submit a USB containing scanned PDF copies of all tender documents. The USB must match the hard copy submission. Failure to include a complete USB version may result in the bid being deemed non-responsive.	Yes	No

2.7 ADDITIONAL SUPPLIER INFORMATION

Taletso TVET College may request additional data, discussions or presentations in support of responses to this RFP. Additionally, Taletso TVET College may conduct a survey of any Supplier under consideration to confirm or clarify any information provided (including pricing) or to collect more evidence of managerial, financial and technical abilities, including but not limited to, meetings and visits to current customers served by the Supplier.

2.8 ACKNOWLEDGMENTS AND DISCLAIMERS

2.8.1 NON-BINDING

This RFP and any Proposals are not legally binding on Taletso TVET College.

None of Taletso TVET College nor any person purporting to act on behalf of Taletso TVET College, or any other Member of Taletso TVET College makes any representations or provide any undertakings to Suppliers other than to invite Suppliers to submit Proposals. Taletso TVET College intends to use the RFP/Proposal framework as the basis for negotiations with Suppliers. Taletso TVET College reserves the right to alter that framework at its discretion at any point prior to or during the RFP/Proposal process.

2.8.2 ACCURACY OF INFORMATION

Taletso TVET College has endeavored to provide correct information in this RFP. However, the onus is on Suppliers to satisfy themselves as to the accuracy, completeness and sufficiency of any information provided to them by Taletso TVET College, or any person purporting to act on behalf of Taletso TVET College.

2.8.3 NEGOTIATIONS

On receipt of Proposals from Suppliers, Taletso TVET College proposes to evaluate those responses based on the requirements of Taletso TVET College. Negotiations will be conducted with a reduced number of selected Suppliers, which may lead to one or more contracts for the supply of part or all of the services.

Taletso TVET College reserves the right to vary, at its sole discretion, this negotiation plan at any time and does not make any undertakings in relation to entering into any contracts for the supply of services.

2.8.4 TALETISO TVET COLLEGE'S USE OF INFORMATION

In lodging a Proposal, a Supplier will be deemed to have granted Taletso TVET College a non-exclusive right to use any information in the Proposal as Taletso TVET College sees fit, including, without limitation, for operations purposes and future discussions with Suppliers. Taletso TVET College will also acquire a non-exclusive right to use any processes, sketches, calculations, drawings, computer programs or other data or information submitted with, or included in, a Proposal.

Each Supplier which submits a Proposal agrees to indemnify Taletso TVET College, and every other associate of Taletso TVET College against third party claims arising out of any use of any proprietary information submitted with, or included in, the Proposal by Taletso TVET College, and its or their respective directors, officers, agents, employees, advisers or consultants.

2.8.5 INFORMATION PROVIDED BY TALETSO TVET COLLEGE

Copyright in this RFP is reserved exclusively to Taletso TVET College.

Any information, which Taletso TVET College provides in this RFP or otherwise (Information), is provided in confidence and for use solely by the Supplier in the preparation of its Proposal. The Supplier must not disclose it to any third party without Taletso TVET College's prior approval in writing. Any further information that Taletso TVET College provides to the Supplier from time to time will be made available on the same terms and conditions as apply under this RFP.

2.8.6 SUPPLIER'S ACKNOWLEDGMENTS

In submitting a Proposal, the Supplier acknowledges and agrees that:

- a) The Information has been independently verified and Taletso TVET College, all other Associates of Taletso TVET College and its and their respective directors, officers, advisers, employees and agents, are not under any liability, whether arising from negligence or otherwise, for any representation contained in it or any omission from it or for any error, inaccuracy, incompleteness or other defect in the Information it contains.
- b) This Proposal contains representations and other statements concerning requirements for the supply of the services. No representation, statement or warranty, express or implied, is made by Taletso TVET College, any other Associate of Taletso TVET College or its and their respective directors, officers, advisers, employees or agents that any statement, estimate or evaluation contained in it will prove correct. The Supplier relies solely on its own investigations and inquiries in respect of Taletso TVET College's requirements for the services and the accuracy of the Information.
- c) Without limitation to the above, none of Taletso TVET College, or any other Associate of Taletso TVET College, nor any person purporting to act on behalf of Taletso TVET College, or any other Associate Taletso TVET College, will be liable in any way for any losses or liabilities incurred by a Supplier or any other person (including, without limitation, damages, costs, loss of profits or consequential or indirect losses) arising from any cause whatsoever including, without limitation, any error, inaccuracy, incompleteness or other defect in the Information.
- d) The Supplier also acknowledges that Taletso TVET College, without liability or recourse, may at any time without notice:

- e) Enter into and conclude negotiations with any other Supplier for the supply of part or all of Taletso TVET College's requirements of the services;
- f) Terminate the RFP/Proposal process in respect of any or all of Taletso TVET College's requirements;
- g) Terminate discussions or negotiations with the Supplier or otherwise terminate the Supplier's further participation in the RFP/Proposal process;
- h) Reject any Proposal submitted by the Supplier; and/or
- i) Depart from or modify the proposed framework and/or any other procedures in relation to the RFP/Proposal process.
- j) If the Supplier decides not to submit a Proposal, or at any time discontinues for any reason (including as a result of any action of Taletso TVET College) its participation in this RFP process or subsequent discussions or negotiations, the Supplier must promptly return this RFP (and destroy any copies which it has made) to Taletso TVET College together with any other documents or other material relating to the service procurement that contains, embodies or might reveal Information.

2.8.7 PUBLIC ANNOUNCEMENTS

Neither the potential Supplier nor Taletso TVET College will make any public announcements or disclosures as to the RFP, any Proposal or the RFP process or otherwise in relation to the subject matter of any potential contract, without the prior written consent of the other party (except as required by any applicable law or regulatory requirement). In this regard, no media release or public announcement will be made in relation to any resulting contract, should such be executed, without the written approval of both parties as to the wording of such release and the manner or publication of such release.

3. SUPPLIER CAPABILITY

3.1 SECURITY OF SUPPLY

The services are critical to on-going operations and therefore security of supply is a major requirement for Taletso TVET College.

4. PROPOSED PRICING

4.1 INTRODUCTION

While Taletso TVET College require Suppliers to tender on the full range services or for all sites included in this RFP, the broader the range of services quoted on, the higher a Supplier's chance of success. Please be aware that this RFP provides all participants the opportunity to increase current business and/or acquire new business with Taletso TVET College and its Members.

Taletso TVET College expects Suppliers to respond fully to the requested level of detail. This detail will contribute towards the transparent cost structure being pursued by Taletso TVET College.

4.2 PRICING TABLE – INSTRUCTIONS – PRICE AS PER DESIRED LAYOUT

The responses must remain in the format outlined in the instructions of **Appendix A**, which contain the technical and pricing information.

Please note that all the prices reflected in Appendix B shall be:

- a) Inclusive of Value Added Tax (which shall be payable by the Member subject to the receipt of a VAT invoice); and
- b) Inclusive of all associated costs and taxes, including insurance, charges for packaging, shipping, carriage, delivery to the premises, handling fees, toll fees, permits, all duties, licenses and other related charges payable in respect of the service from time to time.

4.3 PRICING TABLE, SPECIFICATION AND ESTIMATED VOLUME/ QUANTITY

Taletso TVET College has included specification and estimated volumes/quantity (**Appendix A where applicable**) as a guideline to assist suppliers in pricing. Separate detailed pricing schedule and/ or bill of quantities may be attached. The volume is an estimate and should not be interpreted as a guarantee in any way.

4.4 DOUBLE COUNTING

In order to assess your prices fairly (and prevent “double counting”) do not include costs which are explicitly asked for in other columns or spread sheets.

5. PRICING

Tenderers are required to submit a price proposal as stipulated in **Appendix A**.

5.1 PAYMENT TERMS

Payment terms are within **30 days of the date of invoice**.

5.2 CONTRACT LENGTH

Contract duration is **thirty-six (36)** months from the date of appointment.

Taletso TVET College requires a **full-risk contract** arrangement. Application for a price increase will only be considered if submitted with written proof that it is due to circumstances beyond the control of the supplier.

6. REQUIRED PROPOSAL LAYOUT

In order to facilitate a structured evaluation of the submissions resulting from this RFP, Taletso TVET College requires each supplier to conform to a specific proposal layout. Deviation from this required document structure may result in disqualification.

6.1 GENERAL NOTES:

- a) A cover page per **Appendix** is included in this document and Supplier must ensure that these cover pages are used in their submissions.
- b) Each **Appendix** cover will contain a list of the required information and / or documents that need to be included in that section. The list has a check box for the supplier to indicate that the information requested has been included.
- c) Each **Appendix** cover page is to be signed by the duly authorized representative of the Supplier.

7. TECHNICAL SPECIFICATION

Taletso TVET College has included Pricing schedule in **Appendix A**

8. EVALUATION PROCESS

8.1 AIM OF EVALUATION

To ensure that all proposals received are afforded the opportunity to compete equally and enable Taletso TVET College a chance to evaluate the tender received in fair and unbiased manner, as per pre – described process of evaluating proposals.

8.2 EVALUATION CRITERIA

The evaluation criteria as set out hereunder will assist Taletso TVET College to ensure conformity to all tender requirements. Taletso TVET College's evaluation team shall use the evaluation criteria, weights, applicable values and / or minimum qualifying score for functionality as indicated in the tender document. The evaluation criteria can be discussed and clarified with all attendees at the compulsory information session, where applicable, as an aid to prepare for such evaluation.

The set evaluation criteria shall be used as a guideline, but not limited to the following process:

8.2.1 PRE-QUALIFICATION/MANDATORY INFORMATION REQUIREMENT

The Pre-qualification/Mandatory Information Requirement phase validates the tenderers' compliance to the legal requirements to conduct business in SA, as well as to specific industry requirement for the supply of services where applicable.

Please see table below for the list of mandatory requirements and tick yes if documentation is submitted and no if not submitted.

<i>Description of Appendix</i>	<i>Requirement</i>	<i>Circle yes if submitted</i>	
RFP Document	Each page of the RFP document to be initialled by a delegated representative	Yes	No
Completed technical pricing	Submit a completed pricing schedule in Appendix A – Pricing Schedule .	Yes	No
Proof of Bank Account	Stamped letter from bank (not older than 6 months)	Yes	No
Proof of Payment	Proof of tender document purchase.	Yes	No
Company registration documents	Company registration documents/CK (CIPC)/Sole proprietors – ID document	Yes	No
ID Copies of directors	Certified & not older than 6 months	Yes	No
SARS	Valid Tax clearance certificate/ Tax pin	Yes	No
Proof of address	Proof of address (e.g. Municipal letter/lease agreement /traditional authority letter)	Yes	No
Fully complete SBD forms	SBD 4, 6.1, 8 and 9 forms	Yes	No
Registration National Treasury (CSD)	Provide a copy of the full report of registration on National Treasury Central Supplier Database.	Yes	No
Legal Practice Council Registration	LPC Certificate of Good Standing <i>for director or lead partner</i> .	Yes	No
Fidelity Fund Certificates	Certified copies of Fidelity Fund Certificate for director/lead partner.	Yes	No

2 years annual financial statements	Annual financial statements (Signed by Member/Director and Accounting Officer/Auditor or reviewer) depending on type of company	Yes	No
Submission of Electronic Copies (USB Drive Requirement)	Bidders must submit a USB containing scanned PDF copies of all tender documents. The USB must match the hard copy submission. Failure to include a complete USB version may result in the bid being deemed non-responsive.	Yes	No

NB: No points will be allocated to this phase; however, tenders that do not meet the pre-qualification requirements will not advance to the next phase of the evaluation process.

8.2.2 STAGE 1: EVALUATION OF FUNCTIONALITY

The evaluation criterion for functionality aims to assess the capability of the tenderer to execute and maintain a tender and/ or contract. Tenderers need to obtain a minimum percentage score of 70% and above in order to progress to the next stage of evaluation.

FUNCTIONALITY CRITERIA	POINTS ALLOCATED
Previous Experience (Four (4) Contactable reference letters where similar projects have been executed) <ul style="list-style-type: none"> • 4 reference Letters = 40 Points • 3 reference Letters = 30 Points • 2 reference Letters = 20 Points • 1 reference Letter = 10 Points The reference letter(s) must be on the letterhead of the previously serviced client, should at least reflect the name of the client, title of the related work conducted, year conducted and completed, contactable reference, and signed by the appropriate delegate. The Reference Letter must indicate the quality of the service rendered	40
Experience of Key Personnels Detailed Resume or CV and Qualifications of key staff clearly indicating their relevant experience. Partner / Director Lead legal practitioner and associates must hold an LLB (or equivalent) qualification in law; Admission certificates as an Attorney (<i>15+ years post-admission</i>) =14 Points <ul style="list-style-type: none"> ▪ Senior Associate must hold an LLB (or equivalent) qualification in law; Admission certificates as an Attorney ;(<i>10+ years post-admission</i>) =08 Points ▪ Associate must hold an LLB (or equivalent) qualification in law; Admission certificates as an Attorney ;(<i>5+ years post-admission</i>) =05 Points ▪ Candidate Attorney must hold qualification in law =03 Points 	30
Submit statement methodology Comprehensive Methodology that covers the scope of work, highlights techniques that will be employed for the project, this must include the approach and alignment to best practice. <ul style="list-style-type: none"> • Methodology addressing the entire scope of work =20 Points • Methodology addressing partial scope of work =10 Points 	20
Team Composition & Expertise Coverage Coverage of all required practice areas (TVET law, commercial, labour, litigation, property, construction, procurement).	10
Total points	100

Please include reference letters for all your clients in the table below.
Kindly complete the table below for references.

FUNCTIONALITY CRITERIA

REFERENCE ONE (1)

COMPLETE TABLE IN FULL BELOW (COMPULSORY)

Reference Company One (1)			Contact Name:	
Name of Company:			Contact Telephone:	
Contact e-Mail:				
Description of Contract:				
Contract Details				
1	Contract Value:			
2	Contract Commencement date:			
3	Contract Completion Date:			
4	Contract Duration:			
Attach Reference Letter 1 <p>Note: References to be in the letterhead of the company that is making the reference.</p>				

FAILURE TO PROVIDE RELEVANT PROOF WILL RESULT IN ZERO POINT ALLOCATION

FUNCTIONALITY CRITERIA

REFERENCE TWO (2)

COMPLETE TABLE IN FULL BELOW (COMPULSORY)

Reference Company Two (2) Name of Company:		Contact Name:	
Contact e-Mail:		Contact Telephone:	
Description of Contract:			
Contract Details			
1	Contract Value:		
2	Contract Commencement date:		
3	Contract Completion Date:		
4	Contract Duration:		
Attach Reference Letter 2 Note: References to be in the letterhead of the company that is making the reference.			

FAILURE TO PROVIDE RELEVANT PROOF WILL RESULT IN ZERO POINT ALLOCATION

FUNCTIONALITY CRITERIA

REFERENCE THREE (3)

COMPLETE TABLE IN FULL BELOW (COMPULSORY)

Reference Company Three (3) Name of Company:		Contact Name:	
Contact e-Mail:		Contact Telephone:	
Description of Contract:			
Contract Details			
1	Contract Value:		
2	Contract Commencement date:		
3	Contract Completion Date:		
4	Contract Duration:		
Attach Reference Letter 3 Note: References to be in the letterhead of the company that is making the reference.			

FAILURE TO PROVIDE RELEVANT PROOF WILL RESULT IN ZERO POINT ALLOCATION

FUNCTIONALITY CRITERIA

REFERENCE FOUR (4)

COMPLETE TABLE IN FULL BELOW (COMPULSORY)

Reference Company Four (4) Name of Company:		Contact Name:	
Contact e-Mail:		Contact Telephone:	
Description of Contract:			
Contract Details			
1	Contract Value:		
2	Contract Commencement date:		
3	Contract Completion Date:		
4	Contract Duration:		
Attach Reference Letter 4 Note: References to be in the letterhead of the company that is making the reference.			

FAILURE TO PROVIDE RELEVANT PROOF WILL RESULT IN ZERO POINT ALLOCATION

8.2.3 STEP 2: FUNCTIONALITY TABLE

A tenderer shall proceed to the next stage of evaluation if a percentage score of 70% is obtained. Tenderers that fail to achieve the minimum qualifying percentage score for functionality (70%) will not proceed to the next stage of evaluation.

8.3 STAGE 2: PRICE AND SPECIFIC GOALS

Only tenders that achieve the minimum stipulated threshold for functionality of 70% will be evaluated further in accordance with the 80/20 or 90/10 preference point systems. The 80 or 90 points will be allocated for price whilst, 20 or 10 points will be allocated for specific goals level of contribution both totaling 100 points.

The formula below will be used in calculating points scored for the Preference points system

8.3.1 STEP 1: CALCULATION OF POINTS FOR PRICE

The first step under price is to calculate the price points for tenderers who progressed to this stage of evaluation as per formula below.

80/20

or

90/10

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

Pmin

Where

P_s = Points scored for comparative price of tender under consideration.

P_t = Comparative price of tender under consideration.

P_{min} = Comparative price of lowest acceptable tender.

Should the RFP proposal value be over R50M, 90/10 points scoring system will be used and for less than R50M 80/20 points scoring system will be used

8.3.2 STEP 2: SPECIFIC GOALS

The second step under price is to calculate specific goals level of contribution points for tenderers who progressed to this stage of evaluation as per below allocation.

SPECIFIC GOAL REQUIREMENT	EVIDENCE REQUIRED	POINTS ALLOCATED
EME and/ or QSE	Original sworn affidavit/certified copy of the sworn affidavit or BBBEE certificate (level 1 = 5, level 2 = 4, level 3 = 2, level 4,5,6,7 = 1, level 8 = 0)	5
For persons living with disabilities	Original/Certified Medical Certificate (certified not older than 6 months) with the following information: a) Name of practitioner, b) Practitioner number, c) Doctor's contact details, d) Details of the condition, e) Date, f) Signature, g) Stamp and h) Patient's name.	5
Youth ownership Of > 50%	Affidavit confirming that the owner is =<35 years attached with certified ID copy/ies	3
Female owned business > 50%	Certified ID copies of the directors, affidavit and share certificates	2
Enterprise situated within the Ngaka Modiri Molema District Municipality demarcation.	Municipal account/ Lease agreement/ affidavit – must be in the name of the Enterprise NB: Municipal account must not be older than 3 months	5
	TOTAL SPECIFIC GOAL POINTS	20

8.3.3 STEP 3: FINAL SCORE

Confidential

Page: 20

Legal services

Initial.....

The points scored for price (step 1) will be added together with the points scored for specific goals (step 2) to obtain the tenders total points.

Taletso TVET College and/ or Member/s may request additional information, clarification or verification in respect of any information contained in or omitted from a Tenderer's proposal. This information will be requested in writing;

Taletso TVET College and/ or Member/s will conduct a due diligence on any Tenderer, which will include interviewing customer references or other activities to verify a Tenderer's or other information and capabilities (including visiting the Tenderer's various premises and/or sites to verify certain stated information or assumptions) and in these instances the Tenderers will be obliged to provide Taletso TVET College and/ or Member/s with all necessary access, assistance and/or information which Taletso TVET College and/ or Member/s may reasonably request and to respond within the given time frame set by Taletso TVET College and/ or Member/s;

Taletso TVET College and/ or Member/s will evaluate the Tenders with reference to Taletso TVET College set and approved evaluation criteria as indicated in the tender document.

General Terms and Conditions of the Tender

9. ESCALATION MECHANISM

Escalation of prices, Taletso TVET College is expecting no escalation for the contract period

9.1 Any escalation in prices will be considered only under exceptional circumstances and upon a detailed breakdown of the various cost components and the percentage each cost component contributes to the total selling price.

9.2 Taletso TVET College reserves the right to accept price increases or to terminate the contract in part or in whole.

9.3 No price increase with retrospective effect shall be considered.

9.4 Any application for a price increase shall only become effective if approved by Taletso TVET College provided that a minimum period of 30 (thirty) days from date of application is required before any price increase may become effective.

10. PRICE OFFER AND ADJUSTMENTS

10.1 Prices quoted must be valid up to the conclusion and final award of the tender and thereafter remain fixed for the duration of the contract

10.2 Is the contract price firm for the duration of the contract period?

YES

NO

Please indicate the applicable block with ✓

10.3 If the reply to 10.2 is negative, on what grounds (with a breakdown of the various cost components and the percentage each cost component contributes to the total contract price) would price adjustments be requested?

Factors that contribute to any price escalation.

Cost Components	Weighting

10.4 Factors that contribute to any price escalation for imported goods/services.

- a) Please state the Rate of Exchange at which your contracted price was based:

Please note: Should there be a price variance of more than 5% due to Rate of Exchange, then only will a price adjustment be considered.

- b) Frequency of Escalation: _____

- c) Any Statutory Related Price Adjustment _____

- d) Price Formulas: _____

- e) References to Indices: _____

- f) Taletso TVET College reserves the right to audit evidence forwarded as motivation for price adjustments.

11. TENDER FORM, IMPORTANT CONDITIONS & MISCELLANEOUS REQUIREMENT

11.1 I/We hereby tender to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to Taletso TVET College on the items and conditions and in accordance with the specifications stipulated in the tender documents (and which shall be taken as part of, and incorporated into, this tender) at the prices and on the terms regarding time for delivery and/or execution inserted therein.

11.2 I/We agree that:

- a) The offer herein shall remain binding upon me/us and open for acceptance by Taletso TVET College during the validity period indicated and calculated from the closing time of the tender;

- b) If I/we withdraw my/our tender within the period for which I/we have agreed that the tender should remain open for acceptance, or fail to fulfil the contract when called upon to do so, Taletso TVET College may without prejudice to its other rights, agree to the withdrawal of my/our tender or cancel the contract that may have been entered into between me/us and Taletso TVET College and I/we will then pay to Taletso TVET College any additional expense incurred by Taletso TVET College having either to accept any less favorable tender or fresh tenders have to be invited, the additional expenditure incurred by the invitation of fresh tender and by the subsequent acceptance of any less favorable tender, Taletso TVET College shall also have the right to recover such additional expenditure by set-off against moneys which may be due or become due to me/us under this or any other tender or contract or against any guarantee or deposit that have been furnished by me/us or on my/our behalf for the due fulfilment of this or any other tender or contract and pending the ascertainment of the amount of such additional expenditure to retain such moneys, guarantee or deposit as security for any loss Taletso TVET College may sustain by reason of my/our default;
- c) If my /our tender is accepted, the acceptance may be communicated to me/us by letter or ordinary post or registered post and the SA Post Office Ltd shall be regarded as my/our agent. Delivery or such acceptance to the SA Post Office Ltd shall be treated as delivery to me/us;
- d) The law of the Republic of South Africa shall govern the contract created by the acceptance of my/our tender and that I/we choose domicilium citandi et executandi in the Republic (full address).
- e) I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our tender, that the price(s) and rate(s) quoted cover all the work/items(s) in these documents; and that the price(s) and rate(s) cover all my/our obligations under a resulting contract. I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
- f) I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the Principles (s) liable for the due fulfilment of this contract.
- g) I/We agree that any action from this contract in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence or judgment, which may be pronounced against me/us as a result of such action.
- h) I/We declare that I/we have participation /no participation in the submission of any other offer for the supplies/service described in the attached documents. If in the affirmative, state name(s) or tender(s) involved.

Are you duly authorized to sign Acknowledgement of the tender?

***YES / NO**

Has the Declaration of Interest been duly completed and signed?

***YES / NO**

***Delete whichever is not applicable**

SIGNATURE (S) OF TENDER OR ASSIGNEE(S)

DATE:

Please complete the following in block letters

Capacity and particulars of the authority under which this tender is signed

.....

Name of Service Provider

Postal Address

Telephone number(s) (Toll free if applicable)

Facsimile number(s)

Email Address(s)

Tender Number

Name of contact person

12. ACKNOWLEDGEMENT OF TENDER

12.1 I/We.....having examined the Request for Proposal Document and all other information available prior to the closing date, hereby offer to execute, complete and maintain the whole of the said works and to supply all the requisite goods and/ or services in conformity with the previously mentioned documents.

12.2 Name of Service Provider:

Address:

.....

.....

.....

.....

Telephone Number:

Fax Number:

Email Address: _____

Company Stamp: _____

Signature

Date

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 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, shareholder²):

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.

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 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:

.....
.....

Full details of directors / trustees / members / shareholders.

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

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 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

80/20 or 90/10

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps	=	Points scored for price of tender under consideration
Pt	=	Price of tender under consideration
Pmax	=	Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
BBBEE Certificate/Sworn Affidavit	5	
Persons historically disadvantage of basis of Gender-Female owned	2	
Persons historically disadvantage of basis of Gender-Disability (Medical certificate attached)	5	
Development of youth	3	
Locality (Ngaka Modiri Molema Municipality)	5	
Total points	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

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	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	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 bids¹ 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. disregards the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. 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:

(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 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.
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.

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.

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

GENERAL CONDITIONS OF CONTRACT

PLEASE INITIAL EACH PAGE OF THE GENERAL CONDITIONS OF CONTRACT

Bidders shall provide full and accurate answers to all (including mandatory) questions posed in this document and are required to explicitly state "Comply/Accept" or "Do not comply/Do not accept" (with a ☐ or an X) regarding compliance with the requirements. Where necessary, the bidders shall substantiate their response to a specific question.

1.

This bid is subject to the General Conditions of Contract stipulated below.	Accept	Do not accept

2.

The laws of the Republic of South Africa shall govern this RFP and the bidders hereby accept that the courts of the Republic of South Africa shall have the jurisdiction.	Accept	Do not accept

3.

Taletso TVET College shall not be liable for any costs incurred by the bidder in the preparation of response to this RFP. The preparation of response shall be made without obligation to acquire any of the items included in any bidder's proposal or to select any proposal, or to discuss the reasons why such vendor's or any other proposal was accepted or rejected.	Accept	Do not accept

4.

Taletso TVET College may request written clarification or further information regarding any aspect of this proposal. The bidders must supply the requested information in writing within twenty-four (24) hours after the request has been made, otherwise the proposal may be disqualified.	Accept	Do not accept

5.

In the case of Consortium, Joint Venture or subcontractors, bidders are required to provide copies of signed agreements stipulating the work split and Rand value.	Accept	Do not accept

6

In the case of Consortium, Joint Venture or subcontractors, all bidders are required to provide mandatory documents as stipulated in schedule 1 of the Response format.	Accept	Do not accept

7

8	Taletso TVET College reserves the right to; cancel or reject any proposal and not to award the proposal to the lowest bidder or award parts of the proposal to different bidders, or not to award the proposal at all.	Accept	Do not accept

9	Where applicable, bidders who are distributors, resellers and installers of network equipment are required to submit back-to-back agreements and service level agreements with their principals.	Accept	Do not accept

10	By submitting a proposal in response to this RFP, the bidders accept the evaluation criteria as it stands.	Accept	Do not accept

11	Where applicable, Taletso TVET College reserves the right to run benchmarks on the requirements equipment during the evaluation and after the evaluation.	Accept	Do not accept

12	Taletso TVET College reserves the right to conduct a pre-award survey during the source selection process to evaluate contractors' capabilities to meet the requirements specified in the RFP and supporting documents.	Accept	Do not accept

13	Only the solution commercially available at the proposal closing date shall be considered. No Bids for future solutions shall be accepted.	Accept	Do not accept

14	<p>The bidder should not qualify the proposal with own conditions.</p> <p>Caution: If the bidder does not specifically withdraw its own conditions of proposal when called upon to do so, the proposal response shall be declared invalid.</p>	Accept	Do not accept

		Accept	Do not accept

Should the bidder withdraw the proposal before the proposal validity period expires, Taletso TVET College reserves the right to recover any additional expense incurred by Taletso TVET College having to accept any less favourable proposal or the additional expenditure incurred by Taletso TVET College in the preparation of a new RFP and by the subsequent acceptance of any less favourable proposal.

15

Delivery of and acceptance of correspondence between the Taletso TVET College and the bidder sent by prepaid registered post (by air mail if appropriate) in a correctly addressed envelope to either party's postal address or address for service of legal documents shall be deemed to have been received and accepted after (2) two days from the date of postage to the South African Post Office Ltd.	Accept	Do not accept

16

Should the parties at any time before and/or after the award of the proposal and prior to, and-or after conclusion of the contract fail to agree on any significant product price or service price adjustments, change in technical specification, change in services, etc. Taletso TVET College shall be entitled within 14 (fourteen) days of such failure to agree, to recall the letter of award and cancel the proposal by giving the bidder not less than 90 (ninety) days written notice of such cancellation, in which event all fees on which the parties failed to agree increases or decreases shall, for the duration of such notice period, remain fixed on those fee/price applicable prior to the negotiations. Such cancellation shall mean that Taletso TVET College reserves the right to award the same proposal to next best bidders as it deems fit.	Accept	Do not accept

17

In the case of a consortium or JV, each of the authorised enterprise's members and/or partners of the different enterprises must co-sign this document.	Accept	Do not accept

18

Any amendment or change of any nature made to this RFP shall only be of force and effect if it is in writing, signed by Taletso TVET College signatory and added to this RFP as an addendum.	Accept	Do not accept

19

<p>Failure or neglect by either party to (at any time) enforce any of the provisions of this proposal shall not, in any manner, be construed to be a waiver of any of that party's right in that regard and in terms of this proposal. Such failure or neglect shall not, in any manner, affect the continued, unaltered validity of this proposal, or prejudice the right of that party to institute subsequent action.</p>	Accept	Do not accept

20

<p>Bidders who make use of subcontractors.</p> <p>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</p>	Accept	Do not accept

21

<p>All services supplied in accordance with this proposal must be certified to all legal requirements as per the South African law.</p>	Accept	Do not accept

22

<p>No interest shall be payable on accounts due to the successful vendor in an event of a dispute arising on any stipulation in the contract.</p>	Accept	Do not accept

23

<p>Evaluation of Bids shall be performed by an evaluation panel established by Taletso TVET College.</p> <p>Bids shall be evaluated on the basis of conformance to the required specifications as outlined in the RFP. Points shall be allocated to each bidder, on the basis that the maximum number of points that may be scored for price is 80, and the maximum number of preference points that may be claimed for BBBEE (according to the PPPFA) is 20.</p>	Accept	Do not accept

24

<p>If the successful bidder disregards contractual specifications, this action may result in the termination of the contract.</p>	Accept	Do not accept

25

The bidders' response to this Bid, or parts of the response, shall be included as a whole or by reference in the final contract.	Accept	Do not accept

26

Should the evaluation of this bid not be completed within the validity period of the bid, Taletso TVET College has discretion to extend the validity period.	Accept	Do not accept

27

Upon receipt of the request to extend the validity period of the bid, the bidder must respond within the required time frames and in writing on whether or not he agrees to hold his original bid response valid under the same terms and conditions for a further period.	Accept	Do not accept

28

Should the bidder change any wording or phrase in this document, the bid shall be evaluated as though no change has been effected and the original wording or phrasing shall be used.	Accept	Do not accept

Signature

Date

Resource	Charge out rate per Hour (R)
Senior Director/Partner	
Junior Director/Partner	
Senior Associate	
Junior Associate	
Candidate attorney/trainee/graduates	
Total (VAT Inclusive)	

Travel rates will be charge in line with SARS rate.