

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF PUBLIC WORKS ROADS AND INFRASTRUCTURE

BID NUMBER:	LDPWRI- ICT/20407	CLOSING DATE:	27 FEBRUARY 2024	CLOSING TIME:	11H00
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DESCRIPTION **PROCUREMENT OF (225) LAPTOPS THROUGH SITA CONTRACT RFB740 ACCREDITED SUPPLIERS ONLY.**

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

CORNER BLAAUWBERG & RIVER STREET

LADANNA

0699

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

CONTACT PERSON	MOTSOPYE NJ	CONTACT PERSON	MABALA ND
TELEPHONE NUMBER	015 284 7126	TELEPHONE NUMBER	015 284 7702
E-MAIL ADDRESS	MotsopyeNJ@dpw.limpopo.gov.za	E-MAIL ADDRESS	MabalaND@dpw.limpopo.gov.za

SUPPLIER INFORMATION

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO

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

TERMS AND CONDITIONS FOR BIDDING

1.	BID SUBMISSION:
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2.	TAX COMPLIANCE REQUIREMENTS
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

The offered total of the price inclusive of value added tax is (contact price)

Price in words

.....

Price in figures R

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

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

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,

employed by the state?

YES/NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:
.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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

² 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.

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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM 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); and
- the 90/10 system for requirements with a Rand value above 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 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 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	
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \text{ or } P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$			

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{min} = 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:

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

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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Persons who had no franchise in national elections prior to 1983 and 1993	-	6	-	
Women	-	3	-	
Disabled Persons	-	2	-	
Promotion of SMMEs	-	2	-	
Enterprise located in Limpopo Province and or District	-	4	-	
Promotion of youth	-	1	-	
Any other RDP goal or preference points in favour of HDI	-	2	-	

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

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.

<p>.....</p> <p>SIGNATURE(S) OF TENDERER(S)</p>
<p>SURNAME AND NAME:</p>
<p>DATE:</p>
<p>ADDRESS:</p> <p>.....</p> <p>.....</p> <p>.....</p>

Special conditions or notes to service providers

NB: The service provider is required to indicate how they claim points for each preference point system and attached relevant supporting documenting documents. Attachments of claiming specific goals are as follows:

Persons who had no franchise in national elections prior to 1983 and 1993 (Attach certified copy of SA ID as proof)
Women (Attach Director's certified copy of SA ID as proof)
Disabled Persons (Attach letter from Health Professional as proof)
Promotion of SMMEs (Attach Financial statement as proof)
Enterprise located in Limpopo Province and or District (Attach proof of address/ Lease agreement)
Promotion of youth (Attach Director's certified copy of SA ID as proof)
Any other RDP goal or preference points in favour of HDI (Attach Director's certified copy of SA ID as proof)



**DEPARTMENT OF
PUBLIC WORKS, ROADS & INFRASTRUCTURE**

DETAILED USER REQUEST SPECIFICATION (URS) FOR THE ONCE-OFF PROCUREMENT OF (225) LAPTOPS WHICH ARE DIVIDED INTO 3 CATEGORIES. CATEGORY-1 OF THIRTY-FIVE (35), CATEGORY-2 TWENTY-FIVE (25) AND CATEGORY-3 OF ONE HUNDRED AND SIXTY-FIVE (165).

1. REQUIREMENTS

1.1 FOR CATEGORY-1 OF THIRTY-FIVE (35) LAPTOPS FOR PROFESSIONALS

DESCRIPTION	
Product Type	Mobile Workstation
Processor family:	13 th Generation
Display Diagonal	15,6"
HD Type	FHD
Processor Model:	Intel Core i7 – 13700H
Internal Memory	32 GB of RAM
Total Storage Capacity	1 TB SSD
Graphics Card	RTX A1000 Graphics Card
Ethernet Card	RJ45 on-board NIC
Security Lock	Security Cable lock
Warranty	3 Years on-site support (next business day)

Bag	Back Pack for Laptop
Mouse	Cordless Mouse

1.2 FOR CATEGORY-2 OF TWENTY-FIVE (25) LAPTOPS (MMS / SMS MEMBERS)

DESCRIPTION	
Product Type	Notebook
Processor family:	13 th generation
Display Diagonal	14"
Processor Model:	Intel Core i7
Internal Memory	16 GB of RAM DDR5
Total Storage Capacity	512 GB SSD
HD Type	WUXGA TouchScreen
Security Lock	Security Cable lock
Warranty	3 Years on-site support (next business day)
Bag	Back Pack for Laptop
Mouse	Cordless Mouse
Docking Station	11 in 1 Type-C Multiport Docking Station

1.3 FOR CATEGORY-3 OF ONE HUNDRED AND SIXTY-FIVE (165) LAPTOPS

DESCRIPTION	
Product Type	Notebook
Processor family:	13 th generation
Display Diagonal	15,6"
Processor Model:	Intel Core i7
Internal Memory	16 GB of RAM
Total Storage Capacity	512 GB SSD
HD Type	WUXGA
Security Lock	Security Cable lock
Warranty	3 Years on-site support (next business day)
Bag	Back Pack for Laptop
Mouse	Cordless Mouse
Ethernet Card	RJ45 on-board NIC

2. SPECIAL CONDITIONS OF CONTRACT

The service provider must be registered and accredited by the State Information Technology Agency (SITA), RFB740: Transversal Contract for the Provision of Outright Purchase for Personal Computers, Mobile Devices and Services, Outright Purchase of Computer Peripherals, Consumables and Services for Government Departments for a Period of Three (3) Years.

Service Provider must be registered under the list of accredited service providers to supply and deliver Laptops in the Region (**Limpopo**).

2.1 Bidder's own terms and conditions or qualifications of bid

This document contains the terms and conditions of this bid, and bidders must not change/amend the specification or come up with their own terms and conditions.

2.2 Reservation of Rights

2.2.1. (LDPWRI) reserves the right to -

- (a) invite bidders to make presentations regarding any aspect (s) of the bid;
- (b) request further information or document (s) from any bidder after closing date;
- (c) Communicate only with the shortlisted bidders as and when necessary;
- (d) Verify information and documentation of respective bidder from the National Treasury's Centralized Supplier Database (CSD) system, South African Revenue Services (SARS), Private Security Industry Regulatory Authority (PSIRA), Companies & Intellectual Property Commission (CIPC), National Treasury or any other relevant entity or visit the premises of the bidder at any time without notice. Any information received which does not correspond with the one provided in the bid document will render the bid null and void;
- (e) at any reasonable time, inspect the premises of the bidder;
- (f) negotiate the final price; and
- (g) award the bid to a bidder who did not score the highest points.
- (h) Non-adherence to specified timelines may result in penalties being imposed.
- (i) LDPWRI reserves the right to withdraw the contract before appointment.
- (j) LDPWRI reserves the right to appoint 1 or more Service Provider(s)

2.3 Bid Acceptance

The potential bid offer will be accepted subject to the condition that the bidder will deliver within 30 calendar days upon receipt of the Purchase Order, Failure to deliver within the specified delivery period may result in cancellation of an Order.

NB: Failure to comply with the following conditions may invalidate your offer.

- No quotations will be considered from persons in the service of the state.
- Bidders are urged to read and understand the contents of SBD 4 form and special attention on 2.3, please ensure that all companies related to the bidder and its directors are disclosed, failure to disclose the information will lead to disqualification.
- Bidders are required to duly complete SBD 6.1 and attach proof/means of verification as required (Proof of Local Address), failure to complete and submit documentation will lead to non-allocation of preference points.
- Persons with disabilities ownership > 51%, are required (compulsory) to submit a medical certificate from a recognized Medical Practitioner, failure to submit the means of verification will lead to non-allocation of preference points.

2.4 Termination of Contract

2.4.1 Bidders must acquaint themselves with the provisions of section 30 of the Public Service Act, 1994 (Proclamation 103 of 1994) and ensure that where applicable, natural persons who constitute the bidder comply with these laws. LDPWRI reserves the right to disregard a bid or cancel the contract with the winning bidder if the bidder, -

(a) has failed to comply with any legal or policy requirement that the bidder must comply with in order to enter into a valid contract with LDPWRI, including but not limited to any public servant constituting or in the employ of the winning bidder not having the necessary permissions or authorization in terms of the Public Service Act, or not having made the necessary financial disclosures to the employer or not having declared any or all interests in the bid documents;

(b) has acted in a fraudulent manner or in bad faith or in any other unsatisfactory manner in obtaining any other contract with any other state institution, government department, provincial administration or public entity;

(c) has entered into any arrangement or agreement with any other natural or corporate person, whether legally binding or not, must refrain from bidding for this contract.

2.4.2 LDPWRI may immediately terminate the contract without any notice if any of the following circumstances occur or exist:

If the bidder -

(a) commits an act of misconduct or technical incompetence.

(b) commits or participates in any unlawful, dishonest, or unethical act in the performance of its obligations under this contract; or

(c) breaches this contract.

2.4.3 LDPWRI may cancel the contract, if it is satisfied that any person (being an employee, partner, director or shareholder of the bidder or a person acting on behalf of the bidder), firm or company (The expression "person, firm or company" shall include an authorized employee or agent of such a person, firm, or company):

(a) is executing a contract with the government unsatisfactorily.

(b) has offered, promised, or given a bribe or other gift or remuneration to any officer or employee in the Public Service in connection with obtaining or executing a contract.

(c) has acted in a fraudulent manner or in bad faith or in any other unsatisfactory manner in obtaining a contract with any government department, provincial administration, public body, company or person, or that he/she has managed his/her affairs in such a way that he/she has in consequence there-of been found guilty of a criminal offence.

(d) has approached an officer or employee in the Public Service before or after bids have been called for, to influence the award of the contract in his/her favor;

(e) has withdrawn or amended his/her bid after the time set for the receipt and opening of bids.

(f) when advised that his/her bid has been conditionally accepted, has given notice of his/her inability to execute or sign the contract or to furnish any security required.

(g) has disclosed to any other person, firm or company the exact or approximate amount of his/her proposed bid except where disclosure, in confidence, was necessary to obtain insurance premium quotations for the preparation of the bid;

(h) LDPWRI may, in addition to any other legal recourse which it may have, cancel the

contract between LDPWRI and such person, firm or company and /or resolve that no

bid from such a person, firm or company will be favorably considered for a specific period.

2.5 Conflict of Interests

Bidders must not have or undertake duties or interests that create or might reasonably be anticipated to create an actual or perceived conflict with its duties and interests in executing the contract. Bidders must have internal control measures in place to identify potential conflicts and to bring them to the attention of LDPWRI.

2.6 Costs incurred by the bidder.

LDPWRI will not be responsible for any pay or expenses or losses which may be incurred by the bidder in the preparation and submission of its bid.

2.7 Bid binding

All written information, warranties and representations made by or on behalf of the bidder before conclusion of the contract are binding upon the bidder and are deemed to have induced LDPWRI to enter into this contract.

2.8 Liability

The bidder is responsible and liable for-

- (a) the conduct, acts and omissions of the bidder and/or agents or representatives.
- (b) injury to any person, theft, loss, or damage suffered by LDPWRI, which is occasioned by any unauthorized act, omission, negligence, breach of this contract or breach of any statutory duty by the bidder or its employees, agents or representatives of the bidder. Under such circumstances, the bidder must, at its own expense, make good the loss or damage on demand and on the terms of LDPWRI.

2.9 Intellectual Property Rights

- (a) Copyright to all inventions and innovations developed using the products and methodologies offered by the bidder shall be vested in the Limpopo Provincial Administration in particular and in the State in general. Copyright, patent rights and all similar rights in any works or products created as a result of the execution of this

bid and its assignments shall vest in and are hereby transferred to the LDPWRI, unless the contrary is agreed to in the form of individual written agreements signed by the bidder and the Accounting Officer of LDPWRI or his/her delegate. For this purpose, all works created in terms of this bid and its assignments shall be deemed to have been created under the direction and control of LDPWRI.

2.10 Bidder conduct

Bidders must -

- (a) use and adopt reasonable professional techniques and standards in providing the service;
- (b) provide services with all due care, skill and diligence.
- (c) comply with all industry best practices and standards issued or published by any provincial or national governing body, council or organization;
- (d) not in the process of fulfilling its obligations in terms of this contract, use any labour or intellectual capacity of any employee of the state, including employees of the LDPWRI, for remunerative purposes, unless such employee has the necessary written authorization;
- (e) By bidding, the Service Provider is deemed to have satisfied itself regarding all conditions affecting this contract and must at all times comply with the manifest intent and obligations of this contract.

3. BID PRICE

- 3.1** Bid price must be in South African Rand including VAT, and any other additional cost.
- 3.2** Bidders must prepare a breakdown of the quotation signed by the authorized signatory, indicating costs building or site for the duration of the contract. Should there be a discrepancy between the prices in the schedule and the total price indicated on the bid form, LDPWRI will consider the total price on the bid form (SBD 3.1)
- 3.3** Prices will remain firm for the duration of the contract, and it is the responsibility of the bidder/s to consider all costs and all possible escalations when compiling bid prices. Once the bid is awarded, no request for price escalation will be entertained, regardless of the

reasons for such request. The bid is estimated at above one million rand, and it is the responsibility of the bidder to register for VAT and pay the VAT portion to SARS. The supplier will be expected to furnish the department with a valid tax invoice upon delivery of goods.

4. ACCEPTANCE OF BID

4.1 Central Supplier Database registration

The company should be registered on the National Treasury central supplier database.

4.2 Appointment

Should the bid be accepted, LDPWRI will issue a written letter of acceptance and in addition, a formal agreement will be entered between LDPWRI and the appointed service provider.

5. PAYMENT CONDITIONS

5.1 Invoices and payments

5.1.1 The contract price is -

(a) LDPWRI will not make payment to the Service Provider in the event the Service Provider fails to satisfactorily perform any of its obligations in terms of this contract; and

(b) Fixed for the duration of the contract, and the Service Provider may under no circumstances approach or request the LDPWRI for an increase in the contract price.

5.1.2 The Service Provider must submit an invoice for payment to be processed.

5.1.3 The Limpopo Department of Public Works, Roads & Infrastructure shall be responsible for effecting payments within thirty (30) days upon submission of invoice by the service provider and only after confirmation of the services rendered by the relevant Directorate.

5.1.4 No interest shall be payable in the event of a dispute nor accrue on any payments due during a period of dispute.

5.1.5 No advance payments will be made for the execution of this project.

5.1.6 Payments will be made by an electronic transfer, into the Service Provider's Bank Account as appeared on the verified CSD report of that service provider and invoice.

NB: The department reserves the right to negotiate the final price.

6. SUBMISSION OF DOCUMENTS AND BRIEFING SESSION

- Submission of documents
- Please note, it is mandatory that bid documents must be submitted, completed, and signed.
- **No briefing session will be held.**