| health Department. Health Province of KNAZULU-NATAL | Quotation Advert                          |  |
|---|---|--|
| Opening Date:                                       | 2020-10-12                                | (1)<br>(1)<br>(2)  |
| Closing Date:                                       | 2020-10-21                                |  |
| Closing Time;                                       | 11:00                                     | HALE   |
| INSTITUTION DETAILS                                 |   |  |
| Institution Name:                                   | Nkandla hospital                          | . IVI  |
| Province:   | KwaZutu-Natal                             |  |
| Department or Entity:                               | Department of Health                      |  |
| Division or section:                                | Central Supply Chain Management           |  |
| Place where goods / services is required            | NKANDLA HOSPITAL                          |  |
| Date Submitted                                      | 2020-10-09                                |  |
| ITEM CATEGORY AND DETAILS                           |   | THE STATE OF THE S |
| Quotation Number:                                   | ZNQ:                                      |  |
|   | 232-20-21                                 |  |
| Item Category:                                      | Goods                                     | ⊻  |
| Item Description:                                   | SUPPLY AND DELIVER PATIENTS LINEN AND PPE |  |
| Quantity (if supplies)                              | 2 UNITS                                   |  |
| COMPULSORY BRIEFING SESSION                         | / SITE VISIT                              |  |
| Select Type:  | Not Applicable                            | N N  |
| Date:   | N/A                                       |  |
| Time:   | N/A                                       |  |
| Venue:  | N/A                                       |  |
| QUOTES CAN BE COLLECTED FROM:                       | NKANDLA HOSPITAL / WEBSITE                |  |
| QUOTES SHOULD BE DELIVERED TO:                      | NKANDLA HOSPITAL - TENDER BOX             |  |
| ENQUIRIES REGARDING THE ADVE                        | RT MAY BE DIRECTED TO:                    |  |
| Name:   | J. N ZULU                                 |  |
| Email:  | nobuhle.mdlalose.kznhealth.gov.z          |  |
| Contact Number:                                     | 035-8335078                               |  |
| Finance Manager Name:                               | MB.C.S BEKWA                              |  |
| Finance Manager Signature:                          | ( ) Johns                                 |  |

DEPARTMENT OF HEALTH
NKANDLA DISTRICT HOSPITAL
ACCOMPATHA LANE

| YOU ARE HEREBY INVI   | TED TO QUOTE FOR F         |                                |                       |                       |                       | EK KOU Y              | L-10- 2                  | 020                                    | lake)                 |
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| ZNQ NUMBER: 232/2   |                            |                                |                       |                       |                       |                       |                          |  |                       |
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| CONTRACT PERIOD   | NCE OFF<br>(if applicable) | VALIDITY PERIO                 | DD 60 Days            |                       | SARS PIN              | *************         |                          | !##################################### | oniosis               |
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| UNIQUE REGISTRATION   | REFERENCE                  |                                |                       |                       |                       |                       |                          |  |                       |
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| consideration.  | itat quotes are deliver    | ed unleadily to                | the conec             | . auuress.            | n uie quo             | e is late, i          | t will flot be           | accep                                  | ned for               |
| The quote box is open from  | ı 08:00 to 15:30.          |                                |                       |                       |                       |                       |                          |  |                       |
| ALL QUOTES MUST BE S  | UBMITTED ON THE OF         | FICIAL FORMS -                 | - (NOT TO B           | E RE-TYPE             | (D)                   |                       |                          |  |                       |
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| NAME OF BIDDER .  |                            |                                |                       |                       |                       |                       |                          |  |                       |
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| CELLPHONE NUMBER .  |                            |                                |                       |                       |                       |                       |                          |  |                       |
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| VAT REGISTRATION NUM  | BER (If VAT vendor)        |                                |                       |                       |                       |                       |                          |  |                       |
| HAS A B-BBEE STATUS LE  | EVEL VERIFICATION C        | ERTIFICATE BEE                 | N SUBMITT             | ED? (SBD              | 6.1)                  |                       | YES                      |  | VO                    |
| [A B-BBEE STATUS LEVE   |                            |                                | N AFFIDAV             | IT (FOR EN            | 1Es& QSEs             | ) MUST BE             | SUBMITTEE                | IN OR                                  | DER                   |

| [By signing th                        | iis document | R<br>If hereby agree to all terms all<br>CH THIS QUOTE IS SIGNED | nd conditions]         |   |                              |                                       | ,        |
|---------------------------------------|--------------|--|------------------------|---|------------------------------|---------------------------------------|----------|
| Item No                               | Quantity     | Description  |                        | Brand & model                           | Country of manufacture       | Prìce<br>R                            | С        |
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|                                       |              | 15% (Only if VAT Vendor)   |                        |   |                              | A LONG TO STATE                       |          |
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| s The Price F                         |              | Vith The Specification?  | State Delivery Period  |   | .S. / S.A.B.S. Specification | on?                                   |          |
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## **DECLARATION OF INTEREST**

|                  | Any legal person, including persons employed by the state <sup>1</sup> , or persons having a kinship with persons employed by the state blood relationship, may make an offer or offers in terms of this invitation to quote (includes a price quotation, advertised com limited quote or proposal). In view of possible allegations of favouritism, should the resulting quote, or part thereof, be award employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised a 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 in evaluation and or adjudication of the quote(s), or where it is known that such a relationship exists between the person or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the quote.  | petitived to repres | e quote,<br>persons<br>sentative<br>ed in the |
|------------------|---|---------------------|---|
| 2.               | In order to give effect to the above, the following questionnaire must be completed and submitted with the quote.   |                     |   |
| 2.2.             | Full Name of bidder/representative  |                     |   |
|                  | . The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and employee / persal numbers must be indicated in paragraph 3 below.  [TICK APPLICATION NUMBER   TICK | , if ap             | plicable,<br>E]                               |
| 2.8.1            | Are you or any person connected with the bidder presently employed by the state?  YES  1. If so, furnish the following particulars:  Name of person / director / trustee / shareholder/ member:   | -!!-                | NO  |
|                  | 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:  |                     |   |
| 2.8.2            | 2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outsid in the public sector?   |                     | NO NO   |
| 2,8.2            | .2.1. If yes, did you attach proof of such authority to the quote document?   |                     | ,,,,  |
| 10te: F          | Failure to submit proof of such authority, where applicable, may result in the disqualification of the quote.)  2.2. If no, furnish reasons for non-submission of such proof:   |                     |   |
| 2.9.             | . Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct bus state in the previous twelve months?  YES  | iness               | with the                                      |
| 2.9.1            | .1. If so, furnish particulars:   | state               | and who                                       |
|                  | may be involved with the evaluation and or adjudication of this quote?  |                     | NO  |
| 2.10.            | 0.1. If so, furnish particulars:  | nd an               | v nerson                                      |
| Z. 11.           | employed by the state who may be involved with the evaluation and or adjudication of this quote?  |                     | NO  |
| 2.11.            | 1.1. If so, furnish particulars:  | onios               | whother                                       |
| 2.12.            | <ol> <li>Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related compor not they are bidding for this contract?</li> </ol> YES   |                     | NO  |
| 2.12.            | 2.1. If so, furnish particulars:  |                     |   |
| <b>3.</b><br>NB; | Full details of directors / trustees / members / shareholders.  The Department Of Health will validate details of directors / trustees / members / shareholders on CSD. It is the suppliers to ensure that their details are up-to-date and verified on CSD. If the Department cannot validate the information on CSD, not be considered and passed over as non-compliant according to National Treasury Instruction Note 4 (a) 2016/17.  | resp<br>the (       | onsibility<br>quote will                      |
| 4                | DECLARATION   |                     |   |
|                  | THE UNDERSIGNED (NAME)CERTIFY THAT THE INFO   | ORM                 | ATION   |
| 1 AC             | CCEPT THAT THE STATE MAY REJECT THE QUOTE OR ACT AGAINST ME SHOULD THIS DECLARA<br>OVE TO BE FALSE.   | TION                | V   |
|                  |   |                     |   |

"State" means --

Name of bidder

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);

Signature

any municipality or municipal entity;

- c) provincial legislature;d) national Assembly or t national Assembly or the national Council of provinces; or

Date

e) Parliament.

Position

E'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.

#### SPECIAL CONTRACT CONDITIONS OF QUOTATIONS

#### 1. AMENDMENT OF CONTRACT

1.1. Any amendment to or renunciation of the provisions of the contract shall at all times be done in writing and shall be signed by both parties.

#### 2. CHANGE OF ADDRESS

2.1. Bidders must advise the Department of Health (institution where the offer was submitted) should their address (domicilium citandi et executandi) details change from the time of bidding to the expiry of the contract.

#### 3. GENERAL CONDITIONS ATTACHED TO THIS QUOTATION

- 3.1. The institution is under no obligation to accept the lowest or any quote.
- 3.2. The price quoted must include VAT (if VAT vendor). However, it must be noted that the department reserves the right to evaluate all quotations excluding VAT as some bidders may not be VAT vendors.
- 3.3. The bidder must ensure the correctness & validity of quote:
  - (i) that the price(s), rate(s) & preference quoted cover all for the work/item (s) & accept that any mistakes regarding the price (s) & calculations will be at the bidder's risk
- 3.4. The bidder must accept full responsibility for the proper execution & fulfilment of all obligations conditions devolving on under this agreement, as the Principal (s) liable for the due fulfilment of this contract.
- 3.5. This quotation will be evaluated based on the 80/20 points system, specification & correctness of information. All required documentation must be completed in full and submitted.
- 3.6. Offers must comply strictly with the specification.
- 3.7. Only offers that meet or are greater than the specification will be considered.
- 3.8. Late quotes will not be considered.
- 3.9. Expired product/s will not be accepted. All products supplied must be valid for a minimum period of six months.
- 3.10. A bidder not registered on the Central Suppliers Database or verification has failed will not be considered.
- 3.11. All delivery costs must be included in the quote price, for delivery at the prescribed destination.
- 3.12. Only firm prices will be accepted. Such prices must remain firm for the contract period. Non-firm prices (including rates of exchange variations) will not be considered.
- 3.13. In cases where different delivery points influence the pricing, a separate pricing schedule must be submitted for each delivery point.
- 3.14. In the event of a bidder having multiple quotes, only the cheapest according to specification will be considered. Furthermore a verification will be done to identify if bidders have multiple companies and are quoting (cover-quoting) for this bid. In such instances only the cheapest bid according to specification will be considered.

## 4. SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF THIS QUOTATION.

- 4.1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
- 4.2. Under no circumstances whatsoever may the quotation/bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
- 4.3. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
- 4.4. Quotation submitted must be complete in all respects.
- 4.5. Any alteration made by the bidder must be initialled.
- 4.6. Use of correcting fluid is prohibited
- 4.7. Quotation will be opened in public as soon as practicable after the closing time of quotation.
- 4.8. Where practical, prices are made public at the time of opening quotations.
- 4.9. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

### 5. SPECIAL INSTRUCTIONS REGARDING HAND DELIVERED QUOTATIONS

- 5.1. Quotation shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the quotation documents.
- 5.2. Each quotation shall be addressed in accordance with the directives in the quotation documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the quotation number and closing date indicated on the envelope. The envelope shall not contain documents relating to any quotation other than that shown on the envelope. If this provision is not complied with, such quotations/bids may be rejected as being invalid.
- 5.3. All quotations received in sealed envelopes with the relevant quotation numbers on the envelopes are kept unopened in safe custody until the closing time of the quotation/bids. Where, however, a quotation is received open, it shall be sealed. If it is received without a quotation/bid number on the envelope, it shall be opened, the quotation number ascertained, the envelope sealed and the quotation number written on the envelope.
- 5.4. A specific box is provided for the receipt of quotations, and no quotation found in any other box or elsewhere subsequent to the closing date and time of quotation will be considered.

- 5.5. No quotation/bid sent through the post will be considered if it is received after the closing date and time stipulated in the quotation documentation, and proof of posting will not be accepted as proof of delivery.
- 5.6. Quotation documents must not be included in packages containing samples. Such quotations may be rejected as being invalid.

#### 6. SAMPLES

- 6.1. In the case of the quote document stipulating that samples are required, the supplier will be informed in due course when samples should be provided to the institution. (This decreases the time of safety and storage risk that may be incurred by the respective institution). The bidders sample will be retained if such bidder wins the contract.
- (i) If a company/s who has not won the quote requires their samples, they must advise the institution in writing of such.
- (ii) If samples are not collected within three months of close of quote the institution reserves the right to dispose of them at their discretion.
- 6.2. Samples must be made available when requested in writing or if stipulated on the document.
- (i) If a Bidder fails to provide a sample of their product on offer for scrutiny against the set specification when requested, their offer will be rejected. All testing will be for the account of the bidder.

### 7. COMPULSORY SITE INSPECTION / BRIEFING SESSION

| 7.1.        | Bidders who fail to attend the compulsory meeting will be disqu                | alified from the evaluation process.  |
|-------------|--|---|
| (i)<br>(ii) | The institution has determined that a compulsory site meeting Date/ Time Place | take place  |
| Instit      | ution Stamp:   | Institution Site Inspection / briefing session Official Full Name: Signature: Date: |

### 8. STATEMENT OF SUPPLIES AND SERVICES

8.1. The contractor shall, when requested to do so, furnish particulars of supplies delivered or services executed. If he/she fails to do so, the Department may, without prejudice to any other rights which it may have, institute inquiries at the expense of the contractor to obtain the required particulars.

## 9. SUBMISSION AND COMPLETION OF SBD 6.1

9.1. Should a bidder wish to qualify for preference points they must complete a SBD 6.1 document. Failure by a bidder to provide all relevant information required, will result in such a bidder not being considered for preference point's allocation. The preferences applicable on the closing date will be utilized. Any changes after the closing date will not be considered for that particular quote.

# 10. TAX COMPLIANCE REQUIREMENTS

- 10.1. In the event that the tax compliance status has failed on CSD, it is the suppliers' responsibility to provide a SARS pin in order for the institution to validate the tax compliance status of the supplier.
- 10.2. In the event that the institution cannot validate the suppliers' tax clearance on SARS as well as the Central Suppliers Database, the quote will not be considered and passed over as non-compliant according to National Treasury Instruction Note 4 (a) 2016/17.

### 11. TAX INVOICE

- 11.1. A tax invoice shall be in the currency of the Republic of South Africa and shall contain the following particulars:
- (i) the name, address and registration number of the supplier;
- (ii) the name and address of the recipient;
- (iii) an individual serialized number and the date upon which the tax invoice is issued;
- (iv) a description and quantity or volume of the goods or services supplied;
- (v) the official department order number issued to the supplier;
- (vi) the value of the supply, the amount of tax charged;
- (vii) the words tax invoice in a prominent place.

### 12. PATENT RIGHTS

The supplier shall indemnify the KZN Department of Health (hear after known as the purchaser) against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the goods or any part thereof by the purchaser.

#### 13. PENALTIES

- 13.1. If at any time during the contract period, the service provider is unable to perform in a timely manner, the service provider must notify the institution in writing/email of the cause of and the duration of the delay. Upon receipt of the notification, the institution should evaluate the circumstances and, if deemed necessary, the institution may extend the service provider's time for performance.
- 13.2. In the event of delayed performance that extends beyond the delivery period, the institution is entitled to purchase commodities of a similar quantity and quality as a substitution for the outstanding commodities, without terminating the contract, as well as return commodities delivered at a later stage at the service provider's expense.
- 13.3. Alternatively, the institution may elect to terminate the contract and procure the necessary commodities in order to complete the contract. In the event that the contract is terminated the institution may claim damages from the service provider in the form of a penalty. The service provider's performance should be captured on the service provider database in order to determine whether or not the service provider should be awarded any contracts in the future.
- 13.4. If the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance.

### 14. TERMINATION FOR DEFAULT

- 14.1. The purchaser, without prejudice to any other remedy for breach of contract, by written notice of default sent to the supplier, may terminate this contract in whole or in part:
- (i) if the supplier fails to deliver any or all of the goods within the period(s) specified in the contract,
- ii) if the supplier fails to perform any other obligation(s) under the contract; or
- (iii) if the supplier, in the judgment of the purchaser, has engaged in corrupt or fraudulent practices in competing for or in executing the contract.
- 14.2. In the event the purchaser terminates the contract in whole or in part, the purchaser may procure, upon such terms and in such manner as it deems appropriate, goods, works or services similar to those undelivered, and the supplier shall be liable to the purchaser for any excess costs for such similar goods, works or services.
- 14.3. Where the purchaser terminates the contract in whole or in part, the purchaser may decide to impose a restriction penalty on the supplier by prohibiting such supplier from doing business with the public sector for a period not exceeding 10 years.

## 15. FAILURE TO COMPLY WITH ABOVE WILL RESULT IN YOUR QUOTE BEING PASSED OVER.

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

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

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

### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all quotes:
  - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.2 The value of this quote is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.
- 1.3 Points for this quote shall be awarded for:
  - (a) Price; and
  - (b) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this quote is allocated as follows:

| 3 |   | DOMES  |
|---|---|--------|
|   |   | PUINIS |
| 1 | PRICE   | 80     |
|   | B-BBEE STATUS LEVEL OF CONTRIBUTOR                | 20     |
| 1 | Total points for Price and B-BBEE must not exceed | 100    |

- 1,5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the quote, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a quote is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

- (a) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) "bid" means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) "EME" means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) "functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) "prices" includes all applicable taxes less all unconditional discounts;
- (h) "proof of B-BBEE status level of contributor" means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) "QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes:

#### 3. POINTS AWARDED FOR PRICE

## 3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

$$Ps = 80 \left( 1 - \frac{Pt - P\min}{P\min} \right) \text{Where}$$

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration
Pmin = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

| B-BBEE Status Level of Contributor | Number of points (80/20 system) |
|------------------------------------|---------------------------------|
| 1                                  | 20                              |
| 2                                  | 18                              |
| 3                                  | 14                              |
| 4                                  | 12                              |
| 5                                  | .8                              |
| 6                                  | 6                               |
| 7                                  | 4                               |
| 8                                  | 2                               |
| Non-compliant contributor          | 0                               |

|    | 1 |     |      |      |      |
|----|---|-----|------|------|------|
| ٠. |   | DID | DECL | ADAT | I/NI |

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:
- 6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1
- 6.1 B-BBEE Status Level of Contributor: = .......(maximum of 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

| 7. SUI   | 3-CONTRACTING                      |                       |                  |                                       |   |             | (Tick | applicable | box)   |    |  |
|----------|------------------------------------|-----------------------|------------------|---------------------------------------|---|-------------|-------|------------|--------|----|--|
| 7.1 V    | Vill any portion of the            | e contract be sub-c   | ontracted?       |                                       |   |             |       | YES        | 3.3.1. | NO |  |
| 7.1.1 If | yes, indicate:                     |                       |                  |                                       |   |             |       |            |        |    |  |
| i)       | What percentag                     | e of the contract w   | ill be subcontra | cted                                  |   |             | .%    |            |        |    |  |
| i        | ) The name of the                  |                       |                  | · · · · · · · · · · · · · · · · · · · | • | ,,,,,,,,,,, |       |            |        |    |  |
| i i      | <ul> <li>The B-BBEE sta</li> </ul> | atus level of the sul | o-contractor     |                                       |   |             |       |            |        |    |  |

Whether the sub-contractor is an EME or QSE

(Tick applicable box)

(Tick applicable box)

(V) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of VES NO

|          | Access to the control of |
|----------|--------------------------|
| EME<br>V | QSE<br>√                 |
|          |                          |
|          |                          |
|          |                          |
|          |                          |
|          | 14.11                    |
| 7754444  | 5.00                     |
|          | 1,7%,17                  |
|          |                          |
|          |                          |
|          |                          |
|          |                          |

| 9.  | DECLARATION WITH REGARD TO COMPANY/FIRM  |
|-----|--|
| 9.1 | Name of company/firm:  |
| 9.2 | VAT registration number:   |
| 9.3 | Company registration number:   |
| 9,4 | TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]  |
|     | Partnership/Joint Venture / Consortium One person business/sole propriety Close corporation Company (Pty) Limited  |
| 9.5 | DESCRIBE PRINCIPAL BUSINESS ACTIVITIES   |
| 9.6 | COMPANY CLASSIFICATION [TICK APPLICABLE BOX]  Manufacturer Supplier Professional service provider Other service providers, e.g. transporter, etc.  |
| 9.7 | Total number of years the company/firm has been in business:   |
| 9.8 | I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:                                       |
|     | i) The information furnished is true and correct;  |
|     | ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;  |
|     | iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;  |
|     | iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract<br>have not been fulfilled, the purchaser may, in addition to any other remedy it may have —   |
|     | (a) disqualify the person from the bidding process;  |
|     | (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;   |
|     | (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;   |
|     | (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors<br>who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ<br>of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been<br>applied; and |
|     | (e) forward the matter for criminal prosecution.   |
|     |  |
|     | WITNESSES  1. SIGNATURE(S) OF BIDDERS(S)  DATE:  |
|     | 2. ADDRESS.  |
|     |  |

| DEPARTMENT OF HEALTH  |
|---|
| Frank MCRET HOW   |
| GIANDARD GOOTE DOCUMENTATION SOFFET CHAIN MANAGEMENT OVER K50 000.00  |
| YOU ARE HEREBY INVITED TO QUOTE FOR REQUIREMENTS AT: NKANDLA HQSPITAL   |
| DATE ADVERTISED:  |
| FACSIMILE NUMBER: 035 833 0054 E-MAIL ADDRESS: nobunie.mdlalose@kzinnealth.gov.za   |
| PHYSICAL ADDRESS: 491 MBATHA LANE NKANDLA   |
| ZNQ NUMBER: 232/20/21   |
| DESCRIPTION: Supply and deliver patients linen and PPE  |
| CONTRACT PERIOD ONCE OFF VALIDITY PERIOD 60 Days SARS PIN   |
| CENTRAL SUPPLIER DATABASE REGISTRATION (CSD) NO.  |
| UNIQUE REGISTRATION REFERENCE   |
|   |
| DEPOSITED IN THE QUOTE BOX SITUATED AT (STREET ADDRESS)   |
|   |
|   |
| Bidders should ensure that quotes are delivered timeously to the correct address. If the quote is late, it will not be accepted for consideration.  |
| The quote box is open from 08:00 to 15:30.  |
| ALL QUOTES MUST BE SUBMITTED ON THE OFFICIAL FORMS (NOT TO BE RE-TYPED)   |
| THIS QUOTE IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. |
| THE FOLLOWING PARTICULARS MUST BE FURNISHED  (FAILURE TO DO SO WILL RESULT IN YOUR QUOTE BEING DISQUALIFIED)  |
| NAME OF BIDDER  |
| POSTAL ADDRESS  |
| STREET ADDRESS  |
| TELEPHONE NUMBER CODENUMBERFACSIMILE NUMBER CODENUMBER  |
| CELLPHONE NUMBER  |
| E-MAIL ADDRESS  |
| VAT REGISTRATION NUMBER (If VAT vendor)   |
| HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1)  YES NO  |
| [A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMES& QSES) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]  |

|  |   | I hereby agree to all terms and conditions]  CH THIS QUOTE IS SIGNED   | ,,                 |                             |               | • • • • |
|--|---|--|--------------------|-----------------------------|---------------|---------|
| tem No                                 | Quantity                                | Description  | Brand & model      | Country of manufacture      | Prìce<br>R    | -       |
|  |   | SUPPLY AND DELIVER   |                    |                             |               | Ť       |
|  |   | patients linen and PPE   |                    |                             |               |         |
|  |   | SPECIFICFATION ATTACHED  |                    |                             |               | +       |
|  |   |  |                    |                             |               | 1       |
| 1 4 4 1 4 1                            |   |  |                    |                             |               | ł       |
|  |   |  | terres to train    |                             |               | 1       |
|  | . ' '                                   |  |                    |                             |               | 4       |
|  |   |  |                    |                             | 1.1.          | +       |
|  |   |  |                    |                             |               | -       |
|  |   |  |                    |                             |               | -       |
| <mark>Tanakana</mark><br>Tan           |   |  |                    |                             |               | 1       |
|  |   | entre de la companya |                    |                             |               | +       |
|  |   |  |                    |                             |               | 1       |
| ······································ |   |  |                    |                             |               | +       |
|  |   |  |                    |                             | 3 1 1 1 1 1 1 | 1       |
|  |   |  |                    |                             |               |         |
|  |   |  |                    |                             |               |         |
|  |   |  |                    |                             |               | +       |
|  | 1 |  |                    |                             |               | +       |
|  |   |  |                    |                             |               | 1       |
| ALLIE ADI                              | TAV O                                   | 15% (Only if VAT Vendor)   |                    |                             |               | -       |
| *** *                                  |   | RICE (VALIDITY PERIOD 60 Days)   |                    |                             |               | +       |
| * ** *******                           |   |  |                    |                             |               | 1       |
|  |   |  |                    | S. / S.A.B.S. Specification | on?           | -       |
| The Price F                            | irm?                                    | State Delivery Period I  | E.G. E.G. 1day, 1v | veek                        |               |         |

## **DECLARATION OF INTEREST**

| blood relationship                                      | , may make an offer or offers in   | terms of this invitation   | n to quote (include  | s a price quotation, adver   | rtised competitive quote  |
|---|--|--|--|--|---|
| employed by the   | state, or to persons connected v   | vith or related to ther  | n, it is required that   | at the bidder or his/her a   | uthorised representative  |
|   |  | raujudicating aumon  | iy witere-   |  |   |
| the legal perso<br>evaluation and                       | on on whose behalf the bidding or adjudication of the quote(s), or   | or where it is known t   | hat such a relation  | ship exists between the  | person or persons for or  |
|   | · · · · · · · · · · · · · · · · · · ·  |  |  | •  | quoto.  |
| \$ +  |  |  |  |  |   |
| Full Name of bide                                       | der/representative   | 2,4,   | Company Regist   | ration Number:   |   |
| Position occupied                                       | in the Company (director, trueto   | 2.5.   | VAT Projection   | Umber:   |   |
|   |  |  | VAT Registration   | Number   | ***************************************   |
| The names of all  | directore / trustage / charaboldo  | re I mombare thair in  | dividual idantitu n  | imbora tov raforansa nur   | mbara and it analizable   |
| employee / persa  | I numbers must be indicated in a   | aragraph 3 below.  | iorvioual identity fit   |  | mbers and, il applicable,<br>CK APPLICABLE]   |
| Are you or any pe                                       | erson connected with the bidder j  | presently employed b   | y the state?   |  | YES NO  |
| 1. If so, furnish the f                                 | ollowing particulars:  |  |  |  |   |
|   |  |  |  |  |   |
| Name of state inst                                      | itution at which you or the person   | n connected to the bid   | lder is employed:  | ***************************************  | ***************************************   |
| Position occupied                                       | in the state institution:  |  | Any other part   | iculars:   |   |
| <ol> <li>If you are present to the public as</li> </ol> | ently employed by the state, did y   | ou obtain the approp   | riate authority to u   | ndertake remunerative w  |   |
|   |  | the guete decument   | ,  |  | YES NO  |
|   |  |  |  | of the quote )   |   |
| 2.2. If no  | furnish reasons for non-submis-  | sion of such proof   | ine disquaniication  | or the quote./   | A STATE OF STATE  |
| Did you or your s                                       | pouse, or any of the company's   | directors / trustees / s   | shareholders / mer   | obers or their snouses co  | anduct husiness with the  |
| state in the previo                                     | ous twelve months?   |  |  |  | YES NO  |
| l. If so, furnish pa                                    | rticulars:   |  |  | **********   | The Telephone and August Annual   |
| . Do you, or any pe                                     | erson connected with the bidder,   | have any relationship  | (family, friend, oth   | er) with a person employ   | ed by the state and who   |
|   |  |  |  |  | YES NO  |
| 1. If so, furnish pa                                    | rticulars:   |  |  |  |   |
| . Are you, or any pe                                    | erson connected with the bidder,   | aware of any relation  | ship (family, friend   | , other) between any othe  |   |
| 1 If so furnish na                                      | state who may be involved with t   | ne evaluation and or   | aujudication of this   | quote?   | YES NO  |
| . Do vou or any of t                                    | he directors / trustees / sharehold  | ters / members of the  | company have an  | vinterest in any other rela  | ated companies whether  |
|   |  |  | company navo an  | y intorcise in any other refe  | YES NO  |
|   |  |  |  |  | 1201 1101 3   |
| 医电影 医二甲基苯甲基甲二甲基甲基甲基                                     |  |  |  |  |   |
| The Department (<br>to ensure that the                  | Of Health will validate <b>details of</b> or it is details are up-to-date and veri   | <b>lirectors / trustees /</b> fied on CSD. If the D  | epartment cannot   | validate the information   | on CSD, the quote will  |
|   |  | ant according to Natio   | onal Treasury Instr  | ucaon Note 4 (a) 2016/17   |   |
| TE LIMIDEDGION  | IED (MAME)   |  |  | CHIND DISCOURT A TOTAL   | HE DIFORM FROM  |
|   |  |  |  | CERTIFY THAT I   | HE INFORMATION  |
| CCEPT THAT TH<br>OVE TO BE FAL                          | IE STATE MAY REJECT TI<br>SE.  | HE QUOTE OR A  | CT AGAINST M   | E SHOULD THIS DE   | CLARATION   |
|   |  |  |  |  |   |
|   | blood relationship limited quote or premployed by the declare his/her potential the bidder is end the legal person evaluation and on whose behavior of the legal person evaluation and on whose behavior of the legal person evaluation and on whose behavior of the legal person evaluation and on whose behavior of the legal person evaluation occupied.  The names of all employee / person / Name of person / Name of state inst. Position occupied 2. If you are preson in the public seed. If you are preson in the public seed. If you are preson in the public seed. If you or your so state in the previous for the provious state in the previous of the seed of the legal the seed of the legal th | blood relationship, may make an offer or offers in limited quote or proposal). In view of possible alle employed by the state, or to persons connected we declare his/her position in relation to the evaluating the bidder is employed by the state; and/or the legal person on whose behalf the bidding of evaluation and or adjudication of the quote(s), on whose behalf the declarant acts and persons. In order to give effect to the above, the following question occupied in the Company (director, trustee Identity Number:  Position occupied in the Company (director, trustee Position occupied in the Company (director, trustee In part you or any person connected with the bidder of the part you or any person connected with the bidder of the part you are presently employed by the state, did you find the public sector?  2. If you are presently employed by the state, did you in the public sector?  2.1. If yes, did you attach proof of such authority to the proof of such authority, where apply the state in the previous twelve months?  1. If so, furnish particulars:  2. Did you or your spouse, or any of the company's of state in the previous twelve months?  1. If so, furnish particulars:  2. Do you, or any person connected with the bidder, may be involved with the evaluation and or adjudic the proof of such authority, where apply the proof of such authority, where apply the state who may be involved with the bidder, may be involved with the evaluation and or adjudic the proof of the directors / trustees / sharehold or not they are bidding for this contract?  1. If so, furnish particulars:  2. Do you or any of the directors / trustees / sharehold or not they are bidding for this contract?  3. If so, furnish particulars:  4. Do you or any of the directors / trustees / sharehold or not they are bidding for this contract?  3. If so, furnish particulars:  4. Do you or any of the directors / trustees / sharehold or not they are bidding for this contract?  4. If so, furnish particulars:  5. Do you or any of the directors / trustees / sh | blood relationship, may make an offer or offers in terms of this invitation limited quote or proposal). In view of possible allegations of favouritism employed by the state, or to persons connected with or related to the declare his/her position in relation to the evaluating/adjudicating authorithe bidder is employed by the state; and/or the legal person on whose behalf the bidding document is signed, evaluation and or adjudication of the quote(s), or where it is known on whose behalf the declarant acts and persons who are involved with order to give effect to the above, the following questionnaire must be rull Name of bidder/representative | blood relationship, may make an offer or offers in terms of this invitation to quote (include limited quote or proposal). In view of possible allegations of favorutium, should the result employed by the state, or to persons connected with or related to them, it is required the declare his/her position in relation to the evaluating/adjudicating authority wherethe bidder is employed by the state, and/or the legal person on whose behalf the bidding document is signed, has a relationship evaluation and or adjudication of the quote(s), or where it is known that such a relation on whose behalf the declarant acts and persons who are involved with the evaluation and in order to give effect to the above, the following questionnaire must be completed and sulting the properties of the above, the following questionnaire must be completed and sulting the summary of the declarant acts and persons who are involved with the evaluation at Full Name of bidder/representative | 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 w evaluation and or adjudication of the quote(s), or where it is known that such a relationship exists between the on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the or person to make the declarant acts and person whose the following person whose the following person whose indicated in paragraph 3 below.  The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numeration of person of unribers must be indicated in paragraph 3 below.  The names of all directors / trustee / shareholders / members.  Name of state institution at which you or the person connected to the bidder is employed.  Name of state institution at which you or the person connected to the bidder is employed.  Position occupied in the state institution.  If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative we in the public sector?  If yes, did you attach proof of such authority to the quote document?  Failure to submit proof of such authority, where applicable, may result in the disqualification of the quote.)  If you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses or state in the provious twelve months?  If so, furnish particulars.  Do you, or any person connected with the bidder, have any relationship (family, friend, other) between any |

Signature

provincial legislature; national Assembly or the national Council of provinces; or

Date

e) Parliament.

Position

<sup>P'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;</sup> 

<sup>2°</sup> Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

### SPECIAL CONTRACT CONDITIONS OF QUOTATIONS

### 1. AMENDMENT OF CONTRACT

1.1. Any amendment to or renunciation of the provisions of the contract shall at all times be done in writing and shall be signed by both parties.

#### 2. CHANGE OF ADDRESS

2.1. Bidders must advise the Department of Health (institution where the offer was submitted) should their address (domicilium citandi et executandi) details change from the time of bidding to the expiry of the contract.

### 3. GENERAL CONDITIONS ATTACHED TO THIS QUOTATION

- 3.1. The institution is under no obligation to accept the lowest or any quote.
- 3.2. The price quoted must include VAT (if VAT vendor). However, it must be noted that the department reserves the right to evaluate all quotations excluding VAT as some bidders may not be VAT vendors.
- 3.3. The bidder must ensure the correctness & validity of quote:
  - (i) that the price(s), rate(s) & preference quoted cover all for the work/item (s) & accept that any mistakes regarding the price (s) & calculations will be at the bidder's risk
- 3.4. The bidder must accept full responsibility for the proper execution & fulfilment of all obligations conditions devolving on under this agreement, as the Principal (s) liable for the due fulfilment of this contract.
- 3.5. This quotation will be evaluated based on the 80/20 points system, specification & correctness of information. All required documentation must be completed in full and submitted.
- 3.6. Offers must comply strictly with the specification.
- 3.7. Only offers that meet or are greater than the specification will be considered.
- 3.8. Late quotes will not be considered.
- 3.9. Expired product/s will not be accepted. All products supplied must be valid for a minimum period of six months,
- 3.10. A bidder not registered on the Central Suppliers Database or verification has failed will not be considered,
- 3.11. All delivery costs must be included in the guote price, for delivery at the prescribed destination.
- 3.12. Only firm prices will be accepted. Such prices must remain firm for the contract period. Non-firm prices (including rates of exchange variations) will not be considered.
- 3.13. In cases where different delivery points influence the pricing, a separate pricing schedule must be submitted for each delivery point.
- 3.14. In the event of a bidder having multiple quotes, only the cheapest according to specification will be considered. Furthermore a verification will be done to identify if bidders have multiple companies and are quoting (cover-quoting) for this bid. In such instances only the cheapest bid according to specification will be considered.

## 4. SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF THIS QUOTATION.

- 4.1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and vice versa and with words importing the masculine gender shall include the feminine and the neuter.
- 4.2. Under no circumstances whatsoever may the quotation/bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
- 4.3. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
- 4.4. Quotation submitted must be complete in all respects.
- 4.5. Any alteration made by the bidder must be initialled.
- 4.6. Use of correcting fluid is prohibited
- 4.7. Quotation will be opened in public as soon as practicable after the closing time of quotation.
- 4.8. Where practical, prices are made public at the time of opening quotations.
- 4.9. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

## 5. SPECIAL INSTRUCTIONS REGARDING HAND DELIVERED QUOTATIONS

- 5.1. Quotation shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the quotation documents,
- 5.2. Each quotation shall be addressed in accordance with the directives in the quotation documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the quotation number and closing date indicated on the envelope. The envelope shall not contain documents relating to any quotation other than that shown on the envelope. If this provision is not complied with, such quotations/bids may be rejected as being invalid.
- 5.3. All quotations received in sealed envelopes with the relevant quotation numbers on the envelopes are kept unopened in safe custody until the closing time of the quotation/bids. Where, however, a quotation is received open, it shall be sealed. If it is received without a quotation/bid number on the envelope, it shall be opened, the quotation number ascertained, the envelope sealed and the quotation number written on the envelope.
- 5.4. A specific box is provided for the receipt of quotations, and no quotation found in any other box or elsewhere subsequent to the closing date and time of quotation will be considered.

- 5.5. No quotation/bid sent through the post will be considered if it is received after the closing date and time stipulated in the quotation documentation, and proof of posting will not be accepted as proof of delivery.
- 5.6. Quotation documents must not be included in packages containing samples. Such quotations may be rejected as being invalid.

#### SAMPLES

- 6.1. In the case of the quote document stipulating that samples are required, the supplier will be informed in due course when samples should be provided to the institution. (This decreases the time of safety and storage risk that may be incurred by the respective institution). The bidders sample will be retained if such bidder wins the contract.
- (i) If a company/s who has not won the quote requires their samples, they must advise the institution in writing of such.
- (ii) If samples are not collected within three months of close of quote the institution reserves the right to dispose of them at their discretion.
- 6.2. Samples must be made available when requested in writing or if stipulated on the document.
- (i) If a Bidder fails to provide a sample of their product on offer for scrutiny against the set specification when requested, their offer will be rejected. All testing will be for the account of the bidder.

## 7. COMPULSORY SITE INSPECTION / BRIEFING SESSION

| 7.1.        | Bidders who fail to attend the compulsory meeting will be disqu                 | alified from the evalu | ration process.                     |  |
|-------------|---|------------------------|-------------------------------------|--|
| (i)<br>(ii) | The institution has determined that a compulsory site meeting Date// Time Place | take                   | e place                             |  |
| Instit      | ution Stamp:  | Institution Site Ins   | pection / briefing session Official |  |
|             |   | Full Name:             |                                     |  |
|             |   | Signature:             |                                     |  |
|             |   | Date:                  |                                     |  |

### 8. STATEMENT OF SUPPLIES AND SERVICES

8.1. The contractor shall, when requested to do so, furnish particulars of supplies delivered or services executed. If he/she fails to do so, the Department may, without prejudice to any other rights which it may have, institute inquiries at the expense of the contractor to obtain the required particulars.

## 9. SUBMISSION AND COMPLETION OF SBD 6.1

9.1. Should a bidder wish to qualify for preference points they must complete a SBD 6.1 document. Failure by a bidder to provide all relevant information required, will result in such a bidder not being considered for preference point's allocation. The preferences applicable on the closing date will be utilized. Any changes after the closing date will not be considered for that particular quote.

## 10. TAX COMPLIANCE REQUIREMENTS

- 10.1. In the event that the tax compliance status has failed on CSD, it is the suppliers' responsibility to provide a SARS pin in order for the institution to validate the tax compliance status of the supplier.
- 10.2. In the event that the institution cannot validate the suppliers' tax clearance on SARS as well as the Central Suppliers Database, the quote will not be considered and passed over as non-compliant according to National Treasury Instruction Note 4 (a) 2016/17.

## 11. TAX INVOICE

- 11.1. A tax invoice shall be in the currency of the Republic of South Africa and shall contain the following particulars:
- (i) the name, address and registration number of the supplier;
- (ii) the name and address of the recipient;
- (iii) an individual serialized number and the date upon which the tax invoice is issued;
- (iv) a description and quantity or volume of the goods or services supplied;
- (v) the official department order number issued to the supplier;
- (vi) the value of the supply, the amount of tax charged;
- (vii) the words tax invoice in a prominent place.

### 12. PATENT RIGHTS

The supplier shall indemnify the KZN Department of Health (hear after known as the purchaser) against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the goods or any part thereof by the purchaser.

#### 13. PENALTIES

- 13.1. If at any time during the contract period, the service provider is unable to perform in a timely manner, the service provider must notify the institution in writing/email of the cause of and the duration of the delay. Upon receipt of the notification, the institution should evaluate the circumstances and, if deemed necessary, the institution may extend the service provider's time for performance.
- 13.2. In the event of delayed performance that extends beyond the delivery period, the institution is entitled to purchase commodities of a similar quantity and quality as a substitution for the outstanding commodities, without terminating the contract, as well as return commodities delivered at a later stage at the service provider's expense.
- 13.3. Alternatively, the institution may elect to terminate the contract and procure the necessary commodities in order to complete the contract. In the event that the contract is terminated the institution may claim damages from the service provider in the form of a penalty. The service provider's performance should be captured on the service provider database in order to determine whether or not the service provider should be awarded any contracts in the future.
- 13.4. If the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance.

### 14. TERMINATION FOR DEFAULT

- 14.1. The purchaser, without prejudice to any other remedy for breach of contract, by written notice of default sent to the supplier, may terminate this contract in whole or in part:
- (i) if the supplier fails to deliver any or all of the goods within the period(s) specified in the contract,
- (ii) if the supplier fails to perform any other obligation(s) under the contract; or
- (iii) if the supplier, in the judgment of the purchaser, has engaged in corrupt or fraudulent practices in competing for or in executing the contract.
- 14.2. In the event the purchaser terminates the contract in whole or in part, the purchaser may procure, upon such terms and in such manner as it deems appropriate, goods, works or services similar to those undelivered, and the supplier shall be liable to the purchaser for any excess costs for such similar goods, works or services.
- 14.3. Where the purchaser terminates the contract in whole or in part, the purchaser may decide to impose a restriction penalty on the supplier by prohibiting such supplier from doing business with the public sector for a period not exceeding 10 years.

## 15. FAILURE TO COMPLY WITH ABOVE WILL RESULT IN YOUR QUOTE BEING PASSED OVER.

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

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

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

### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all quotes:
  - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.2 The value of this quote is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.
- 1.3 Points for this quote shall be awarded for:
  - (a) Price; and
  - (b) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this quote is allocated as follows:

|   | POINTS |
|---|--------|
| PRICE   | 80     |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR                | 20     |
| Total points for Price and B-BBEE must not exceed | 100    |

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the quote, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- The purchaser reserves the right to require of a bidder, either before a quote is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

#### 2. DEFINITIONS

- (a) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) "bid" means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) "Broad-Based Black Economic Empowerment Act," means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) "EME" means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) "functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) "prices" includes all applicable taxes less all unconditional discounts;
- (h) "proof of B-BBEE status level of contributor" means;
  - B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- "QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

# 3. POINTS AWARDED FOR PRICE

## 3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

$$Ps = 80 \left( 1 - \frac{Pt - P \min}{P \min} \right)$$
Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration Pmin = Price of lowest acceptable bid

## 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

| B-BBEE Status Leve | l of Contributor | Number of points (80 | /20 system) |
|--------------------|------------------|----------------------|-------------|
| 1                  |                  | 20                   |             |
| 2                  |                  | 18                   | 11111       |
| 3                  |                  | 14                   |             |
| 4                  |                  | 12                   | Talled Line |
| 5                  |                  | 8                    |             |
| 6                  |                  | 6                    | 1. 3. 4. 1. |
| 7                  |                  | 4                    | 11.5        |
| 8                  |                  | 2                    | ** * * .    |
| Non-compliant of   | contributor      | 0                    |             |

- 5. BID DECLARATION
- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:
- 6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1
- 6.1 B-BBEE Status Level of Contributor: = .......(maximum of 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of R-RBFF status level of contributor

| proof | B-BBEE status level of contributor.  |       |
|-------|--|-------|
| 7     | SUB-CONTRACTING (Tick applicable box)  | i, in |
| 7.1   | Will any portion of the contract be sub-contracted?  | 1.    |
| 7.1.1 | If yes, indicate:  |       |
|       | i) What percentage of the contract will be subcontracted%  |       |
|       | ii) The name of the sub-contractor.  |       |
|       | iii) The 8-BBEE status level of the sub-contractor   |       |
| 8.    | Whether the sub-contractor is an EME or QSE (Tick applicable box)                                    |       |
|       | iv) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of YES NO |       |
|       | Preferential Procurement Regulations,2017:   |       |

| Designated Group: An EME or QSE which is at last 51% owned by:    | EME<br>√   | QSE<br>√                                |
|---|--|---|
| Black people  |  |   |
| Black people who are youth  |  |   |
| Black people who are women  |  | 5542.25                                 |
| Black people with disabilities                                    |  | 1.1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |
| Black people living in rural or underdeveloped areas or townships | 19.30.30.20.30.30.20.20.20.20.20.20.20.20.20.20.20.20.20 |   |
| Cooperative owned by black people                                 |  |   |
| Black people who are military veterans                            |  |   |
| OR  |  |   |
| Any EME   |  |   |
| Any QSE   | :  |   |