

 **INVITATION TO QUOTE BEY SCM 361**

**APPOINTMENT OF SERVICE PROVIDER TO PROVIDE TRAINING: OCCUPATIONALLY DIRECTED EDUCATION, TRAINING AND DEVELOPMENT PRACTICES**

Quotes are requested from registered service providers for:

National Diploma: Occupationally Directed Education, Training and Development Practices Training

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| **SOUTH AFRICAN QUALIFICATIONS AUTHORITY**  |

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| **REGISTERED QUALIFICATION:**  |

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| **National Certificate: Occupationally Directed Education, Training and Development Practices**  |

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| **SAQA QUAL ID** | **QUALIFICATION TITLE** |
| 50334  | National Certificate: Occupationally Directed Education Training and Development Practices  |
| **ORIGINATOR** |
| SGB Occupationally-directed ETD Practitioners  |
| **PRIMARY OR DELEGATED QUALITY ASSURANCE FUNCTIONARY** | **NQF SUB-FRAMEWORK** |
| ETDP SETA - Education, Training and Development Practices Sector Education and Training Authority  | OQSF - Occupational Qualifications Sub-framework  |
| **QUALIFICATION TYPE** | **FIELD** | **SUBFIELD** |
| National Certificate  | Field 05 - Education, Training and Development  | Adult Learning  |
| **ABET BAND** | **MINIMUM CREDITS** | **PRE-2009 NQF LEVEL** | **NQF LEVEL** | **QUAL CLASS** |
| Undefined  | 120  | Level 5  | Level TBA: Pre-2009 was L5  | Regular-Unit Stds Based  |
| **REGISTRATION STATUS** | **SAQA DECISION NUMBER** | **REGISTRATION START DATE** | **REGISTRATION END DATE** |
| Reregistered  | SAQA 06120/18  | 2018-07-01  | 2023-06-30  |
| **LAST DATE FOR ENROLMENT** | **LAST DATE FOR ACHIEVEMENT** |
| 2024-06-30   | 2027-06-30   |

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| **PURPOSE AND RATIONALE OF THE QUALIFICATION**  |

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| Purpose:This qualification is for those who want to build on a FETC in any field to enter the field of ODETD as a potential career, and have little or no previous exposure to ETD. The qualification will also be valuable for those who may have been practising within the field, but without formal recognition. This qualification will be useful for: Learning facilitators. Assessors. Learner and learning supporters. Skills Development Facilitators.This qualification will provide practitioners with the general ETD skills required at NQF level 5 across five key ETD roles, with the opportunity to specialise further in one of the following four roles: Design and develop learning interventions. Facilitate learning. Design and conduct assessments. Facilitate skills development.Practitioners will generally carry out their role within the context of: Given Quality Assurance policies, procedures and processes. A guided and supported learning environment.Rationale:The development of skills within and for the workplace is a priority within South Africa, as supported by legislation, national policies and strategies. Much of the needed skills development is carried out by people who have knowledge and skills within their area of expertise, but lack the required skills in relation to ETD. Many of the skills development objectives, nationally and within companies and organisations, are met through the efforts of ETD practitioners operating at NQF Level 5, and this certificate addresses the key competencies of such practitioners.This qualification will meet the need of those who wish to progress beyond the FETC ODETD, or who wish to enter the field of ETD for the first time. The certificate will also help to increase the employment prospects of ETD practitioners, while helping to ensure quality and competence within the ETD field.This qualification will provide a means to recognise ODETD practise at level 5 across five key ETD roles in a generalist capacity, with particular application possible in at least one role. Practitioners who wish to extend the skills in ETD to cover further ETD roles should select the Diploma ODETD, Level 5.  |

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| **LEARNING ASSUMED TO BE IN PLACE AND RECOGNITION OF PRIOR LEARNING**  |

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| It is assumed that practitioners have expertise in the subject/occupation field in which they intend to provide education, training and development, at a level required to engage meaningfully in ETD within that field.It is also assumed that learners working towards this qualification hold a FETC or equivalent. Further learning assumptions are specified within the associated unit standards where required.Recognition of Prior Learning:This qualification can be achieved wholly or in part through Recognition of Prior Learning in terms of the defined exit level outcomes and/or individual unit standards.Evidence can be presented in various ways, including international and/or previous local qualifications, products, reports, testimonials mentioning functions performed, work records, portfolios, videos of practice and performance records.All such evidence will be judged in accordance with the general principles of assessment and the requirements for integrated assessment.Access to the qualification:Access to this qualification is open bearing in mind the Learning Assumed to be in place.  |

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| **RECOGNISE PREVIOUS LEARNING?**  |

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| **QUALIFICATION RULES**  |

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|  Fundamental: all 10 credits for Communications. Core: all 61 Core credits. Elective: any 49 of the 116 Elective credits. Learners are urged to focus on all the Electives from at least one complete Exit Level Outcome and make up the rest of the credits from the Elective unit standards associated with the remaining Exit Level Outcomes.  |

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| **EXIT LEVEL OUTCOMES**  |

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| 1. Communicate in a variety of ETD settings.2. Design and develop learning programmes and processes.3. Facilitate and evaluate learning.4. Engage in and promote assessment practices.5. Provide learning support to learners and organisations.6. Conduct skills development facilitation.Critical Cross-Field Outcomes:This qualification addresses the following Critical Cross-Field Outcomes: Identifying and solving problems in relation to designing and organising learning opportunities and in relation to learner's difficulties within the ETD context. Working effectively with others as a member of ETD teams in the analysis, design and delivery of ETD. Organising and managing oneself and one's activities responsibly and effectively when preparing oneself, preparing learning resources and setting up the learning environment. Collecting, analysing, organising and critically evaluating information about learners, learning needs, learning resources, organisational requirements and national ETD strategies. Communicating effectively using visual, mathematical and/or language skills when presenting information to learners and discussing the subject matter. Using science and technology effectively and critically, showing responsibility towards the environment and health of others, mainly in the application of occupation-related technology, but through the appropriate use of ETD-related technology. Demonstrating an understanding of the world as a set of related systems, and in particular through the linking of ETD and practice within the occupational field.Learning programmes directed towards this qualification will also contribute to the full personal development of each learner and the social and economic development of the society at large, by making individuals aware of the importance of: Reflecting on and exploring a variety of strategies to learn more effectively. Participating as responsible citizens in the life of local, national and global communities. Being culturally and aesthetically sensitive across a range of social contexts. Exploring education and career opportunities; and developing entrepreneurial opportunities.  |

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| **ASSOCIATED ASSESSMENT CRITERIA**  |

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| The purpose of the qualification is achieved via demonstration of competence in terms of the exit level outcomes, which in turn are a function of the associated unit standards. The unit standards associated with each exit level outcome form a coherent cluster, thus facilitating integrated assessment. The manner in which the unit standards have been clustered is outlined in the section on integrated assessment. Assessment criteria are provided for each exit level outcome mainly to address the need for evidence of integration of competencies.1: Communication is carried out using media appropriate to the audience and setting. Communication of facts, concepts, ideas and principles related to specific learning areas is clear and consistent with the requirements of the learning area.2: Training needs are clearly defined in terms of outcomes, and are linked to performance requirements on the job. Learning outcomes are aligned with given standards, including unit standards, assessment standards, qualifications or job requirements.Note: If learners choose this role as their one specialisation area, then the following criteria will also apply: Methodology used is consistent with the outcomes-based approach. The design meets target audience needs, is appropriate to the subject matter and expected facilitator, and takes into account results from previous assessments of learners. Approaches used comply with adult learning principles and are suitable for achieving the defined outcomes. The design includes evaluation strategies capable of revealing the value of programmes or interventions. Learning and assessment design are compatible. Presentation of materials is fit-for-purpose.3: Preparation is sufficient to ensure all resources and arrangements are in place and the learning site is fit-for-purpose. Formal plans and structures are implemented according to plans, using appropriate methodologies and in a manner that achieves the learning objectives. Facilitation is professional and ensures the physical and psychological safety of the learners. Problems are solved appropriately using a range of techniques. Facilitation provides for application in the workplace. The facilitation approach creates opportunities for assessment. Facilitation is self-monitored and behaviour is modified to address weaknesses or difficulties.4: Assesses are adequately supported, prepared and assisted in assessment and/or RPL processes, without compromising the assessment process or results. Assessment practices are in line with the principles of outcomes-based assessment and maximise opportunities for integrated assessment. Assessment decisions are reliable and relevant to pre-determined outcomes. Feedback is relevant and is given in a constructive manner. Assessment results are used to improve learning design and facilitation.Note: If learners choose this role as their one specialisation area, then the following criteria will also apply: Assessment instruments designed are fit-for-purpose and facilitate the integration of assessment in learning and work environments. Moderation practises ensure the fairness and reliability of assessment results while contributing to improved assessment practices.5: Learners requiring support are identified proactively and sensitively. Support is given in a manner that enables learners to define objectives, clarify issues, help manage expectations and identify learning path and opportunities. Support assists learners to identify and understand assessment opportunities, processes and benefits, including the nature and benefits of RPL. Support ensures learners experience the maximum benefit from learning and assessment, and helps them prepare for and cope with learning and assessment. Barriers to learning are identified and problems are solved cooperatively within given frameworks. Referrals are made as required. Support helps to create a safe learning environment and promotes objectives of learning and the principle of life-long learning. Advice is helpful, realistic, relevant, valid, impartial and based on learner needs.6: Information and advice on skills development issues is consistent with current skills development practices and requirements. Information and advice on skills development issues is in line with the needs of the organisation.Note: If learners choose this role as their one specialisation area, then the following criteria will also apply: Skills development plans address individual learning needs and are aligned with organisational strategic objectives. Learning is promoted in line with individual and organisational needs, using appropriate and effective communication techniques. Records are clear, accessible, accurate and up to date. ETD interventions are coordinated in line with the organisational skills development plan.Integrated assessment:Evidence of integration will be gained by designing and conducting assessments that ensure the unit standards are assessed in clusters linked to each exit level outcome as identified below. Assessors are to be guided by the detailed specifications indicated in each of the identified unit standards, and further guided by the assessment criteria specified for each exit level outcome, all within the context of an active ETD environment, dealing with divergent and random demands related to ETD.Assessors should note that evidence of integration may be presented by learners when being assessed against the unit standards - thus there should not necessarily be separate assessments for each unit standard and then further assessment for integration at exit level outcome level. Well designed assessments, including formative and summative, should make it possible to gain evidence against the requirements of each unit standard while at the same time gaining evidence of integration at exit level outcome level.For the purposes of integration, assessment should be guided by the following relationships between each exit level outcome and the associated unit standards, taking into account the qualification rules that urge learners to complete the electives for one exit level outcome, and make up the rest from the other electives as learners wish: Exit Level Outcome 2:> Core Unit Standards:> Define target audience profiles and skills gaps.> Elective Unit Standards:> Develop outcomes-based learning programmes.> Evaluate and promote ETD providers, services and products for organisational use.> Devise interventions for learners who have special needs.> Design outcomes-based learning programmes. Exit Level Outcome 3:> Core Unit Standards:> Facilitate learning using a variety of given methodologies.> Evaluate a learning intervention using given evaluation instruments.> Demonstrate understanding of the outcomes-based education and training approach within the context of a National Qualifications Framework.> Elective Unit Standards:> Demonstrate understanding of the concept of human rights and democracy and its application in society.> Facilitate the transfer and application of learning in the workplace.> Identify and respond to learners with special needs and barriers to learning. Exit Level Outcome 4:> Core Unit Standards:> Conduct outcomes-based assessments.> Elective Unit Standards:> Design and develop outcomes-based assessments.> Conduct moderation of outcomes-based assessments. Exit Level Outcome 5:> Core Unit Standards:> Assist and support learners to manage their learning experiences.> Guide learners about their learning, assessment and recognition opportunities. Exit Level Outcome 6:> Core Unit Standards:> Provide information and advice regarding skills development and related issues.> Elective Unit Standards:> Conduct skills development administration.> Promote a learning culture in an organisation.> Develop an organisational training and development plan.> Coordinate planned skills development interventions in an organisation.> Conduct an analysis to determine outcomes of learning for SD and other purposes.Assessment should be in accordance with the following general and specific principles: The initial assessment activities should focus on gathering evidence in terms of the exit level outcomes and the main outcomes expressed in the titles of the unit standards to ensure assessment is integrated rather than fragmented. Where assessment at title level is unmanageable, then the assessment can focus on each specific outcome, or groups of specific outcomes. Take special note of the need for integrated assessment. Evidence must be gathered across the entire range specified in each unit standard, as applicable. Assessment activities should be as close to the real performance as possible, and where simulations or role-plays are used, there should be supporting evidence to prove that the candidate is able to perform in the real situation. All assessments should be conducted in accordance with the following universally accepted principles of assessment:> Use appropriate, fair and manageable methods that are integrated into real work-related or learning situations.> Judge evidence on the basis of its validity, currency, authenticity and sufficiency.> Ensure assessment processes are systematic, open and consistent.  |

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| **INTERNATIONAL COMPARABILITY**  |

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| International qualifications were examined to ensure that the qualification structure and unit standards in the NC ODETD L5 are comparable in terms of level, scope and competencies covered. Qualifications and/or programmes from a West African training provider, Singapore, the United Kingdom, United States of America, Australia and New Zealand were selected based on proven best practice within the field of Education and Training. The findings regarding comparisons are as follows: West Africa:The NC ODETD L5 compares most favourably with a West African Train the Trainer programme, run by a training provider called AMWA. The key exit level outcomes and associated units standards correlate well with the West African counterparts as revealed below. The duplication of certain outcomes against the SA qualification is due to the fact that in the SA qualification separates out assessment and evaluation whereas in the West African certificate they are combined. The West African Certificate does not address the competencies related to learner support as covered by the NC ODETD L5.> NC ODETD L5:> Design and develop learning programmes and processes.> AMWA - West Africa Training of Trainers Certificate:> Assess training needs.> Set training aims and objectives.> Structure, plan and budget for a training program.> Plan the course content.> NC ODETD L5:> Facilitate and evaluate learning.> AMWA - West Africa Training of Trainers Certificate:> Apply an understanding of the adult learning process and group dynamics.> Understand the role and task of the trainer.> Demonstrate knowledge of different training techniques and training aids.> Understand and use various methods of evaluation and be able to assess learning.> NC ODETD L5:> Engage in and promote assessment practices.> AMWA - West Africa Training of Trainers Certificate:> Understand and use various methods of evaluation and be able to assess learning. United Kingdom:The NC ODETD L5 matches very closely in terms of qualification purpose, structure and outcomes with the City and Guilds NVQ Level 5 in Training and Development (Master Professional Diploma), with particular reference to the structure of the new NVQ Learning and Development Standards as follows:> Learning and Development.> Direct training and Support.> Learning and Development.> Management of Learning and Development Provision.> Co-ordination of learning and Development Provision.> Learning and Development. Singapore:The NC ODETD L5 compares favourably in terms of purpose and outcomes with the Singapore Training and Development Association Advanced Certificate in Training and Assessment. The correlation is very close in terms of the design, development, facilitation and assessment outcomes. United States of America:The NC ODETD L5 compares favourably in terms of purpose, entry level and outcomes with the ASTD (American Society for Training and Development) Training Certificate Programme. In the table below the comparison between the ASTD (USA) certificate and the NC ODETD L5 outcomes are compared. Other than the first outcome, (which although not mentioned in the ASTD training outcomes, ASTD clearly states "this is a complete workshop for designing outcomes-based training"), the outcomes are comparable throughout, with close alignment to outcomes such as evaluation and assessment, and design and development. Whilst assessment is covered in NC ODETD L5, only evaluation is covered by the Training Certificate Programme for ASTD. Just recently, however, ASTD have introduced an assessor training programme, which covers all aspects of assessment.> NC ODETD L5:> Provide learner support to learners and organisations.> ASTD Training Certificate Programme:> Manage the learning environment and participants.> Manage and encourage participants of all backgrounds and learning styles, understand who is learning, and how to address challenging participants.> Prepare properly for your training session and prepare participants to foster learning.> NC ODETD L5:> Design and develop learning programmes and processes.> ASTD Training Certificate Programme:> Prepare effectively for a learner focused training delivery and transfer of learning to the workplace.> Understand different adult learning styles.> Understand learner-focused solutions and how to align solutions with course objectives.> NC ODETD L5:> Facilitate and evaluate learning.> ASTD Training Certificate Programme:> Use multiple evaluation techniques.> Present and facilitate a training program including the use of audio visuals and handouts.> Evaluate using various methods and at different levels.> NC ODETD L5:> Engage in and promote assessment practices.> ASTD Training Certificate Programme:> N/A.> NC ODETD L5:> Provide learning support to learners and organisations.> ASTD Training Certificate Programme:> N/A.> NC ODETD L5:> Conduct skills development facilitation.> ASTD Training Certificate Programme:> N/A. Australia:The NC ODETD L5 has a very close match in terms of the key roles and levels with the Southern Cross University Graduate Diploma of Vocational Education and Training. New Zealand:Comparisons against the Christchurch College of Education Certificate in Adult Teaching, certain key modules of the Victoria University of Wellington Diploma in Education and Professional Development and the NZQA National Certificate in Adult Education and Training (Level 4). Summary concerning comparability:The NC ODETD L5 compares favourably with a wide selection of international qualifications as identified above, providing a mix of mandatory and optional units that enable candidates to tailor the qualifications to their particular role. Where outcomes or competencies are identified within the international qualifications, they are generally comparable to the South African qualifications in terms of levels and range of competencies covered.  |

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| **ARTICULATION OPTIONS**  |

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| Learners can move horizontally by achieving the credits specified in the following qualifications: 50333: "National Diploma: Occupationally-Directed Education Training and Development Practices", NQF Level 5. 20159: "National Diploma: ABET Practice", NQF Level 5. 20160: "Certificate: Education", NQF Level 5. 49710: "National Diploma: Development Practice", NQF Level 5.Learners can move vertically by using this qualification as the basis for the following qualifications: 50330: "National First Degree: Occupationally Directed Education Training and Development Practices", NQF Level 6. 20161: "Bachelor of Education", NQF Level 6. 20485: "National First Degree in ABET Practice", NQF Level 6.  |

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| **MODERATION OPTIONS**  |

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|  Providers offering learning towards this qualification or the component unit standards must be accredited by the appropriate ETQA. Moderation of assessment will be overseen by the appropriate ETQA according to moderation principles and the agreed ETQA procedures.  |

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| **CRITERIA FOR THE REGISTRATION OF ASSESSORS**  |

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| Assessors must be registered in terms of the requirements of SAQA and the appropriate ETQA.  |

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| **REREGISTRATION HISTORY**  |

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| As per the SAQA Board decision/s at that time, this qualification was Reregistered in 2012; 2015.  |

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| **NOTES**  |

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| This qualification replaces qualification 48873, "Higher Certificate: Occupationally Directed Education Training and Development Practices", Level 5, 125 credits.  |

**PRICING SCHEDULE:**

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|  | **TOTAL PRICE (VAT EXCLUDED)** | **14% VAT** | **TOTAL PRICE (VAT INCLUDED)** |
| Price per Learner | R | R | **R** |

***Number of learners to be confirmed upon award of the ITQ***

***On-site training***

***All traveling, accommodation disbursement etc costs to be included in price***

Quotes must be placed in the municipal tender box, Robert Sobukwe Building, in sealed envelopes clearly marked **"BEY SCM 361**", not later than 12h00 Friday on the 24TH of February 2023 and will be opened in public immediately thereafter.

**Note:**

Faxed, e-mailed or late quotations will not be accepted.

1. The tender will be evaluated on 80/20 system Whereby 80 points will be allocated for price and a maximum of 20 points for specific goals.
2. To claim for specific goals prospective bidders MUST submit proof/required the required documents
3. Price must include vat (if registered for vat) and delivery costs to Graaff-Reinet.
4. All suppliers must be registered on the Central Supplier Database (CSD)
5. A current original tax clearance certificate of SARS is to be submitted.
6. A current certified Municipal (rates& services) clearance certificate to be submitted.
7. Attached declaration of interest to be completed.
8. A current certified BBBEE certificate or affidavit must be submitted in order to claim preference points.
9. Council is not bound to accept the lowest or any quotation and reserves the right to accept any tender or part thereof.
10. For further details, please contact **Mrs J Vermaak @ 049 807 5700**
11. Allocation of specific goals

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| **NO** | **Specific goal categories** | **Max Points Allocation** | **Evaluation Indicators** |
| **1** | B-BBEE Status Level Contributor | **10** | As for BBBEE points allocation please see MBD 6.1 |
| **2** | The promotion of enterprises located in a specific province for work to be done or services to be rendered in that province. | **10** | 10 Points- Located within the boundaries of the Dr Beyers Naudé Local Municipality |
| 6 Points- Located within the boundaries of Sarah Baartman District Municipality |
| 4 Points- Located within the boundaries of the Eastern Cape |
| 1 Point- Outside of the boundaries of the Eastern Cape |

**DR. E.M. RANKWANA**

**MUNICIPAL MANAGER**

**DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state¹.

1. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:……………………………………………..

3.2 Identity Number: ………………………………………………………………………………….

 3.3 Position occupied in the Company (director, trustee, hareholder²):………………………..

3.4 Company Registration Number: ……………………………………………………………….

3.5Tax Reference Number:…………………………………………………………………………

3.6VAT Registration Number: ……………………………………………………………………

3.7 The names of all directors / trustees / shareholders members, their individual identity

numbers and state employee numbers must be indicated in paragraph 4 below.

3.8Are you presently in the service of the state? **YES / NO**

3.8.1If yes, furnish particulars. ….……………………………………………………………

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**¹**MSCM Regulations: “in the service of the state” means to be –

a member of –

any municipal council;

any provincial legislature; or

the national Assembly or the national Council of provinces;

a member of the board of directors of any municipal entity;

an official of any municipality or municipal entity;

an employee of 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);

a member of the accounting authority of any national or provincial public entity; or

an employee of Parliament or a provincial legislature.

² Shareholder” means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.9Have you been in the service of the state for the past twelve months? ………**YES / NO**

 3.9.1If yes, furnish particulars.………………………...……………………………………..

 ……………………………………………………………………………………………. 3.10Do you have any relationship (family, friend, other) with persons

 in the service of the state and who may be involved with

 the evaluation and or adjudication of this bid?………………………………… **YES / NO**

 3.10.1If yes, furnish particulars.

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3.11Are you, aware of any relationship (family, friend, other) between

 any other bidder and any persons in the service of the state who

 may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.11.1If yes, furnish particulars

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3.12Are any of the company’s directors, trustees, managers,

principle shareholders or stakeholders in service of the state? **YES / NO**

 3.12.1 If yes, furnish particulars.

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3.13 Are any spouse, child or parent of the company’s directors

 trustees, managers, principle shareholders or stakeholders

in service of the state? **YES / NO**

 3.13.1If yes, furnish particulars.

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3.14 Do you or any of the directors, trustees, managers,

principle shareholders, or stakeholders of this company

have any interest in any other related companies or

business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:

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# 4. Full details of directors / trustees / members / shareholders.

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| **Full Name** | **Identity Number** | **State Employee Number** |
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 **Signature Date**

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 **Capacity Name of Bidder**

SBD 8

# DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Standard Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be disregarded if that bidder, or any of its directors have-
	1. abused the institution’s supply chain management system;
	2. committed fraud or any other improper conduct in relation to such system; or
	3. failed to perform on any previous contract.
4. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

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| **Item** | **Question** | **Yes** | **No** |
| 4.1 | Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied).**The Database of Restricted Suppliers now resides on the National Treasury’s website(**[www.treasury.gov.za](http://www.treasury.gov.za)**) and can be accessed by clicking on its link at the bottom of the home page.**  | Yes[ ]  | No[ ]  |
| 4.1.1 | If so, furnish particulars: |
| 4.2 | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **The Register for Tender Defaulters can be accessed on the National Treasury’s website (**[**www.treasury.gov.za**](http://www.treasury.gov.za)**) by clicking on its link at the bottom of the home page.**  | Yes[ ]  | No[ ]  |
| 4.2.1 | If so, furnish particulars: |
| 4.3 | Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years? | Yes[ ]  | No[ ]  |
| 4.3.1 | If so, furnish particulars: |
| 4.4 | Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes[ ]  | No[ ]  |
| 4.4.1 | If so, furnish particulars: |

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME)…………………………………………………**

 **CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.**

 **I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

 **………………………………………... …………………………..**

 **Signature Date**

 **………………………………………. …………………………..**

 **Position Name of Bidder**

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.

3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution’s supply chain management system and or committed fraud or any other improper conduct in relation to such system.

b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

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

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Name of Institution)

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

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

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;

2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;

3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;

4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;

5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) has been requested to submit a bid in response to this bid invitation;

(b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

(c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

SBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

(a) prices;

(b) geographical area where product or service will be rendered (market allocation)

(c) methods, factors or formulas used to calculate prices;

(d) the intention or decision to submit or not to submit, a bid;

(e) the submission of a bid which does not meet the specifications and conditions of the bid; or

(f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

SBD 9

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

 ………………………………………………… …………………………………

Signature Date

…………………………………………………. …………………………………

Position Name of Bidder

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