



nhc

National Heritage Council
SOUTH AFRICA

an agency of the
Department of Arts and Culture

BID DOCUMENT

MEDIA PLANNING AND BUYING
REF: NHC/02/2019/20

SUMMARY OF TENDER

1. Assignment:	The National Heritage Council (NHC) requires services of suitably qualified and experienced service provider for Media Planning and Buying in accordance with the given scope.
2. Name of the responsible office:	Supply Chain Management
3. Address for submitting proposals & other correspondence:	The Supply Chain Manager, National Heritage Council, First Floor, No 353 Festival Street, Hatfield, Pretoria
4. Telephone:	012-748 3949 OR 012-348 1663 (Switchboard)
5. Email:	procurement@nhc.org.za
6. Attention:	Mr Sipehelele Skenjana
7. Closing Date & Time for submission of proposals:	31 March 2020 at 11:00 am
8. Bid Description:	Appointment of services of a suitably qualified and experienced service provider for Media Planning and Buying in accordance with the given scope.
9. Bid Number:	NHC/02/2019/20
10. Compulsory Briefing Meeting/Session:	None – All enquiries should be directed by email to procurement@nhc.org.za

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ATTACHMENTS

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1. BACKGROUND AND ABBREVIATIONS

1.1. Introduction to the National Heritage Council

The National Heritage Council of South Africa (NHC) is a Schedule 3(A) Public Entity that is responsible for the preservation of the country's heritage. The important areas that the NHC focuses on is policy development for the sector to meet its transformation goals, public awareness and education, knowledge production in heritage subjects that were previously neglected, and making funding available to projects that place heritage as a socio-economic resource. The NHC came into existence through an amendment of the Cultural Laws Second Amendment Act 69 of 2001, and was officially constituted through the National Heritage Act of 1999.

ABBREVIATIONS:

CSD – CENTRAL SUPPLIER DATABASE

NHC – NATIONAL HERITAGE COUNCIL

PFMA – PUBLIC FINANCE MANAGEMENT ACT

PPPFA – PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT

BBBEE - BROAD BASED BLACK ECONOMIC EMPOWERMENT

SLA – SERVICE LEVEL AGREEMENT

TOR – TERMS OF REFERENCE

RFB – REQUEST FOR BID

YRS - YEARS

2. GENERAL GUIDELINES ON SUBMISSION

Completed Tender submissions should be hand-delivered in sealed envelopes to the NHC at the address on page 2 of this document.

All enquiries must be in writing and directed to: procurement@nhc.org.za for the attention of Mr S. Skenjana. Enquires will be allowed from the date of invitation until three working days before the closing date for submission of proposals (28/02/2020 to 26/03/2020).

2.1. Purpose of the Terms of Reference (ToR)

The purpose of this bid is to provide information that will enable the bidder to develop a scope and comprehensive proposal for a suitably qualified and experienced service provider to offer Media Planning and Buying Services in accordance with the given scope.

2.2. Objectives

The primary objective of this request for proposal is to invite suitably qualified and experienced service providers to submit proposals to the NHC for Media Planning and Buying in accordance with the given scope, for the period of 3 years from the date of commencement/appointment.

2.3. Submission of Proposals

2.3.1. The bid should be hand delivered or couriered (**No Emailed/Faxed documents will be accepted**) to the address specified on Page 1 in six (6) sets each as follows:

- a) The original;
- b) Four copies of the Original proposal;
- c) Plus, one soft copy in a CD or USB format (which also includes the copy of the original proposal plus any relevant information concerning the bid and the bidder's experience).

The **ENVELOPE** should be clearly marked:

- **MEDIA PLANNING AND BUYING**
- **REFERENCE NUMBER: NHC/02/2019/20**
- **CENTRAL SUPPLIER DATABASE NUMBER (CSD)**

TERMS OF REFERENCE MEDIA PLANNING AND BUYING

3. INSTRUCTION FOR PROPOSALS:

3.1 Format of your Proposal

The proposal should be presented in two sections i.e. Technical Proposal and Financial Proposal.

NB: All prices must be rounded off to two (2) decimal numbers.

3.2 Bidders are requested to indicate clearly on the cover page of each document, whether it is the original or copy 1, copy 2, copy 3 etc.

The **Original Document** should be as follows:

- a) Financial proposal;
- b) Technical proposal; and
- c) All other relevant information as per evaluation criteria.

3.3 Bidders should adhere to the following mandatory requirements:

- 3.3.1 The Bid document is free of charge to be downloaded on National Treasury e-Tender Portal or NHC website;
- 3.3.2 All proposals must be costed in South African Rand, inclusive of VAT;
- 3.3.3 The Bid total amount must be stated on quotation and Pricing Schedule;
- 3.3.4 If the bid does not include all the information required or is incomplete, such a bid will be deemed as non-compliant and thus be invalidated;
- 3.3.5 Any bid received after the closing date and time, will be rejected; and
- 3.3.6 All costing must remain valid and open for evaluation for a period of at least one hundred and sixty (160) days from the time of submission.

3.4. Infrastructure

It is expected that Bidders will be able to provide all necessary facilities, systems, equipment, personnel needed for effective and efficient delivery of the ToR requirements and Service Level Agreement (SLA), without any upfront payment by the NHC.

3.5. Cost to be borne by Service Provider

All costs and expenses incurred by the Bidder, in any way associated with the development, preparation and submission of bid documents, responses and providing any additional information required by the NHC, will be borne entirely and exclusively by the Bidder.

3.6. No Legal Relationship

No binding legal relationship will exist between any of the Bidders and the NHC until the execution of a signed contractual SLA. The ToR document will not form part of any such contract or arrangement. The SLA will be based upon the Successful Bidder's Technical Bid document.

The NHC reserves the right to split the award, or award the tender to more than one Bidder where no Bid satisfies all the requirements or the ToR document.

3.7. Evaluation of Offers

Each Bidder acknowledges and accepts that the NHC may, at its absolute discretion apply selection criteria, specific in this document for the evaluation of proposals for shortlisting/selection of eligible bidders(s), in a phased approach.

4. TERMS OF REFERENCE AND SCOPE OF WORK

This section details the scope of the required service and serves as the terms of reference or instruction for proposals. Note that your submission of the scope of service (which is the Technical Proposal) should focus on the costs of the required services. No strategy or methodology is required at this stage. It is important to also make sure that you respond to the criteria listed under FUNCTIONALITY TABLE that is in this document. Your response to the criteria and the documents that you submit should be aligned to each INDICATOR and corresponding EVIDENCE required as it appears in the functionality table.

Purpose of the bid

The National Heritage Council of South Africa is deriving its mandate from the NHC Act no. 11 of 1999. Part of the key responsibilities are to promote the heritage of the country and its people. There are many other government heritage institutions that are responsible for different areas of heritage preservation, protection and promotion. The NHC was among the other, established to broker a structured focus on heritage at a national level. This responsibility requires a substantial amount of collaborations, changing of perceptions, public interaction and engagement.

Media buying, placement and complementary services that includes design and production are key to reaching out to the wide public.

Terms of reference

The terms of reference serve as a brief on the expectations of the NHC. Note that the scope that is provided below is project based and should be quoted as such.

4.1 PUBLIC CALL FOR HERITAGE FUNDING PROPOSALS

The National Heritage Council has as part of its legislative mandate a responsibility to make funding available to the heritage projects. This mandate now forms part of the strategic tenets of the NHC. It has over the past years become NHC's competitive areas in the offerings of the organisation.

The Funding portfolio of services comprise of grants (also called funding), resource mobilisation (fundraising) and the monitoring of the funded projects during the funding period.

After the call for proposals, the applications are evaluated and funding is allocated to the successful projects by an independent committee. The recipients enter into a contractual agreement with the NHC until the completion of the project.

This is a process that happens every financial year. The advertising, therefore is the initial public interface to solicit interest and action from the heritage practitioners. Applicants from disadvantaged communities and less funded provinces are expected to apply for funding.

The NHC requires the services of an experienced Media Buyer to design adverts, multi-media tools, an online application form and place adverts in selected newspapers.

4.1.1 Requirement: Design and Placement of Black & White adverts, size: 20 cm x 3 columns

Adverts should be placed in the following selected newspapers.

	PUBLICATION	INSERTIONS	PERIOD
a. The Independent newspapers			
i.	The Star	2	Sept annually
ii.	Daily News	2	Sept annually
iii.	Cape Times	2	Sept annually
iv.	Pretoria News	2	Sept annually

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	PUBLICATION	INSERTIONS	PERIOD
v.	Diamond Field Advertiser	2	Sept annually
b. Tiso Black Star			
i.	Daily Dispatch	2	Sept annually
ii.	Sowetan	2	Sept annually
c. Media 24			
i.	Daily Sun	2	Sept annually
ii.	City Press	2	Sept annually
d. Local/Community Newspapers			
i.	Limpopo Mirror	2	Sept annually
ii.	Mafikeng Mail	2	Sept annually
iii.	Bloem News/Nuus	2	Sep annually
iv.	Mpumalanga News	2	Sept annually
v.	Northern Cape Express	2	Sept annually

4.1.2 Design of full colour online adverts and tail ends

Three options of a full colour advert design concept are required. The preferred option will be developed further to incorporate amendments. The selected option will be adapted to different sizes for the NHC website, Facebook, Twitter, WhatsApp and Instagram as well as email tail ends.

The main task therefore is to quote on the proposed designs in three options.

	TASK	DETAILS
A	Design look and feel of newspaper advert in black and white and a full colour version for website use.	Size of advert = 20 cm x 3 columns
b	Design look and feel of electronic banners in three different themes (the	

	background above should guide in the design)	
C	NHC website banner x1	See the main slider on the NHC website (www.nhc.org.za)
D	Facebook cover page image x1	Use standard social media prescribed size
E	Facebook, Twitter, Instagram (banner) x1	Use standard social media prescribed size
F	Email tail ends x2	See current banner on NHC email signature for sizing. One banner will be for early in the campaign the second will be for closing the campaign.
G	WhatsApp poster x2	Adapt the Facebook social media banner with content for WhatsApp. The second banner (JPEG format) should have only the campaign look and feel and the name so that it serves as a template for information to be inserted by the client as and when required.

4.1.3 Design of Funding Application Form (Qty: x1 version of the same design)

Requirement: Design a new application form based on the existing version, in full colour, A4 portrait.

- PDF version x1: this needs to be a fillable PDF format that will be downloaded, completed, saved, printed and distributed by email. (the forms need to be mobile-device friendly, and the lowest possible file/document size without compromising the quality.
- MS Word version x1: same as above

4.1.4 Infographic (Qty: x1)

- Design a full colour infographic of the funding application process (design only). The infographic is for the purpose of explaining the funding application process in its simplest form that will be shared on our social media platforms (Facebook, Twitter & Instagram). Advice on how best to adapt the information to an infographic is expected from the service provider. Content will be provided.

4.1.5 Motion graphic (Qty: x1)

- Design a 30 – 59 seconds motion graphic of the advert for online and social media distribution. The images should be from the look and feel of the campaign concept and the text information should be derived from the advert and digital banners.

4.2 GOLDEN SHIELD HERITAGE AWARDS (GOSHA) NOMINATIONS AND AWARDS CEREMONY

The Golden Shield Heritage Awards is an annual National Heritage Council project which seeks to recognise all those who have contributed to the preservation, protection and the promotion of South African heritage.

The annual event is hosted during Heritage month. For the next two (2) years (2020 and 2021), the Golden Shield Heritage Awards will be held in Limpopo. From June, the Council will call for the public to submit nominations for the Awards categories. The Closing date for the nominations is on 31 July annually.

Since this is a national call, it is expected to receive equal participation from all nine (9) provinces for fair recognition; social cohesion and diversity as well as nation building.

Desired objectives through the design concepts are:

- to raise awareness and mobilise nominations of the Golden Shield Heritage Awards;
- to ignite interest in heritage preservation; and
- to educate the public about the Awards and importance of preserving and promoting our cultural heritage.

Products and services required as detailed below

4.2.1 Call for nomination advert

Requirement: Design and layout of a full colour and black & white newspaper advert with the following sizes: 20cm x 3columns

The advert copy (text) will be provided by NHC and CI manual

The following newspapers are a target

	Publication	Insertions
a)	Daily Dispatch	2
b)	The Star	1
c)	Limpopo Mirror	2
d)	Polokwane Observer	2
e)	Capricorn Review	2
f)	Sowetan	2
g)	Daily Sun	1
h)	City Press	1
i)	Mail & Guardian	1

4.2.2 Finalist or winners advertorial

Requirement: Design and layout of a full colour and black white advertorial with the following sizes: 30 cm x 5 columns

Three options of a full colour advertorial design concept are required. The preferred option will be developed further to incorporate amendments. The selected option will be adapted to different sizes for the NHC Facebook, Twitter, WhatsApp and Instagram as well as (1) email tail end.

The advertorial copy (text) and images will be provided by NHC

The advertorial should be placed in the following selected newspapers.

	PUBLICATION	INSERTIONS	PERIOD
e. The Independent newspapers			
vi.	The Star	2	Sept annually
vii.	Daily News	2	Sept annually
viii.	Cape Times	2	Sept annually
f. Tiso Black Star			
iii.	Daily Dispatch	2	Sept annually
iv.	Sowetan	2	Sept annually
g. Media 24			
iii.	Daily Sun	2	Sept annually
iv.	City Press	2	Sept annually

4.2.3 Email invitation for the Awards launch and ceremony

Requirement: Design and layout of a full colour invitations in a digital format and editing of a designed invitation with the updated information.

4.2.4 Banners

Requirement: Design and layout of full colour covers for the social media pages and a banner to accommodate all platforms (Whatsapp, Facebook, Twitter and Instagram) using standard sizes.

Quantities: Social media banners x4 (one concept design with 3 variations for different messages at different times of the campaign to be used on all four platforms listed above)

Email banners x3 (one concept design same as for social media with 3 variations for different messages. One size for all to be provided at design stage)

4.2.5 General notes

All the material should be made available in PDF & Jpeg format and also in a download friendly PDF format. Each of the final designs should also be submitted to the NHC in a memory stick

containing open files with a tag containing the name of the project, details of the design programme used and full details of your company.

All stock images bought on behalf of the NHC (at the cost of your company) should be provided in a jpeg format and high resolution.

4.3 RECRUITMENT COUNCIL AND COMMITTEES

The NHC has to place adverts on a needs basis for recruitment when vacancies occur, for new members on committees of the organization and Council as well as announcements.

Publication	Section in Newspaper & insertion date	Size	Number of insertions	Time of insertion
a) Sunday Times	Careers, B&W	20 cm x4 Columns	4	As and when it is required
b) City Press	Careers, B&W	20 cm x4 Columns	6	
OTHER SERVICES				
Description	Note		Number	Notes
a) Design and layout of the newspaper adverts	Content will be provided		1	
b) Provide full colour electronic copy of the approved advert design in JPEG & PDF format	Make provision for amendments before final approval		1	
c) Provide tear sheets of the adverts	Electronic version is acceptable			

4.4 HERITAGE MONTH CAMPAIGN

Media Houses that publish more than one newspaper and have a country wide distribution range are able to reach a large number of readers including those in rural communities. This market is ideal for the NHC to spread its message of celebrating heritage. It is the same in the broadcast industry where the NHC would wish to have a reasonable presence to reach specific audiences. Adverts are sought to be placed in newspapers and radio stations in South Africa.

4.4.1 Required services for Heritage Month

Print Media Product	Section in Newspaper & insertion date	Size	Number of insertions	Notes
a) Advert in daily newspapers	Main body, Full Colour - Sept	20 cm x 4 Columns	3	All insertions should be placed at once in different newspapers that are from the same media house. The combined distribution should cover at least 70% of the SA provinces
b) Insert	Main body, Full Colour	A3 folded into A4	Minimum 50 000 copies	
c) Public competition	Main body, Full Colour	20 cm x 4 Columns	3	
OTHER SERVICES				
Description	Note		Number	Notes
d) Design and layout of the newspaper adverts				Content will be provided
e) Provide full colour electronic copy of the approved advert design in JPEG & PDF				Make provision for amendments before final approval
f) Adapt adverts for social media platforms				Facebook, Instagram, Twitter and WhatsApp
g) Provide tear sheets of the adverts				Electronic version is acceptable

4.5 MEDIA PARTNERSHIPS

A negotiated partnership with a media house is required on certain activations the NHC will require as added value. The partnership should be aimed at engaging the readership of a specific publication of that media house in a structured public dialogue. A specific topic would be chosen by the NHC and the media house would invite their readers to an event/dialogue through placing adverts. All other logistical requirements of the event should also be taken care of by the media house which should include; venue, catering, sound, video recording and editing, social media, live streaming, branding, guest relations and reporting.

4.5.1 Required services for media partnership

Publication	Section in Newspaper & insertion date	Size	Number of insertions	Time of insertion
a) Any selected daily tabloid publication of a media house that enters the partnership	Main body, Full colour	15 cm x 3 Columns	3	Adverts are for the same campaign but placed at different times prior to the event
b) Any selected daily tabloid publication of a media house that enters the partnership	Main body, Full colour	Double Page Spread	1	The DPS should contain edited pieces related to the subject of the Dialogue, summaries of speaker presentations/speeches, pictures and adverts of other partners if possible. A reporter/s and photographer should be appointed by the Media House to produce the DPS.
OTHER SERVICES				
Description	Note		Number	Notes
c) Design and layout of the newspaper adverts				Content will be provided
d) Provide full colour electronic copy of the approved advert design				Make provision for amendments before final approval

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in JPEG & PDF				
e) Adapt adverts for social media platforms				Facebook, Instagram, Twitter and WhatsApp
f) Provide tear sheets of the adverts				Electronic version is acceptable

4.6 PERIODICALS

The NHC wish to establish a presence in a periodical professional/s magazine that offers an opportunity for networking at one of their functions (awards, conferences, etc.) coordinated to attract decision makers and recognize excellence in a specific or various sectors.

4.6.1 Required services for periodicals

Publication	Section in Newspaper & insertion date	Size	Number of insertions	Time of insertion
a) Any recommended magazine of a reputable & recognised publishing house	Main body, Full colour	2 page	1	The insertion should be at a time that align to the peak period of the NHC which is August, September, October.
OTHER SERVICES				
Description	Note		Number	Notes
b) Facilitate presence at a stakeholder function involving awarding excellence or a conference			1	Required for only once in a year. A booking of a table for 10 guests should be facilitated.
c) Design and layout of the adverts				Content will be provided
d) Provide full colour electronic copy of the approved				Make provision for amendments before final approval

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advert design in JPEG & PDF				
e) Adapt advert for social media platforms				Facebook, Instagram, Twitter and WhatsApp
f) Provide tear sheets of the advert				Electronic version is acceptable

4.7 HERITAGE EDUCATION SCHOOLS OUTREACH PROGRAMME (HESOP)

This project focusses on educating young people about their heritage. For the past 10 years, the National Heritage Council of South Africa (NHC) has been spearheading the Heritage Education Schools Outreach (HESOP) programme with the aim of inculcating the culture of self-appreciation and national identity. This was done in partnership with a number of entities in the public and private sector.

The programme continues to be one of the main strategic cornerstones of advocacy for the NHC to raise awareness among South Africa's youth. It is an annual programme for learners, starting at district to provincial level, and then culminating in a five-days national camp held in a national park and closer to a heritage site where youth experience some of South Africa's heritage resources in protected areas.

HESOP is targeting public school learners from Grade 8 to 11, where they are taught about heritage management and heritage aspects within the school curriculum. The weeklong camp intends to promote social cohesion and understanding amongst the youth from other provinces, and also to ignite the youth in discovering their value in society as patriotic citizens who are proud of their culture and heritage.

4.7.1 Required services for HESOP

Publication	Section in Newspaper & insertion date	Size	Number of insertions	Time of insertion
a) Any selected daily tabloid publication of a media house	Main body advertorial, Full colour	Full page	1	These are for the same campaign but placed at different times: the advert prior to the event and the advertorial after the event
b) Any selected daily tabloid publication of a media house	Main body, Full colour	20cm x 4columns	1	
OTHER SERVICES				

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Description	Note		Number	Notes
c) Design and layout of the newspaper adverts				Content will be provided
d) Provide full colour electronic copy of the approved advert design in JPEG & PDF				Make provision for amendments before final approval
e) Adapt adverts for social media platforms				Facebook, Instagram, Twitter and WhatsApp
f) Provide tear sheets of the adverts				Electronic version is acceptable

4.8 ONLINE ADVERTISING

In many of the NHC's activities, online exposure is extremely essential. Most of the activities will therefore have an element of online advertising, social media sponsored advertising and boosting social media posts.

4.8.1 Requirements for online advertising

Social media boosts & sponsored advertisements	Frequency	Duration	Projected reach in SA	Time of insertion
a) Facebook	Monthly	1x week	100 000	These are for the same campaign and should run concurrently
b) Instagram	Monthly	1x week	100 000	
Online advertising platform	Frequency	Duration	Projected reach in SA	Time of insertion
c) Media24	Twice annually	1x week	100 000	Provision should be made to use each media house for different campaigns.
d) Times Media	Twice annually	1x week	100 000	
e) iol	Twice annually	1x week	100 000	

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f)	EWN	Twice annually	1x week	100 000	
OTHER SERVICES					
	Description	Note		Number	Notes
g)	Design and layout of the adverts in accordance with the requirements of the targeted platform				Content will be developed with the service provider
h)	Provide full colour electronic copy of the approved advert design				Make provision for amendments before final approval

4.9 CONTRACT PERIOD

3 Years

5. STANDARD REQUIREMENTS OF THE BID

5.1 Disclosures

5.2 The bidder must disclose:

- (i) If they are or have been the subject of any proceedings or other arrangement relating to bankruptcy/insolvency.

5.3 If they have been convicted or, or are the subject of any proceedings, relating to:

- (i) A criminal offence or other offence, involving the activities of a criminal nature in its organization or found by any regulator or professional body to have committed professional misconduct.

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- (ii) Corruption, including the offer or receipt of any inducement or any kind in relation to obtaining any contract with any contracting authority.
- (iii) Failure to fulfil any obligation in any jurisdiction relating to the payment of taxes and other legal obligations.
- (iv) If a bidder or related Disclosure extends to any company in the same group of the bidder, including but not limited to parent, subsidiary and sister companies, companies with common shareholders (whether direct or indirect) and parties with whom the Bidder is associated in respect of this tender.
- (v) Disclosure extends to any company in the same group of the bidder, including but not limited to parent, subsidiary and sister companies, companies with common shareholders (whether direct or indirect) and parties with whom the Bidder is associated in respect of this tender.

5.4 Disclaimer:

The NHC reserves the right not to appoint a service provider. The NHC also reserves the right to:

- 5.4.1 Award the contract or any part thereof to one or more service providers;
- 5.4.2 Reject all bids;
- 5.4.3 Decline to consider any bids that do not confirm to any aspect of the bidding requirements;
- 5.4.4 Request further information from any Bidder, after the closing date for clarity purposes;
- 5.4.5 Cancel this tender or any part thereof at any time; and
- 5.4.6 Should any of the above occur, it will be communicated in writing to the Bidders.

5.5 Confidentiality

- 5.5.1 Bids submitted will not be revealed to any other Bidders and will be treated as contractually binding;

- 5.5.2 All information pertaining to the NHC obtained by the Bidder as a result of participation in this Request for Bid (RFB) is confidential and must not be disclosed without written authorisation from the NHC; and
- 5.5.3 The successful Bidder will be expected to sign a SLA with the NHC.

5.6 Disqualification

- 5.6.1 Any form of canvassing/lobbying/influencing regarding the short listing will result in disqualification;
- 5.6.2 Any non-disclosure of any information pertaining to this bid will result in disqualification;
- 5.6.3 Non-compliance with the bid requirements will invalidate the bid; and
- 5.6.4 Non-compliance with all the applicable Acts, Legislation, Regulations and by-laws will result in the disqualification of the bid.

6. EVALUATION CRITERIA

- 6.1 The bid will be evaluated in three (3) phases:

Phase 1 – Evaluation on Compliance (Minimum qualification requirements)

This entails screening of all bid responses received at the close of the bid. During this phase, bid responses are registered to ascertain the number of bid responses received before the closing date and time, and to verify if the Bidders have submitted all mandatory requirements. The following compliance mandatory documents should be submitted to qualify for the next phase of evaluation:

- 6.1.1 SBD 1 – Invitation to Bid;
- 6.1.2 SBD 3.1- Pricing Schedule – Firm Prices (Purchases);
- 6.1.3 SBD 3.3 – Pricing Schedule – (Professional Services);
- 6.1.4 SBD 4 - Declaration of Interest;
- 6.1.5 SBD 6.1- PPFA Regulations claim form;
- 6.1.6 SBD 8 - Declaration of Service Providers Past Supply Chain Management practices;
- 6.1.7 SBD9 – Certificate of Independent Bid Determination;

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- 6.1.8 Registration on National Treasury Central Supplier Database (CSD);
- 6.1.9 Certified Copy of a valid B-BBEE certificate issued by the verification agency accredited by SANAS or Original Sworn Affidavit signed by the EME representative and attested by a Commissioner of Oaths in respect of EMEs;
- 6.1.10 Joint Venture Certificates or Agreement signed *(if applicable)*;
- 6.1.11 Bidders must be Tax Compliant on the CSD on the date of award; and
- 6.1.12 Bidders must attach a copy of the CSD Report as proof of registration on the CSD.

6.2 **Phase 2** – Technical Requirements (Functional Specifications, skills and experience, references and resources):

6.2.1 This evaluation will be based on the responses provided in the Bidders bid documents, using the functionality requirements in the TERMS OF REFERENCE section. The threshold values set for qualification of a bid is a score of 70/100 and all bidders who score below this score will be eliminated.

6.2.1 FUNCTIONALITY TABLE

INDICATOR	MAXIMUM SCORE	EVIDENCE
a) Relevance of the company’s core business to the scope of the bid (the portfolio of services of the bidder)	8	a) Company profile (should contain service description of media buying and placement in print, broadcast, online and social media) Points: Print = 4; Broadcast = 2; Online = 1 Social media = 1
b) Years of company experience	30	b) The number of years in business (date of first media buying conducted & proof of appointment [letter, email,

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		purchase order] and placement with a date) Points: 0 yrs = 0pts; 1 – 5 yrs = 5pts; 6 – 10 yrs = 15pts; 11yrs & above = 30pts
c) Proven track record (the number of years in business with government/public entity/SOE clients & value of the projects)	14	c) List of work done for 3 different government/public entity/SOE clients, name of campaign, year implemented, value in rands and samples/tearsheets/screenshots of campaign. Points: Samples (samples/ tearsheets/ screenshots of campaign) as proof of 3 different government clients = 3pts. 6 yrs & older = 3pts; less than 2 yrs = 5 pts; between full 2 & 5 yrs = 11pts
d) Traceable references from clients	18	d) Three references/testimonial letters from the clients containing scope of work, value of work and year implemented Points: Each reference letter /testimonial containing scope of work, value of work and year implemented= 6pts: (scope of work = 2pts, value of work above R400,000 = 2pts; any year implemented = 2pts)
e) Relevant Personal Experience of Key Account Manager to be placed on the Project (years of experience in media buying and placement)	30	e) CV of the key account manager stating number of year of experience. Points: 0 yrs = 0pts; 1 – 5 yrs = 5pts; 6 – 10 yrs = 15pts; 11-15yrs = 20pts; 21 and more yrs = 30
TOTAL	100%	

6.3.1 Phase 3 – Evaluation in terms of the PPPFA Regulations, 2017 pertaining to the Preferential Procurement Policy Framework Act, Act No 5 of 2000 (Preference Points: BBBEE contribution)

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6.3.1.1 The following preference point systems are applicable to all bids:

- a) the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- b) the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

6.3.1.2 The value of this bid is estimated to **not to exceed** R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

6.3.1.3 Preference Points for this bid will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the table below:

Breakdown of points:

80/20 Preference Point Component	Points
Pricing	80
B-BBEE Level Contribution	20

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Total	100
-------	-----

- 6.3.1.4 The Bidder obtaining the highest number of total points will be awarded the tender.
- 6.3.1.5 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts. Conditional discounts will not be taken into account for evaluation purposes but will be implemented when payment is affected.
- 6.3.1.6 Points scored must be rounded off to the nearest two decimal places.
- 6.3.1.7 In the event that two or more tenderers have scored equal total points, the successful tenderer must be the one that scored the highest number of preference points for B-BBEE.
- 6.3.1.8. However, when functionality is part of the evaluation process, and two or more tenderers have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality, documented in Phase 2.
- 6.3.1.9. Should two or more tenderers be equal in all respects, the award shall be decided by the drawing of lots.
- 6.3.1.10. Failure on the part of the bidder to fill in and/or sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or Sworn Affidavit signed by the EME representative and attested by a Commissioner of Oaths in respect of EMEs will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 6.3.1.11 The NHC reserves the right to require of a Bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.
- 6.3.1.12 Bidders wishing to claim preference points must complete the SBD6.1 - Preference Point Claim form in terms of Preferential Procurement Regulations, 2017.

7. PRICES

7.1 All services pricing should be inclusive of all taxes and payment shall be made in South African Rand; and

7.4 The total amount should be carried out on the Standard Bidding Form SBD1.

7.5 Price Adjustments

Prices submitted for this bid will be regarded as firm inclusive of annual price adjustments (if any).

8. PAYMENT TERMS

8.1. The NHC undertakes to pay valid tax invoices in full within thirty (30) days from statement date for services rendered; and

8.2. All supporting documents for services rendered should be submitted together with the tax invoice as and when a service has been rendered.

9. VALIDITY

9.1 A Proposal shall remain valid for one hundred and sixty (160) days after the closing date of the submission for proposals. A Proposal which is valid for a shorter period may be rejected by the NHC for non-responsiveness.

9.2 In exceptional circumstances, the NHC may solicit the Bidder's consent to an extension of the period of the validity of the bid.

The request and responses thereto shall be made in writing. A Bidder that has been granted the request will neither be required nor permitted to modify the Proposal.

10. SIGNATORIES

All responses to this RFB should be signed off by the authorised signatories of the Bidder.

11. SPECIAL TERMS AND CONDITIONS

- 11.1 The NHC reserves the right to accept or reject any submission in full or in part, and to suspend this process and reject all proposals or part thereof, at any time prior to the awarding of the contract, without thereby incurring any liability to the affected bidders.
- 11.2 This bid and the contract will be subject to the General Conditions of Contract issued in accordance with Treasury Regulation 16A published in terms of the PFMA.
- The special terms and conditions of contract are supplementary to that of the general conditions of the contract.
- 11.3 Where, however, the special conditions of contract are in conflict with the general conditions of contract, the general conditions of contract will prevail.
- 11.4 The NHC is the sole adjudicator of the suitability of the Backup / Business Continuity facility for the purpose for which it is required. Therefore, the NHC's decision in this regard will be final.
- 11.5 No bids sent by the facsimile or email will be accepted.
- 11.6 Bids must only be submitted at the NHC Office in Pretoria by the specified date and time.
- 11.7 Bidders are welcome to be present at the opening of bids.
- 11.8 The annexures are part of the bid documentation and must be signed by the bidder and attach to the bid document.
- 11.9 The bid forms must not be retyped or redrafted but copies may be used.
- 11.10 Additional offers may be made but only photocopies of the original supporting documents are required. Additional offers/submissions are regarded as separate and must be treated as such by the bidder. The inclusion of various offers as part of a single submission in one envelope is not allowed and will not be considered. Additional bid offers must be submitted separately in separate sealed envelopes.
- 11.11 Failure to comply with the above-mentioned conditions will invalidate the bid.
- 11.12 Subcontracting of all or any part of this contract will not be permitted.

12. SUBMISSION OF BID DOCUMENTS

Responses to this bid must be submitted to the NHC by no later than:

Date: 31 March 2020

TERMS OF REFERENCE MEDIA PLANNING AND BUYING

Time: 11H00 am

Address: NHC Offices, 353 Festival Street, 1st floor, Hatfield, Pretoria.

13. LATE SUBMISSION

- 13.1 A response to this RFB shall be late if it is received by the NHC at any time after the closing date and time indicated in Paragraph above.
- 13.2 A late submission shall be clearly marked as late and shall not be admitted for consideration by the NHC.

14. CLARIFICATIONS / ENQUIRIES

Telephonic request for clarification will not be considered. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference or any other aspects concerning the bid is to be requested in writing (letter or e-mail) from the below contact persons. The bid reference number should be mentioned in all correspondence.

- 14.1 **Bid Enquiries:** Mr Sipehelele Skenjana

Email: procurement@nhc.org.za

- 30.2 Enquiries received will be responded to within three (3) working days.

15. ANNEXURES

- 15.1 Annexure 1: SBD 1 – Invitation to Bid;
- 15.2 Annexure 2: SBD 3.1 – Pricing Schedule – Firm Prices (Purchases)
- 15.3 Annexure 3: SBD 3.3 Pricing Schedule-Professional Services.
- 15.4 Annexure 4: SBD 4 – Declaration of Interest;
- 15.5 Annexure 5: SBD 6.1 – Preference Point Claim form in terms of Preferential Procurement Regulations 2011;
- 15.6 Annexure 6: SBD 8 – Declaration of Service Provider’s past supply chain Management practices;
- 15.7 Annexure 7: SBD 9 – Certificate of Independent Bid Determination;

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER	TAX		OR	CENTRAL	MAAA

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COMPLIANCE STATUS	COMPLIANCE SYSTEM PIN:		SUPPLIER DATABASE No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> 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]				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS				
<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</p>				

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

(Annexure 2)

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid
number.....	
Closing Time 11:00	Closing date.....

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
----------	----------	-------------	---

- Required by:

- At:

.....

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- Brand and model
- Country of origin
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
*Delivery: Firm/not firm
- Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

(Annexure 4)

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

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

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

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

2.4 Company Registration Number:

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2.5 Tax Reference Number:
.....

2.6 VAT Registration Number:
.....

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

¹“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

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

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
.....

Name of state institution at which you or the person connected to the bidder is employed :
.....

Position occupied in the state institution:
.....

Any other particulars:
.....

.....
.....

2.7.2 If you are presently employed by the state, did you obtain **YES / NO**
the appropriate authority to undertake remunerative
work outside employment in the public sector?

2.7.2.1 If yes, did you attached proof of such authority to the bid **YES / NO**
document?

(Note: Failure to submit proof of such authority, where
applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

2.8 Did you or your spouse, or any of the company's directors / **YES / NO**
trustees / shareholders / members or their spouses conduct
business with the state in the previous twelve months?

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have **YES / NO**
any relationship (family, friend, other) with a person
employed by the state and who may be involved with
the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, **YES/NO**
 aware of any relationship (family, friend, other) between
 any other bidder and any person employed by the state
 who may be involved with the evaluation and or adjudication
 of this bid?

2.10.1 If so, furnish particulars.

.....

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**
 of the company have any interest in any other related companies
 whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....

3 Full details of directors / trustees / members / shareholders.

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

4 DECLARATION

I, _____ THE _____ UNDERSIGNED
 (NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature Date

.....
 Position Name of bidder

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to ~~exceed~~/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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 bid, 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 bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (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 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = 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:

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B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	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 10 or 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. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name _____ of
company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety

- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business :.....

8.8 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 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;

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- (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 who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.1	If so, furnish particulars:		

4.2	<p>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)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE
AND CORRECT.**

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. 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.

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

TERMS OF REFERENCE MEDIA PLANNING AND BUYING

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

.....
Signature

.....
Date

.....
Position
Js914w 2

.....
Name of Bidder

THE NATIONAL TREASURY

Republic of South Africa



**GOVERNMENT PROCUREMENT GENERAL CONDITIONS OF
CONTRACT**

**GOVERNMENT PROCUREMENT GENERAL CONDITIONS OF CONTRACT
(ANNEXURE A) ATTACHED**

End

TERMS OF REFERENCE MEDIA PLANNING AND BUYING