# APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY AND DELIVER

## 30,000 CRH480D DISPOSABLE FACE MASKS

<table>
<thead>
<tr>
<th>SCM RFQ Number:</th>
<th>: DOD/C/M/124/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue Date</td>
<td>: 9 April 2020</td>
</tr>
<tr>
<td>Closing Date</td>
<td>: 16 April 2020 at 4 Pm</td>
</tr>
<tr>
<td>Delivery Address</td>
<td>: State warehouse. Department of Defence, Armscor Building, cnr Delmas Avenue and Nossob Street, Erasmuskloof, Pretoria</td>
</tr>
</tbody>
</table>
| Contact Person  | : Maj Ntomboxolo Mjikelo  
                 : Bidding official at Department of defence, Republic of South Africa  
                 : Tell : 012 516 0081  
                 : Fax : 012 516 0467 |
1. **SECTION 1: INSTRUCTIONS TO BIDDERS**

1.1. **Submission of RFQ documents**

The documents must be signed and completed by a person who has been given authority to act on behalf of the bidder. The bottom of each page of the bid documents must be signed or stamped with the bidder’s stamp as proof that the bidder has read the tender documents.

1.1.1. **Email submissions:**

The bid documents must be sent to one of the following email addresses: tenders.admin@dodgov.org.za. Any other form of electronic submission will render quotation invalid.

1.2. **Late Bids**

Bids which are submitted after the closing date and time will not be accepted.

1.3. **Clarification and Communication**

Name: Maj Ntomboxolo Mjikelo

Designation: Supply Chain Management

Tel: 012 516 0081

Email: tenders.admin@dodgov.org.za

1.3.1. Request for clarity or information on the RFQ may only be requested from Maj Ntomboxolo Mjikelo either by email or telephonically. Any responses to queries or for clarity sought by a bidder will also be sent to all the other entities which would have responded to the Request for Quotation/Invitation.

1.3.2. Bidders may not contact any DOD employee on this tender other than those listed above. Contact will only be allowed between the successful bidder and DOD supply chain management representatives after the approval of a recommendation to award this tender. Contact will also only be permissible in the case of pre-existing commercial relations which do not pertain to the subject of this tender.

1.4. **Bid Responses**

Bid responses must be strictly prepared and returned in accordance with this tender document. Bidders may be disqualified where they have not materially complied with any of DOD’s requirements in terms of this tender document. Changes to the bidder’s submission will not be allowed after the closing date of the tender. All bid responses will be regarded as offers unless the bidder indicates otherwise. No bidder or any of its...
consortium/joint venture members may have an interest in any of the other bidder/joint venture/consortium participating in this bid.

1.5. **Disclaimers**

It must be noted that DOD reserves its right to:

1.5.1. Award the whole or a part of this tender;

1.5.2. Split the award of this tender;

1.5.3. Negotiate with all or some of the shortlisted bidders;

1.5.4. Award the tender to a bidder other than the highest scoring bidder where objective criteria allow;

1.5.5. To reject the lowest acceptable tender received; and/or

1.5.6. Cancel this tender.

1.6. **Validity Period**

(*Please ensure that the validity period stated below will allow DOD to properly evaluate and finalise the process)

1.6.1. DOD requires a validity period of thirty (30) business/working days for this tender.

1.6.2. During the validity period, the prices which have been quoted by the bidder must remain firm and valid. It is only in exceptional circumstances where DOD would accommodate a proposal to change the price.

1.7. **Confidentiality of Information**

1.7.1. DOD will not disclose any information disclosed to DOD through this tender process to a third party or any other bidder without any written approval from the bidder whose information is sought. Furthermore,

1.7.2. DOD will not disclose the names of bidders until the tender process has been finalised.

1.7.3. Bidders may not disclose any information given to the bidders as part of this tender process to any third party without the written approval from DOD. In the event that the bidder requires to consult with third parties on the tender, such third parties must complete confidentiality agreements, which should also be returned to DOD with the bid.
SECTION 4: PURPOSE AND SCOPE OF WORK

4.1 Scope of Work

The contractor is to supply and deliver 30,000 CRH480D DISPOSABLE FACE MASKS as directed by DOD Supply chain Personnel.

Delivery address: State warehouse. Department of Defence, Armscor Building, cnr Delmas Avenue and Nossob Street, Erasmuskloof, Pretoria

Quantity: 30,000 CRH480D DISPOSABLE FACE MASKS
Specifications:

<table>
<thead>
<tr>
<th>Line</th>
<th>Item Description</th>
<th>Commodity</th>
<th>Model</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>CRH480D DISPOSABLE FACE MASKS</td>
<td>DISPOSABLE FACE MASKS</td>
<td>CRH480D</td>
<td>30,000</td>
</tr>
</tbody>
</table>

The Five-layer non-woven medical face mask is composed of professional fibre non-woven fabrics for medical health on each side, with a melt-blown filter fabric which germproof rate is 99% as the middle layer, and the product is welded by ultrasonic. The product is sterile, suitable for disposable hygiene care in general environment, or for barrier or protection of pathogenic microorganisms.

Name : Face mask  
Material : Non-woven  
Color : white  
Layer : 5  
Weight : 3.0 (g)  
Size : 17.5 x 9.5 cm
### 4.2. Price Schedule 1: PRICE SCHEDULE

<table>
<thead>
<tr>
<th>Description</th>
<th>QTY</th>
<th>Unit of Measure</th>
<th>Unit Price</th>
<th>Total Price Excluding VAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supply and delivery of</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CRH480D DISPOSABLE</td>
<td>30 000</td>
<td>DISPOSABLE</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>FACE MASKS</td>
<td></td>
<td>FACE MASKS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>VAT</th>
<th>R</th>
<th>Total Including VAT</th>
<th>R</th>
</tr>
</thead>
</table>

### 4.4. Minimum Requirements

### 4.5. Only bidders meeting the following criteria will be considered for this tender:

- **a)** Valid Tax Clearance Certificate
- **b)** Valid and certified copy of the B-BBEE Certificates
- **c)** Initial/stamp and where applicable sign all pages of the attached RFQ Declaration of interest forms (attached RFQ document)
- **d)** Proof of banking details

### 5. SECTION 5: PREFERENCE POINTS AND PRICE

#### 5.1. Preference Points Claims

- **5.1.1.** In terms of the PPPFA and its regulations only a maximum of 20 points may be awarded for preference. The preferential point systems are as follows:

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

- **5.1.2.** DOD 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 DOD.
5.2. Definitions

5.2.1. “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

5.2.2. “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

5.2.3. “Black Designated Groups” has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

5.2.4. “Black People” has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

5.2.5. “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act 53 of 2003;

5.2.6. “Designated Group” means:

5.2.6.1. Black Designated Groups;

5.2.6.2. Black People;

5.2.6.3. Women;

5.2.6.4. People with disabilities; or

5.2.6.5. Small enterprises, as defined in section 1 of the national Small Enterprise Act 102 of 1996;

5.2.7. “Consortium or Joint Venture” 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;

5.2.8. “EME” means an exempted micro enterprise in terms of the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

5.2.9. “Functionality” means the ability of tenderer to provide goods or services in accordance with specifications as set out in the tender documents;

5.2.10. “Military Veteran” has the meaning assigned to it in section 1 of the Military Veterans Act 18 of 2011;

5.2.11. “People with disabilities” has the meaning assigned to it in section 1 of the Employment Equity Act, 55 of 1998;
5.2.12. “Person” includes a juristic person;


5.2.14. “Price” means all applicable axes less all unconditional discounts;

5.2.15. “QSE” means a Qualifying Small Business Enterprises in terms of the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act

5.2.16. “Rand Value” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;

5.2.17. “Rural Area” means:

5.2.17.1. a sparsely populated area in which people farm or depend on natural resources including villages and small towns that are dispersed through the area; or

5.2.17.2. an area including a large settlement which deeds a on migratory labour and remittances and govern social grants for survival, and may have a traditional land tenure system;

5.2.18. “Total Revenue” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;

5.2.19. “Township” means an urban living area that any time from the late 19th century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994;

5.2.20. “Trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person;

5.2.21. “Trustee” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person; and

5.2.22. “Youth” has the meaning assigned to it in section 1 of the National Youth Development Agency Act 54 of 2008

All terms not defined herein have the meanings assigned to them in the PPPFA.

5.3. **Adjudication Using A Point System**

5.3.1. The bidder obtaining the highest number of total points will be awarded the contract, unless objective criteria exist justifying an award to another bidder or DOD exercises one or more of its disclaimers.

5.3.2. Preference points will be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.

5.3.3. Points scored will be rounded off to the nearest 2 decimal places.
5.4. **Award of Business where Bidders have Scored Equal Points Overall**

5.4.1. In the event that two or more bids have scored equal total points, the successful bid will be the one scoring the highest number of preference points for B-BBEE.

5.4.2. However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid will be the one scoring the highest score for functionality.

5.4.3. Should two or more bids be equal in all respects, the award will be decided by the drawing of lots.
5.5. **Points Awarded for Price**

**The 80/20 Preference Point Systems**

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

\[ P_{s} = 80 \left( 1 - \frac{P_{t} - P_{min}}{P_{min}} \right) \]

Where

- \( P_{s} \) = Points scored for comparative price of bid under consideration
- \( P_{t} \) = Comparative price of bid under consideration
- \( P_{min} \) = Comparative price of lowest acceptable bid

5.5.1. **Points Awarded for B-BBEE Status Level of Contribution**

5.5.1.1. 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

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of Points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
</tr>
</tbody>
</table>
5.5.1.2. Bidders who qualify as EMEs in terms of the B-BBEE Act must submit an affidavit stating its annual turnover, certificate issued by a Verification Agency accredited by SANAS.

5.5.1.3. Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS. QSEs have an additional option of submitting a sworn affidavit as its B-BBEE certificate in terms of the amendments to the B-BBEE Codes of Good Practice in 2013.

5.5.1.4. A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

5.5.1.5. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

5.5.1.6. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

5.5.1.7. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

5.5.1.8. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

5.6. Bid Declaration

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

(B-BBEE Status Level of Contribution Claimed in Terms of Paragraphs Error! Reference source not found.)

B-BBEE Status Level of Contribution: ________________ = _____________ (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 0must be in accordance with the table reflected in paragraph 5.5.1.1and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS).
5.7. **Declaration with Regard to the Bidder**

5.7.1. **Name of bidding entity**

______________________________________________________________

5.7.2. **CSD Registration : MAAA**

______________________________________________________________

5.7.2. **Tax Reference number**

______________________________________________________________

5.7.3. **VAT Registration number:**

______________________________________________________________

5.7.4. **Company registration number:**

______________________________________________________________

5.7.5. **Type of company / firm:**


**Partnership/Joint Venture / Consortium**

**One-person business/sole propriety**

**Close corporation**

**Company**

**(Pty) Limited**

[TICK APPLICABLE BOX]

5.8. **Describe principal business activities**

______________________________________________________________

______________________________________________________________

5.9. **Company Classification**

**Manufacturer**

**Supplier**

**Professional service provider**

**Other service providers, e.g. transportation, etcetera.**

[TICK APPLICABLE BOX]
5.10. Total numbers of years the company / firm has been in business:

--------------------------------------------------------------------------------------------------------------------------

5.11. 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-BBEE status level of contribution indicated in this bid of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

5.11.1. The information furnished is true and correct;

5.11.2. The preference points claimed are in accordance with the General Conditions as indicated in this Section;

5.11.3. In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of DOD that the claims are correct;

5.11.4. If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, DOD may, in addition to any other remedy it may have:

5.11.4.1. Disqualify the person from the bidding process;

5.11.4.2. Recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;

5.11.4.3. 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;

5.11.4.4. Restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from DOD for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and

5.11.4.5. Forward the matter for criminal prosecution.
6. **SECTION 7: RETURNABLE DOCUMENTS**

6.1. Mandatory Returnable documents

DOD will disqualify from the tender process any bidder that has failed to submit mandatory returnable documents and information on the closing date and time. Bidders should therefore ensure that all the mandatory returnable documents and information have been submitted. In order to assist bidders, DOD has also included a column next to the required mandatory document and information to enable bidders to keep track of whether they have submitted or not. The mandatory documents and information are as follows:

6.2. These types of documents and information are required but are not mandatory or are only mandatory at specific stages of the process. DOD may request bidders to submit these documents or information after the closing date and time or might already have them on the system. Where a document or information is only mandatory at a specific stage in the process, DOD may only disqualify a bidder for non-submission at that stage and after reasonable efforts were made to request the document from the bidder. The documents are as follows:
**MANDATORY RETURNABLE DOCUMENTS AND INFORMATION**

<table>
<thead>
<tr>
<th>Document/Information</th>
<th>Submitted [Yes or No]</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-BBEE Certificate</td>
<td></td>
</tr>
<tr>
<td>Tax Clearance Certificate (DOD may not award a tender to a bidder whose tax affairs have not been declared to be in orders by SARS)</td>
<td></td>
</tr>
<tr>
<td>Proof of banking details</td>
<td></td>
</tr>
<tr>
<td>Initial/stamp and where applicable sign all pages of the attached RFQ</td>
<td></td>
</tr>
<tr>
<td>Declaration of interest forms (attached RFQ document)</td>
<td></td>
</tr>
<tr>
<td>Quotation on bidder’s company letter head</td>
<td></td>
</tr>
</tbody>
</table>

**6.3. Validity of submitted information**

Bidders must ensure that any document or information which has been submitted in pursuance to this tender remains valid for the duration of the contract period. The duty is on the bidder to provide updated information to DOD immediately after such information has changed.

**7. SECTION 8: DECLARATION FORM**

7.1. Making a Declaration

Any legal person or persons having a relationship with persons employed by DOD, including a blood relationship, may submit a bid in terms of this tender document. In view of possible allegations of unfairness, should the resulting bid, or part thereof, be awarded to persons connected with or related to DOD employees, it is required that the bidder or his/her authorised representative declare his/her position in relation to DOD employees or any member of the evaluation or adjudication committee which will consider bids. Furthermore, DOD requires all bidders to declare that they have not acted in any manner inconsistent with the law, policy or fairness.

7.2. All bidders must complete a declaration of interest form below:

- Full name of the bidder or representative of the bidding entity
- Identity Number
- Position held in the bidding entity
- Registration number of the bidding entity
- Tax Reference number of the bidding entity
- VAT Registration number of the bidding entity
I/We certify that there is a / no relationship between the bidding entity or any of its shareholders / directors / owner / member / partner with any DOD employee or official.

Where a relationship exists, please provide details of the DOD employee or official and the extent of the relationship below


7.3. Full Names of Directors / Trustees / Members / Shareholders of the bidding entity

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>Personal Income Tax Reference Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

7.4. I/We declare that we have not acted in any manner which promotes unfairness, contravenes any law or is against public morals. We further certify that we will in full compliance of this tender terms and conditions as well as DOD policies in the event that we are successful in this tender.

Declaration:

I/We the undersigned ________________________________ ___________________________ (Name) hereby certify that the information furnished in this tender document is true and correct. We further certify that we understand that where it is found that we have made a false declaration or statement in this tender, DOD may disqualify our bid or terminate a contract we may have with DOD where we are successful in this tender.

______________________________  ______________________________
Signature  Date

______________________________  ______________________________
Position  Name of bidder
8. **SECTION 10: DECLARATION OF FORBIDDEN PRACTICES**

I/We hereby declare that we have not/been found guilty of any illegal activities relating to corruption, fraud, B-BBEE fronting, anti-competitive practices and/or blacklisted by an organ of State-Owned Company, etc. and/or any other forbidden practices.

I/We declare the following:

<table>
<thead>
<tr>
<th>Description</th>
<th>Penalty</th>
<th>Organ of State / State Owned Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Furthermore, I/We declare that to the best of my/our knowledge there is /are no further practices to be declared or which are in the process of being finalised. The following are alleged practices which have not yet been finalised.

<table>
<thead>
<tr>
<th>Description</th>
<th>Organ of State / State Owned Company</th>
</tr>
</thead>
<tbody>
<tr>
<td>a)</td>
<td></td>
</tr>
<tr>
<td>b)</td>
<td></td>
</tr>
</tbody>
</table>

This declaration was signed on ______ of ____________________________ 20_______

Name:  

_____________________________________________________

Designation:  

_____________________________________________________

Signature:  

_____________________________________________________