

REQUEST FOR PROPOSAL

For The

SUPPLY AND DELIVERY

Of

FUG MCP140 – 340 Power Supply (X 2), FUG MCP350 – 1250 Power Supply (X 2) and FUG Remote Programming for the Above Power Supply (X 4)

For

iThemba Laboratory for Accelerator Based Sciences

A National Facility of the National Research Foundation established in terms of the National Research Foundation Act (Act No 23 of 1998) (Hereinafter referred to as "iThemba LABS")

A. INTRODUCTION

The iThemba LABS seeks to procure new FUG Power Supplies and Remote Programming from an accredited Supplier, subject to an agreement being reached on the price of the specified goods.

The parties will agree, provided an agreement can be reached to the mutual satisfaction of each in regard to matters such as the specifications of the goods, the price to be paid therefore, the performance required and the delivery date.

B. SITE LOCATION FOR DELIVERY

The building is located at: **iThemba LABS :**
iThemba LABS Cape Town, Old Faure Road, Faure, Western Cape,
731

C. PROGRAMME FOR THE SUPPLY AND DELIVERY

The following key dates are applicable to this contract;

- Awarding of proposal: March 2015
- Issue an official order: Two Weeks after awarding
- Delivery of Equipment: Within 8 to 12 weeks from receipt of order
- Terms of Payment: As agreed between the contracting parties

D. SECTION 1: SCOPE OF WORKS AND DETAILED SPECIFICATIONS.

1. INTENT OF THE DOCUMENT

This Request for Proposal is intended to allow the successful contractor to specify and supply their skills and expertise and price for the above mentioned to iThemba LABS. Final acceptance of any proposal is not guaranteed this being the exclusive right of iThemba LABS.

The Client: iThemba LABS
 Address: Old Faure
 Faure, Faure
 7131

The Contractor's: _____

Address: _____

2. BASIC SPECIFICATIONS: To be priced as per the supplier's own detail proposal. (Detail Proposal and any additional information must be attached).

Specifications and Functionalities Required	Quantity	Price
FUG MCP140 – 340 Power Supply	2	
FUG MCP350 – 1250 Power Supply	2	
FUG Remote Programming for the above Power Supplies	4	

		All the above priced in attached Proposal
Complete all the attached Annexures and Documents Supplied 1. SBD 4 2. SBD 6 3. SBD 8 4. SBD 9		Not Priced
Total Price		

3. SYSTEM COMMISSIONING AND TRAINING

The Supplier shall provide comprehensive documentation on the operation and routine maintenance of all aspects of the Power Supplies.

4. WARRANTY

Equipment shall be warranted against defects in design, workmanship and material for a continuous period of one (1) year from date a final acceptance. The warranty covers repair or replacement of defective parts at the option of the Supplier. The warranty shall not apply to normal wear and tear or defects resulting from improper use or inadequate maintenance on the part of iThemba LABS. Expenses relating to removal, re-installation and freight of fore mentioned replacements are not covered by the warranty.

5. PENALTY FOR LATE DELIVERY.

iThemba LABS reserves the right to apply a monetary penalty which shall come into effect for late delivery. Delivery shall be considered as late if equipment has not been delivered to the carrier within fourteen (14) days of the agreed shipping date. The value of the penalty shall be calculated at a rate of 1.0% per month of the full contract price.

6. SUBMISSION AND CLOSING DATE AND TIME

Proposal Submission:

Final signed Proposal must reach iThemba LABS, Old Faure Rd, Faure, South Africa on or before 02 March 2015.

7. CONTENTS OF PROPOSALS

Proposals shall include all relevant information about the bidder, which is thought appropriate to assist iThemba LABS to assess its capabilities, capacity, outputs, value adding abilities, competitive advantage, etc

Signed _____

Company _____

Name _____

Date _____

(Company Stamp)

DECLARATION OF INTEREST

SBD4

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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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, member):
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

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.

2.5 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 / PERSAL numbers must be indicated in paragraph 3 below.

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

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 attach 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 / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:
.....
.....

2.9 Do you, or any person connected with the bidder, have 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? **YES / NO**

2.9.1 If so, furnish particulars.
.....
.....

2.10 Are you, or any person connected with the bidder, 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? **YES/NO**

2.10.1 If so, furnish particulars.
.....
.....

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

2.11.1 If so, furnish particulars:
.....
.....

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

Full name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Persal 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 SHOULD THIS
 DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

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 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-
- abused the institution's supply chain management system;
 - committed fraud or any other improper conduct in relation to such system; or
 - 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
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1			
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <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

SBD9

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 *per 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 (SBD9) Must be completed and submitted with the bid:

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

²Bid 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 under signed, 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

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 formula as 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.

³Joint 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 of the 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 interms 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 interms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any of her applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder