

BIDS ADVERTISEMENT FORM

BID DESCRIPTION	INVITATION TO SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR A MODULAR WORKFLOW SYSTEM THAT WOULD FACILITATE ACADEMICS IN REPORTING ACADEMIC MISCONDUCT CASES ACCORDING TO STANDING NWU SOPS.	
BID NUMBER	NWU IT NUMBER: 01/2022	
NAME OF INSTITUTION	North-West University	
THE PLACE WHERE GOODS WORKS OR SERVICES ARE REQUIRED	Potchefstroom / Vanderbijlpark	
OPENING	DATE: 3 March 2022	
CLOSING	DATE: 14 March 2022	TIME: 19H00
CONTACT DETAILS: POSTAL ADDRESS OFFICE HOURS: 08:00 – 15H00 (MONDAY TO FRIDAY)	North-West University Potchefstroom/ Vanderbijlpark Campus 11 Hoffman Street / Hendrik van Eck Boulevard Potchefstroom / Vanderbijlpark 2531 / 1911	
PHYSICAL ADDRESS	THE BID BOX IS SITUATED AT: Building G3: Room G25 (Potchefstroom) Building B8 – Room G15 (Vanderbijlpark)	
TEL	018 991332 (Cient) 0711172750 (Potchefstroom) 0169103259 (Vanderbijlpark)	
EMAIL	Zander.JanseVanRensburg@nwu.ac.za (Client) Neels.Kruger@nwu.ac.za (Potchefstroom) Jt.JanseVanRensburg@nwu.ac.za (Vanderbijlpark)	
CONTACT PERSON	Zander Janse van Rensburg	
CATEGORY	SERVICES: PROFESSIONAL	
SECTOR	NWU: IT Department	
REGION	National	
BRIEFING SESSION/ SITE VISITS	NW 205 (Potchefstroom) / B9A-102 (Vanderbijlpark)	

NB: The prospective bidders' responsibility is to obtain bid documents in time to ensure that responses reach the Northwest University IT Department timeously. The NWU shall not be held responsible for delays in the postal service.

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1 Introduction and Background

1.1 Department profile

Against the background of the Gartner definition of information governance being “the specification of decision rights and an accountability framework to ensure appropriate behaviour in the valuation, creation, storage, use, archiving and deletion of information”, the NWU views information governance as an overarching framework for oversight of information and the processes by which it is generated, processed, and curated at the university.

The NWU Registrar investigates cases of alleged plagiarism by inspecting the cases individually and appointing experts to develop technical reports. If the technical report is not self-evident in emphasising the severity of the plagiarism, external subject matter experts (SME) are requested to adjudicate the technical report with an additional report which further elaborates on the alleged plagiarism. The technical report currently involves manually comparing the alleged plagiarised text in question with the original text as evidence text, which can be tedious, and some similarities may be overlooked. This tender, therefore, calls for the construction supply and delivery of such a workflow system that would facilitate academics in reporting academic misconduct cases according to standing NWU SOPs.

2 Tender documentation

1. Bidders should ensure that bids are delivered in time to the correct address. Late proposals will not be accepted for consideration.
2. All bids must be submitted on the official forms – (not to be re-typed)
3. Bidders should ensure that bids are delivered timeously to the correct address, bids submitted by telegram, Facsimile or other similar apparatus will not be accepted for consideration.
4. This bid is inter alia subject to the general conditions of contract (GCC) and, if applicable, any other special conditions of contract.
5. The following particulars must be furnished (Section 2.1-2.2).

2.1 Bidding Structure

Indicate the type of Bidding structure by marking with an 'X'	
Individual Bidder	
Joint Venture	
Consortium	
With Sub Contractors	X

If Joint Venture or Consortium, indicate the name/s of the partners:	
Company Name	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Fax Number	
Postal Address	
Physical Address	

If Individual:	
Name of Bidder	Nightcore Mech
Registration Number	201903100008 (1961420-B)
Vat registration Number	IE654521V
Contact Person	Hanno Visagie
Telephone Number	018 290 7626
Mobile Number	+27 76 449 7000
E-mail address	hanno.visagie.16@gmail.com
Fax Number	N/A
Postal Address	1930
Physical Address	1 Fish Eagle Drive

2.2 Please see attached SBD (standard bidding documents that need to be completed and submitted) and attachments

- ☐ **Annexure A: SBD 1: INVITATION TO BID**
- ☐ **Annexure B: SBD 2: TAX CLEARANCE CERTIFICATE REQUIREMENTS**
- ☐ **Annexure C: SBD 3: PRICING SCHEDULE- MUST BE PRINTED AND PLACED IN A SEPARATE SEALED ENVELOP (STATING THE TOTAL BID PRICE)**
- ☐ **Annexure D: SBD 4: DECLARATION OF INTEREST**
- ☐ **Annexure E: SBD 6.1: PREFERENCE POINTS CLAIM**
- ☐ **Annexure F: SDD 8: DECLARATION OF INTEREST**
- ☐ **Annexure G: SBD 9: CERTIFICATE IF INDEPENDENT BID**
- ☐ **Annexure H: TERMS OF REFERENCE (SPECIFICATIONS) SEE ANNEXURE “H”**

2.3 Confidential information disclosure notice.

This document may contain confidential information that is the property of the NWU.

No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever (other than for preparing a proposal in response to this bid) without prior written permission from the NWU).

All copyrights and Intellectual Property herein vests with the NWU.

3 Introduction

3.1 Purpose of bid.

The purpose of this RFB (request for bid) (is an invitation to potential suppliers (hereinafter referred to as "Bidders") to submit Bids for the items/products/solutions or services as detailed under Technical/solution specification or Terms of Reference.

3.2 Objectives.

Compliance with all relevant legislations and regulations.

Based on the Bids submitted and the outcome of the evaluation process according to the set evaluation criteria of the NWU, the NWU intends to select (a) preferred bidder/s with the view of concluding a service level agreement (SLA) with such successful bidder. The Bid will be evaluated in terms of the **PPPFA 80/20 preferential points system**.

3.3 Enquiries

Should it be necessary for a bidder to obtain clarity on any matter arising from or referred to in this RFB document, please refer queries, **in writing**, to the contact person(s) listed below. Under no circumstances may any other employee within the greater NWU Procurement Department be approached for any information. Any such action might result in a disqualification of a response submitted in competition to the RFB. The NWU Procurement Department reserves the right to respond to such queries on the website.

Prof. C. J. Krüger (Potchefstroom)	0711172750
	Neels.kruger@nwu.ac.za
Dr. JT Janse Van Rensburg (Vanderbijlpark)	0169103259
	Jt.JanseVanRensburg@nwu.ac.za
Mr. Z Janse van Rensburg (Senior Client Representative agent)	018 991332
	Zander.JanseVanRensburg@nwu.ac.za

4 User Requirements Specification

The NWU, herein after called the client, has the need for the **development of a workflow system that would facilitate academics in reporting academic misconduct cases according to SOPs that comply with the following:**

- Paraphrasing and not attributing sources is a malicious form of plagiarism. As such, software must be developed (2019-2021), which automates the comparison of text in question with evidence text and provides a similarity measure of the two texts. The software should reduce the time spent comparing two texts manually and generalising the interpretation of how severe the alleged plagiarism is through the use of the similarity measure. Thus, an enhanced version of stylometric analysis software is required as many writers circumvent text lifting software (such as Turnitin) by merely switching words, applying trickery or paraphrasing texts to evade rudimentary text-matching algorithms. Therefore, the requirement is for software to combine text-matching capabilities and stylometric analytics to generate more accurate reports, better understand academic misconduct, and enable enhanced development interventions. The software should thus include a corpus per student with the capability to measure progress and deviations, helping identify at-risk students and students who commit acts of contract cheating and related offences.
- The current software has features that do not function efficiently, namely a rudimentary text comparison tool and a stylometric tool. The former (rudimentary text comparison tool) primarily indicates similarities between texts to demonstrate similarities in technical reports, and the stylometric tool is highly underutilised due to its far-reaching capabilities to aid the investigator in authorship recognition.
- Be a standalone terrestrial-based system, executable on multiple systems at a time.
- Have the ability to update data at least daily
- The development method/methodology must adhere to a proper PM methodology. It is suggested that MPMM / Method 123 be used.
- The system should be able to maintain a database of **all transactions over time**.

Adherence should be Given to ISO 21500 firstly, secondly to PMBoK as well as the PRINCE2 Method and the HERMES method.

5 Definitions

A list of applicable definitions is supplied in Table 1 below:

“Acceptable Bid”-means any bid, which, in all respects complies with the specifications and conditions of the Request for bid as set out in this document.
“Acts” – Means the Preferential Procurement Policy Framework Act. (Act No 5 of 2000).
“Agent” ” – means a person mandated by another person (“the principal”) to do business for and on behalf of or to represent in business transaction the principal, and thereby acquire rights for the principal against an organ of state and incur obligations binding the principal in favour of an organ of state.
“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 services or goods.
“Bidders” - means any enterprise, consortium or person, partnership, company, close corporation, firm or any other form of enterprise or person, legal or natural, which has been invited by THE NWU to submit a bid in response to this bid invitation.
“Client” - means internal and external customers that participate in THE NWU General Business activities.
“Comparative Price” -- means the price after deduction or addition of non-firm price factors, unconditional discounts, etc.
“Comparative Price” -- means the price after deduction or addition of non-firm price factors, unconditional discounts, etc.
“Goods” – means any work, equipment, machinery, tools, materials or anything of whatever nature to be rendered to THE NWU or THE NWU’s delegate by the successful vendor in terms of this bid.
“Hosting Partners” - means companies who entered into an agreement with THE NWU in the areas of application management; application hosting, application service provision, and marketplace hosting are incorporated in this category.
“Internal Collaboration” - means collaborative arrangements within a group of companies or within various strategic business. Units/subsidiaries/operating divisions in order to gain a strategic position whilst sharing resources, profits and losses as well as risks.
“Joint Ownership” - (also known as equity JVs) means the establishment by two parent companies of a child company for a specific task within which both parent companies invest in order to overcome the limited capabilities vested within them in order that they can both benefit from the combined investment.
“Joint Venture” - (Project) means two or more businesses joining together under a contractual agreement to conduct a specific business enterprise with both parties sharing profit and losses. The venture is for one specific project only, rather than for a continuing business relationship as in a strategic alliance. It is about sharing risk with others and providing one or more missing and needed assets and competencies.
“Licenses” - means conditional use of another party’s intellectual property rights.
“Management” - in relation to an enterprise or business, means an activity inclusive of control, and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
“Organ of State” ” - means a constitutional institution defined in the Public Finance Management Act, Act 1 of 1999.
“Successful Vendor” - means the organisation or person with whom the order is placed or who is contracted to execute the work as detailed in the bid.
“Prime Vendor” – means any person (natural or juristic) who forwards an acceptable proposal in response to this RFB with the intention of being the main contractor should the proposal be awarded to him/her.
“Vendor Agent” - means any person mandated by a prime vendor or consortium/joint venture to do business for and on behalf of, or to represent in a business transaction, the

prime vendor and thereby acquire rights for the prime vendor or consortium/joint venture against THE NWU or an organ of state and incur obligations binding the prime vendor or consortium/joint venture in favour of THE NWU or an organ of state.
“SMME” – bears the same meaning assigned to this expression in the National Small Business Act, 1996 (Act No. 102 of 1996).
“Service Partners” - means any successful vendor who is awarded the proposal or who entered into an agreement with THE NWU and/or its clients to offer consulting services in areas such as but not limited to, strategic e-business consulting, evaluation, implementation and continuous improvement or system integration.
“Support Partners” – means any successful vendor who entered into partnership agreement with THE NWU and/or its clients for the provision of support services to a specific solution.
“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.
“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.

Table 1: List of Definitions

10. ACRONYMS AND ABBREVIATIONS

A list of applicable acronyms and abbreviations is supplied in Table 2 Below

Abbreviations/Acronyms	Description
BEE	Black Economic Empowerment.
CPI	Consumer Price Index.
COTS	Commercial of the shelf system
NWU	Department of Trade and Industry
HDI	Historically Disadvantaged Individuals
EDMS	Electronic Document Management System
IS	Information Systems
ISO	International Standard Organization
IT	Information Technology
LAN	Local Area Network
NIA	National Intelligence Agency
OCR/ICR	Optical Character Recognition/Intellectual Character Recognition
OEM	Original Equipment Manufacturer
PPPFA	Preferential Procurement Policy Framework Act
RFB	Request for Bid
RFP	Request for Proposal
RSA	Republic of South Africa
SITA	State Information Technology Agency
SLA	Service Level Agreement
SW	Software
WAN	Wide Area Network
WF	Weighing factor

Table 2: List of acronyms and abbreviations

6 General rules and instructions.

6.1 Confidentiality.

The information contained in this document is of a confidential nature, and must only be used for purposes of responding to this RFB. This confidentiality clause extends to Bidder partners and/or implementation agents, whom the Bidder may decide to involve in preparing a response to this RFB.

For purposes of this process, the term “Confidential Information” shall include all technical and business information, including, without limiting the generality of the foregoing, all secret knowledge and information (including any and all financial, commercial, market, technical, functional and scientific information, and information relating to a party’s strategic objectives and planning and its past, present and future research and development), technical, functional and scientific requirements and specifications, data concerning business relationships, demonstrations, processes, machinery, know-how, architectural information, information contained in a party’s software and associated material and documentation, plans, designs and drawings and all material of whatever description, whether subject to or protected by copyright, patent or trademark, registered or un-registered, or otherwise disclosed or communicated before or after the date of this process.

The receiving party shall not, during the period of validity of this process, or at any time thereafter, use or disclose, directly or indirectly, the confidential information of THE NWU (even if received before the date of this process) to any person whether in the employment of the receiving party or not, who does not take part in the performance of this process.

The receiving party shall take all such steps as may be reasonably necessary to prevent THE NWU’s confidential information coming into the possession of unauthorised third parties. In protecting the receiving party’s confidential information, The NWU shall use the same degree of care, which does not amount to less than a reasonable degree of care, to prevent the unauthorised use or disclosure of the confidential information as the receiving party uses to protect its own confidential information.

Any documentation, software or records relating to confidential information of NWU, which comes into the possession of the receiving party during the period of validity of this process or at any time thereafter or which has so come into its possession before the period of validity of this process:

- Shall be deemed to form part of the confidential information of NWU.
- Shall be deemed to be the property of NWU.
- Shall not be copied, reproduced, published or circulated by the receiving party unless and to the extent that such copying is necessary for the performance of this process and all other processes as contemplated in; and
- Shall be surrendered to NWU on demand, and in any event on the termination of the investigations and negotiations, and the receiving party shall not retain any extracts.

6.2 News and press releases.

Bidders or their agents shall not make any news releases concerning this RFB or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with the NWU.

6.3 Precedence of documents.

This RFB consists of a number of sections (see list). Where there is a contradiction in terms between the clauses, phrases, words, stipulations or terms and herein referred to generally as stipulations in this RFB and the stipulations in any other document attached hereto, or the RFB submitted hereto, the relevant stipulations in this RFB shall take precedence.

Where this RFB is silent on any matter, the relevant stipulations addressing such matter and which appears in the PPPFA shall take precedence. Vendors shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that The NWU may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by The NWU.

It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFB. It however remains the exclusive domain and election of the NWU as to which of these stipulations are applicable and to what extent. Vendors are hereby acknowledging that the decision of the NWU in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the vendor(s). The vendor(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

6.4 Preferential procurement reform.

THE NWU supports Black Economic Empowerment as an essential ingredient of its business. In accordance with government policy, The NWU insists that the private sector demonstrates its commitment and track record to Black Economic Empowerment in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.

Vendors shall complete the preference certificate attached to this proposal. In the case of a consortium and sub-contractors, the preference certificate must be completed for each legal entity.

7 General Submission requirements

7.1 Language

Bids shall be submitted in **English**.

7.2 Gender

Any word implying any gender shall be interpreted to imply all other genders.

7.3 Headings

Headings are incorporated into this proposal and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.

7.4 Security clearances

Employees and sub-contractors of the vendors may be required to be in possession of valid security clearances to the level determined by NIA and/or NWU commensurate with the nature of the project activities they are involved in. The cost of obtaining suitable clearances is for the account of the bidders. The vendors shall supply and maintain a list of personnel involved on the project indicating their clearance status.

8 Formal contract

This RFB, all the appended documentation and the proposal in response thereto read together, forms the basis for a formal contract to be negotiated and finalised between THE NWU and the enterprise(s) to whom the NWU awards the bid in whole or in part.

A mere offer and acceptance shall not constitute a formal contract of any nature for any purpose between the NWU and any vendor.

9 Instructions for the submissions of a proposal

One (1) original and one (1) copy and (PDF) of the Bid shall be submitted on the date of closure of the Bid.

O NB: PRICING/ COSTING SCHEDULE MUST BE SUBMITTED IN A SEPARATE SEALED ENVELOPE.

- The original copy MUST BE SIGNED IN INK by an authorised employee, agent or representative of the bidder and each and every page of the proposal shall contain the initials of same signatories.
- Bidders shall submit proposal responses in accordance with the prescribed manner of submissions as specified above.
- Bids must be submitted in a prescribed response format herewith reflected as Response Format, and be sealed in an envelope.

Bidders shall submit proposal responses in accordance with the prescribed manner of submissions as specified above.

Bids must be submitted in a prescribed response format herewith reflected as Response Format, and be sealed in an envelope.

Bids must be deposited into the NWU's Bid Box on or before, 14 March 2022 not later than 11h00. The Bid Box is situated at the North-West University Potchefstroom Campus 11 Hoffman Street Potchefstroom 2531, Building G3, Room G25

The physical size of the envelope must be limited to Depth = 750mm x Width = 380mm x Height = 140mm as the bid box aperture cannot accommodate larger sizes.

All Bids in this regard shall only be accepted if they have been placed in the bid box before or on the closing date and stipulated time.

Bids received after the time stipulated will not be considered.

Bid responses sent by post or courier must reach this office at least 36 hours before the closing date to be deposited into the proposal box. Failure to comply with this requirement will result in your proposal being treated as a "late proposal" and will not be entertained. Such proposal will be returned to the respective vendors.

No proposal shall be accepted by the NWU if submitted in any manner other than as prescribed above.

9.1 Response format

Bidders shall submit response in accordance with the response format specified below. Failure to do so will result in rejecting vendor's response. No referrals may be made to comment. Failure to comply will result in the bidder being penalised

10 Mandatory documents

Original and valid tax clearance certificate, If a Consortium or Joint Venture. Original and valid Tax Clearance Certificate must be submitted for each member.

Proof of registration with National Treasury Supplier Database must be attached upon submission of the document.

10.1 Executive Summary

The executive summary must cover the following:

- The Bidder needs to indicate to us that he is responding as a Prime contractor, joint venture, consortium or partnership and list the parties concerned
- Bidder needs to inform us that as the executive committee of the company we have duly designated the following employee name and surname to act on our behalf for the consortium, joint venture, partnership or Prime contractor.
- The Bidder markets themselves by informing us that they have done similar work for other companies and must provide us with contact details as references.
- The Bidder gives us a short summary or clarification of their response.

10.2 Bidder profile

- Individual company/joint venture/consortium shareholders certificate(s)
- Credentials of the company/consortium members etc
- Structure of the company/ consortium members etc.
- Legal agreement between Partners, subcontractors, joint venture or consortium. In case of joint venture include *Memorandum of Understanding* governing the partnership. Whereas in the consortium, partners must submit resolutions and documentation substantiating the latter.

10.3 Bidder background information materials:

Bidder Operating Organisation – Provide an overview of the operating structure and geographical locations of the firm at the national, regional, and local levels.

Standards – Include information regarding your firm's utilisation of widely known Industry Standards and guidelines, as they apply to your firm, your firm's proposal and proposed hardware assets.

Company Contact(s) – Provide the name, title, street address, city, state, telephone and fax numbers and e-mail of the primary company's contact person, and for any sub-Contractors.

Corporate Financial Status - Audited financial statements from the most recent financial year, and the preceding two financial years:

Indicate the percentage of total annual revenue that the proposed service generated for the most recent and the preceding two financial years.

10.4 List of personnel

List of all personnel to be assigned to this project, by employer, identifying their qualifications to perform the tasks or functions to be assigned (include CV's).

Identify key personnel, by employer (include sub-Contractor(s)), and provide contact information.

11 Special conditions/ requirements

- Travel between the prospective contractor's place of work to THE NWU and vice versa will not be for the account of this organisation, including any other disbursements.
- Government Procurement General Conditions of contract (GCC) as issued by National Treasury will be applicable on all instances. The general conditions are available on the National Treasury website (www.treasury.gov.za).
- No advance payment would be made. Payment would be made in terms of the agreement signed between NWU and the service provider. Invoices shall be entertained in terms of the PFMA and therefore paid within (30) days on receipt of an invoice
- The price quoted by the services must include Value Added Tax (VAT). Failing to comply with the condition will invalidate the prospective bidder's bid.
- The successful Bidder must at all times comply with NWU's policies and procedures as well as maintain a high level of confidentiality of information. Failing to comply with the condition will invalidate the prospective bidder's bid.
- NWU will not be held responsible for any costs incurred by the service provider in the preparation and submission of the Bid.
- The successful Bidder will be required to enter into a Service Level Agreement with THE NWU, within One (1) month after receiving official confirmation of being awarded the Bid.
- The Bidder shall bear all costs and expenses associated with preparation and submission of its tender, and the corporation shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.
- The successful bidder will be required to fill in and sign a written Contract Form (SBD 7)/ SERVICE LEVEL AGREEMENT

12 Reasons for disqualification

THE NWU reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder will be notified in writing of such disqualification:

- Bidders who do not submit a valid and original Tax Clearance Certificate on the closing date and time of the bid;
- Bidders who submitted incomplete information and documentation according to the requirements of this RFB;
- Bidders who submitted information that is fraudulent, factually untrue or inaccurate, for example memberships that do not exist, BEE credentials, experience, etc.
- Bidders who received information not available to other vendors through fraudulent means; and/or
- bidders who do not comply with *mandatory requirements* as stipulated in this RFB.

Bidders who have been blacklisted as per the National treasury database

Bidders who fail to pay/submit proof of payment

There will be **NO PUBLIC OPENING** of the Bids received; however, the list of bids received may be published on the NWU website. There will be no discussions with any enterprise until evaluation of the proposal has been complete. Any subsequent discussions shall be at the discretion of NWU. Unless specifically provided for in the proposal document, bids submitted by means of telegram, telex, facsimile or similar means will not be considered.

No Bids from any bidder will be accepted if sent via the Internet or e-mail.

All questions in respect of this proposal must be addressed by email to: Prof C.J. Kruger (Potchefstroom) and Dr. JT Janse Van Rensburg (Vanderbijlpark).

13 Bid preparation

All additions to the proposal documents i.e. annexes, supporting documentation pamphlets, photographs, technical specifications and other support documentation covering the equipment and/or services offered etc. shall be neatly bound as part of the schedule concerned.

All responses with regard to questions posed in the bid documents shall be answered in accordance with the prescribed **RFB Response Format**.

14 Oral presentation and briefing sessions

Bidders who submit Bids in response to this RFB may be required to give an oral presentation, which may include, but is not limited to, an equipment/service demonstration of their proposal to NWU. This provides an opportunity for the vendor to clarify or elaborate on the proposal. This is a fact finding and explanation session only and does not include negotiation. NWU will schedule the time and location of these presentations. Oral presentations are an option of NWU and may or may not be conducted. **The Compulsory Briefing session takes place on 07 March 2022.**

All questions after the compulsory information/briefing session must be sent per e-mail to Zander.JanseVanRensburg@nwu.ac.za

Any bidder who has reasons to believe that the tender specification is based on a specific brand must inform the NWU not later than three (3) working days after the briefing session or seven (7) working days.

15 General conditions of contract/bid

Bidders shall provide full and accurate answers to all including mandatory questions posed in this document, and are required to explicitly state either "Comply/Accept (with a)" or "Do not comply/Do not accept (with an X)" regarding compliance to the requirements. Where necessary, the bidder shall substantiate their response to a specific question. Refer to Table 3 for the general conditions of contract

Condition	Accept	Not Accepted
The laws of the Republic of South Africa shall govern this RFB and any agreement entered into. Bidders accept hereby that the courts of the Republic of South Africa shall have jurisdiction.	X	
The NWU shall not be liable for any costs incurred by the bidder in the preparation of response to this RFB. The preparation of response will be made without obligation to acquire any of the items included in any bidder's proposal or to select any proposal, or to discuss the reasons why such bidder's or any other proposal was accepted or rejected.	X	
The NWU may request written clarification or further information regarding any aspect of this proposal. The bidders must supply the requested information in writing	X	

within two (2) days after the request has been made, otherwise the proposal may be disqualified.		
In the case of consortium, Joint Venture or subcontractors, bidders are required to provide copies of signed agreements stipulating the work split and Rand value.	X	
The NWU reserves the right to; cancel/reject any proposal and not to award the proposal to the lowest bidder or award parts of the proposal to different bidders, or not to award the proposal at all.	X	
Where applicable, bidders who are distributors, resellers and installers of network equipment are required to submit back-to-back agreements and service level agreements with their principals.	X	
By submitting a proposal in response to this RFB, the bidders accept the evaluation criteria as it stands.	X	
Where applicable, The NWU reserves the right to run benchmarks on equipment during the evaluation and after the evaluation.	X	
The NWU reserves the right to conduct a pre-award survey during the source selection process to evaluate contractors' capabilities to meet the requirements specified in the RFB and supporting documents.	X	
The bidder should not qualify the proposal with own conditions. Caution: If the bidder does not specifically withdraw its own conditions of proposal when called upon to do so, the bid response may be disqualified.	X	
Should the bidder withdraw the proposal before the proposal validity period expires, NWU reserves the right to recover any additional expense incurred by The NWU having to accept any less favourable proposal or the additional expenditure incurred by The NWU in the preparation of a new RFB and by the subsequent acceptance of any less favourable proposal.	X	
Should the parties at any time before and or after the award of the proposal and prior to, and or after conclusion of the contract fail to agree on any significant product price or service price adjustments, change in technical specification, change in services, etc. The NWU shall be entitled within 14 (fourteen) days of such failure to agree, to recall the letter of award and cancel the proposal by giving the bidder not less than 90 (ninety) days written notice of such cancellation, in which event all fees on which the parties failed to agree increases or decreases shall, for the duration of such notice period, remain fixed on those fee/price applicable prior to the negotiations. Such cancellation shall mean that THE NWU reserves the right to award the same proposal to next best bidders as it deems fit.	X	
In the case of a consortium or JV each of the authorised enterprise's members and/or partners of the different enterprises must co-sign this document.	X	
Any amendment or change of any nature made to this RFB shall only be of force and effect if it is in writing,	X	

signed by The NWU authorised signatory and added to this RFB as an addendum.		
Failure or neglect by either party to (at any time) enforce any of the provisions of this proposal shall not, in any manner, be construed to be a waiver of any of that party's right in that regard and in terms of this proposal. Such failure or neglect shall not, in any manner, affect the continued, unaltered validity of this proposal, or prejudice the right of that party to institute subsequent action.	X	
Bidders who make use of sub-contractors. The proposal will however be awarded to the bidder as a primary contractor who will be responsible for the management of the awarded proposal. No separate contract will be entered into between The NWU and any such sub-contractors. Copies of the signed agreements between the relevant parties must be attached to the proposal responses.	X	
No interest shall be payable on accounts due to the successful bidder in an event of a dispute arising on any stipulation in the contract.	X	
Evaluation of Bids will be performed by an evaluation panel established by The NWU. Bids will be evaluated on the basis of conformance to the required specifications as outlined in the RFB. Points will be allocated to each bidder, on the basis that the maximum number of points that may be scored for a combination of functionality and price is 90, and the maximum number of preference points that may be claimed for BEE (as per PPPFA) is 10.	X	
THE NWU will not be held liable for any expenses incurred by bidders, in preparing and submitting the proposal.	X	
If the successful bidder disregards contractual specifications, this action may result in the termination of the contract.	X	
The bidders' response to this bid or parts of the response may be included as a whole or by reference in the final contract.	X	
All bidders' who are tertiary institutions or public companies cannot claim preferential points as per the PPPFA regulations of 2001: 13. (5b).	X	
All bidders' who do not sign the declaration forms will not be considered for preference points.	X	
In the evaluation of proposal, the Authority reserves the right to conduct independent reference checks.	X	
The NWU will not respond to any enquiries seventy-two (72) hours before the closing date of the bid	X	
Should the bidder change any wording or phrase in this document, the bid will be evaluated as though no change has been effected and the original wording or phrasing will be used.	X	
Should the evaluation of this bid not be completed within the validity period of the bid, The NWU has discretion to extend the validity period.	X	
Upon receipt of the request to extend the validity period of the bid, the bidder must respond within the required	X	

timeframes and in writing on whether or not s/he agrees to hold his/her original bid responses valid under the same terms and conditions for a further period.		
The NWU will not make any upfront/deposit payments to a successful service provider. Payments will only be made in accordance to the deliverables that will be agreed upon by the both parties.	X	
Respondents may not alter the wording of any criterion/question posed in this document. During the evaluation, it shall be assumed that all criteria/questions are worded as they were in the original document and the answers shall be evaluated on this basis.	X	

Table 3: General Conditions of Contract

ANNEXURE “A”

SBD 1

NB: PLEASE PRINT SBD1 AND INCLUDE IN PRICE ENVELOP)

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE <i>North West University IT Department</i>					
BID NUMBER:	01/2022	CLOSING DATE:	28 March 2020	CLOSING TIME:	11h00
Description	INVITATION TO SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR a modular Business management System				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT: North-West University Potchefstroom/ Vanderbijlpark Campus 11 Hoffman Street / Hendrik van Eck Boulevard Potchefstroom / Vanderbijlpark 2531 / 1911					
THE BID BOX IS SITUATED AT: Building G3: Room G25 (Potchefstroom) Building B8 – Room G15 (Vanderbijlpark)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Prof CJ Kruger/ Dr JT Janse Van Rensburg		CONTACT PERSON	Zander JanseVanRensburg	
TELEPHONE NUMBER	0711172750 / 0169103259		TELEPHONE NUMBER		
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	Neels.kruger@nwu.ac.za/ jt.jansevanrensburg@nwu.ac.za		E-MAIL ADDRESS	Zander.JanseVanRensburg@nwu.ac.za	
SUPPLIER INFORMATION					
NAME OF BIDDER			Nighthcore Mech		
POSTAL ADDRESS 0157					
STREET ADDRESS Eco Origin Office Park, Block F, 349 Witch-Hazel Street, Highveld Ext 79, Gauteng, South Africa					
TELEPHONE NUMBER		CODE		NUMBER	

CELLPHONE NUMBER: +27 764497000					
FACSIMILE NUMBER		CODE		NUMBER	
E-MAIL ADDRESS: hanno.visagie.16@gmail.com					
VAT REGISTRATION NUMBER: IE654521V					
SUPPLIER COMPLIANCE STATUS		TAX COMPLIANCE SYSTEM PIN:		OR CENTRAL SUPPLIER DATABASE No: MAAA	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE		MARK APPLICABLE OPTION Yes No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT MARK APPLICABLE OPTION Yes No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?		YES NO [IF YES, ANSWER THE QUESTIONNAIRE BELOW]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? YES NO [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS				YES NO	
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				X	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				X	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				X	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				X	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				X	
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.					

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:	2022/03/27

ANNEXURE “B”

SBD 2

Tax clearance certificate requirements

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

In order to meet this requirement bidders are required to complete in full the attached form TCC 001 “Application for a Tax Clearance Certificate” and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.

SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.

The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.

In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.

Copies of the TCC 001 “Application for a Tax Clearance Certificate” form are available from any SARS branch office nationally or on the website www.sars.gov.za.

Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

ANNEXURE "C"

SBD 3.3

(TO BE PLACED IN A SEPARATE SEALED ENVELOPE: "MARKED WITH THE BIDDER'S NAME")

Pricing schedule

(Professional Services)

BIDDERS NAME: Nightcore Mech

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of VAT for the project.

TOTAL BID AMOUNT VAT INCLUSIVE R852 997.37

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE

RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION HOURLY RATE DAILY RATE

Resource / Person	Position	Rate (R)
Llewelyn Anthony	Lead developer Unit Tester	R924.00 R782.00
Michael Rosin	Back-end developer Software Analyst	R1 800.00 R440.00
Hanno Visagie	Project leader Chief Technical Officer	R300.00 R1666.00
Hano Strydom	Front-end developer Prototype leader	R1000.00 R600.00
Annika du Toit	Database administrator SQL Developer	R600.00 R800.00
Shené Boshoff	Back-end developer Hosting Platform manager	R1 400.00 R960.00
Ricus Warmenhoven	Project manager	R1600.00

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

Phase	Cost	Duration
1 Scope Definition and Project Planning	R3 339.80	14 days
2 Problem Analysis	R564.20	12 days
3 Requirements Analysis	R145 364.20	13 days
4 Logical Design	R20 410.20	11 days
5 Decision Analysis	R564.20	14 days
6 Physical Design and Implementation	R88 764.20	139 days
7 Testing	R564.20	31 days
8 Installation and Deployment	R91 344.10	6 days

5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

Description of expense to be incurred	Rate / Quantity	Amount
---------------------------------------	-----------------	--------

Road Travel	R21.23 per litre	R21 600

TOTAL: R (Add the amounts of the above tables)	R21 600
--	---------

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

Description of expense to be incurred	Rate / quantity	Amount
N/A	N/A	N/A
TOTAL: R0		

6. Period required for commencement with project after acceptance of bid

14 days

7. Estimated man-days for completion of project

240 days

8. Are the rates quoted firm for the full period of contract?

Yes

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

N/A

Any enquiries regarding bidding procedures may be directed to: Prof C.J Kruger: Me JT Janse van Rensburg

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

Annexure “D”

SBD 4

Declaration of interest

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:

Hanno Visagie

2.2 Identity Number:

0003165386081

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

Chief Technical Officer

2.4 Company Registration Number:

201903100008 (1961420-B)

Tax Reference Number:

201904102215

2.5 VAT Registration Number:

IE654521V

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.

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 presently employed by the state?

Yes	No: X
-----	--------------

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 the appropriate authority to undertake remunerative work outside employment in the public sector?

Yes	No
-----	----

2.7.2.1 If yes, did you attached proof of such authority to the bid document?

Yes	No
-----	----

(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: X
-----	--------------

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: X
-----	--------------

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: X
-----	--------------

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: X
-----	--------------

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 Persal Number
Hanno Visagie	0003165386081	0015713290	N/A
Shené Boshoff	0004100388083	0054781514	N/A
Llewelyn Anthony	9806115056088	0028372834	N/A
Annika du Toit	0009210104080	0014253647	N/A
Hano Strydom	0003105042083	0086768123	N/A
Michael Rosin	0005155049082	0032382738	N/A
Ricus Waremhoven	9707300000000	0051651518	N/A

4 DECLARATION

I, THE UNDERSIGNED Hanno Visagie

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.

28 March 2022

Signature Date

Project Leader

Position Name of bidder

ANNEXURE “E”

SBD 6.1

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 80/20 preference point system shall be applicable; or

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:

Minimum bid price = R1 000 000

	POINTS
PRICE	91
B-BBEE STATUS LEVEL OF CONTRIBUTOR	2
Total points for Price and B-BBEE must not exceed	93

1.4.1 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.

1.4.2 The purchaser reserves the right to require 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 authorised 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:

$$\begin{array}{ccc}
 \text{80/20} & \text{or} & \text{90/10} \\
 \text{or} & & \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{array}$$

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

3.2 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

B-BBEE Status Level of Contributor	Number of points (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

4. BID DECLARATION

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

5. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

5.1 B-BBEE Status Level of Contributor: . = Non-compliant 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.

6. SUB-CONTRACTING

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

Yes	No: X
-----	--------------

6.1.1 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	

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 least 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		

7. DECLARATION WITH REGARD TO COMPANY/FIRM

7.1 Name of company/firm:

7.2 VAT registration number:

7.3 Company registration number:

7.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium	
One person business/sole proprietor	X
Close corporation	
Company	
(Pty) Limited	

[TICK APPLICABLE BOX]

7.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

- Client-specific software solutions are developed to meet their needs. This necessitates the development of software from the ground up. Problem definition, problem and scenario analysis, solution design, solution implementation, and software installation are only a few examples of these processes. Software development approaches are chosen based on the needs of the customer.
- Another service given by Nightcore Mech is the improvement and maintenance of our unique software systems. Customers frequently want assurance that their solution will work in the short and long run. Our maintenance and improvement services come in handy in this situation. We provide free system maintenance for a set period of time before charging a price. If the customer requests upgrades that were not stated in their tender or contract, Nightcore Mech will consider making these changes. This is only true if the reward is commensurate with the amount of effort required to make the improvements.
- Client acquisition in conjunction with marketing are key company activities. The majority of clients are acquired by word of mouth or through friends or family. Fortunately, this has allowed the company to grow at a steady pace while maintaining good relationships with our clients.
- In terms of finances, Nightcore Mech uses the latest available pricing for technology and the various services it provides. The budget created by the company is calculated by using various prediction methods to ensure that the prices remain constant during the development cycle

7.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

3

7.8 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:

- The information furnished is true and correct;
- The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- 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;
- 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 –
 - disqualify the person from the bidding process;
 - recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors 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	WITNESSES
Annika Du Toit <i>Annika du Toit</i>	Shené Boshoff <i>Shené Boshoff</i>

SIGNATURE(S) BIDDERS(S)	OF	DATE:	ADDRESS
<i>[Signature]</i>		28 March 2022	The NWU, Potchefstroom

SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.

1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.

1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.

1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.theNWU.gov.za/industrial development/ip.jsp](http://www.theNWU.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

Description of services, works or goods Stipulated minimum threshold	%

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3. Does any portion of the goods or services offered have any imported content?

YES	NO: X
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(Tick applicable box)

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content THE NWU must be informed accordingly in order for THE NWU to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION

(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

RESPECT OF BID NO.: 01/2022

ISSUED BY: (Procurement Authority / Name of Institution): The North-West University

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorised representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thNWU.gov.za/industrial development/ip.jsp](http://www.thNWU.gov.za/industrial%20development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below. Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned Hanno Visagie,

do hereby declare, in my capacity as Project Leader

of, Nightcore Mech the following:

The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)

R852 997.37

Imported content (x), as calculated in terms of SATS 1286:2011

R

Stipulated minimum threshold for local content (paragraph 3 above)

Local content %, as calculated in terms of SATS 1286:2011

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: DATE: _____

WITNESS No. 1 DATE: _____

WITNESS No. 2 DATE: _____

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm:

9.2 VAT registration number:

9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium	
One person business/sole propriety	
Close corporation	
Company	
(Pty) Limited	

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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;
 - (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) 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 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

SIGNATURE(S) OF BIDDER(S)

WITNESSES:

1.

8.

DATE:

ADDRESS:

.....

.....

ANNEXURE “F”

SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Standard Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-

- 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	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the audi alteram partem rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.		X
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.		X
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?		X
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?		X
4.4.1	If so, furnish particulars:		

Continuation: SBD 8

CERTIFICATION

I, THE UNDERSIGNED Hanno Visagie

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.

28 March 2022

Signature Date

Project Leader

Position Name of Bidder

A handwritten signature in black ink, appearing to be 'H Visagie', written over a horizontal line.

ANNEXURE “G”

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Standard Bidding Document (SBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a 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 authorises 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: 01/2022

Description: Plagiarism Project

in response to the invitation for the bid made by: Nightcore Mech

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

I certify, on behalf of : Nightcore Mech that:

Hanno Visagie

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 authorised 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 authorised 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 organisation, 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 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.

28 March 2022

Signature Date

Project Leader

Position Name of Bidder

