REQUEST FOR PROPOSALS FOR STILL PHOTOGRAPHY SERVICES AT THE COMRADES MARATHON FOR A PERIOD OF THREE YEARS (2023, 2024 AND 2025 COMRADES MARATHON)

REFERENCE NUMBER: CMA 5/2023

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THE FULL FIGURE OF HERMES AND THE WORDS, "COMRADES" AND "COMRADES MARATHON" ARE REGISTERED TRADEMARKS OF THE COMRADES MARATHON ASSOCIATION. RUN UNDER THE AUSPICES OF WA, ASA AND KZNA.

1. INTRODUCTION

The **Comrades Marathon Association (CMA)** was founded in 1921 by Vic Clapham in remembrance of fallen Comrades in the First World War. The CMA is a Non- Profit Organisation (NPO) made up of approximately 400 members and governed by its Board. The CMA organizes and hosts the annual Comrades Marathon ultra-marathon road race event in the Province of KwaZulu-Natal in the Republic of South Africa.

1.1. PROJECT PURPOSE

The purpose of this project is to appoint a service provider to provide Still Photography Services at the Comrades Marathon for a period of three (3) years (2023, 2024 & 2025).

1.2. TENDER SPECIFICATIONS

It is the intention of the CMA to enter into a formal agreement with the successful service provider to render the services described hereunder. The specifications would serve to guide the process of selecting and appointing a reputable, experienced service provider by ensuring a match between the CMA's requirements and the knowledge and experience of the service provider. These specifications and the service provider's proposal will form the basis of the agreement to be entered into between the parties.

1.3. SCOPE OF WORK (Please read in conjunction with **par. 1.4** & **9.2)**

1.3.1 The Scope of work will include providing Still Photography Services in accordance with the specifications detailed within *Schedule 1*, hereto attached.

1.3.2 **DO NOTE**:

To achieve the scope of work, the service provider appointed to undertake this project should demonstrate the following key competency:

Comprehensive knowledge, experience and a proven track record in the Photography of Mass Participation Sporting Events.

1.4. METHODOLOGY

The Suppliers tender proposal must outline the process they intend adopting to meet the deliverables specified in paragraph 1.3 above and Schedule 1 attached. This outline should cover the following:

a) Provide the CMA with a Proposal that addresses all the elements as detailed within the **Functionality Assessment** as per paragraph 9.2 on page 6 of this bid document.
b) The proposal should outline the process they intend adopting to meet the deliverables specified in ***Schedule 1***.
c) Include a detailed **Financial Model** as part of the bid document.
d) Complete all applicable **Annexures** as part of this bid and include same with their proposal.

FAILURE TO FULLY COVER THIS IN YOUR PROPOSAL MAY RESULT IN YOUR PROPOSAL BEING REJECTED WITHOUT FURTHER CONSIDERATION.

2. INSTRUCTION TO SUPPLIERS

The services required by The Comrades Marathon Association are described in these specifications and therefore all applicable annexures which are listed as mandatory must be comprehensively covered in your proposal. All bidders must ensure that they have event insurance (to cover equipment & infrastructure) in place as the Comrades Marathon Association will not be held liable for any loss, theft or damage to/of equipment, injury to staff, etc. incurred by the service provider during the deployment of the equipment either pre-, during or post the Comrades Marathon event.

2.1. ALTERATIONS OR WITHDRAWAL OF PROPOSALS

Suppliers may withdraw their proposals by written notification on or before the award date.

2.2. COMPULSORY PRESENTATION

All short-listed bidders may be required to present their methodology to the Bid Evaluation Committee.

2.3. COSTS FOR PREPARATION OF RFP / RFQ PROPOSAL

The costs incurred by the Supplier in respect of the attendance of any briefing or presentation meetings or costs incurred in preparing any proposal will be borne by the Supplier and The Comrades Marathon Association shall in no way be liable to reimburse the Supplier for such costs incurred.

2.4. OWNERSHIP OF RFP / RFQ AND PRESENTATIONS

The Comrades Marathon Association shall on receipt of any proposal relating to this RFP/RFQ and submitted in accordance with this RFP/RFQ procedure, become the owner thereof and The Comrades Marathon Association shall not be obliged to return any proposals to Suppliers who request such a return.

2.5. CONFIDENTIALITY

The entire process of calling for proposals as initiated by The Comrades Marathon Association in terms of its procurement policy is confidential. All deliberations in respect of the acceptability or otherwise of the proposals shall be conducted in closed sessions and members of the Bid Specification, Bid Evaluation and Bid Adjudication Committees are bound by confidentiality.

2.6. ETHICS

Any attempt by a Supplier to obtain confidential information or enter into unlawful agreements with competitors or influence the Bid Evaluation and / or the Bid Adjudication Committees of The Comrades Marathon Association during the process of examining, evaluating and comparing proposals will lead to the rejection of its proposal in its entirety. The Supplier must declare any business or other interests it has with The Comrades Marathon Association or any employee of The Comrades Marathon Association, failing which the Supplier shall be automatically disqualified from further participation in the RFP / RFQ.

2.7. CANCELLATION OF BID PROCEDURE

The Comrades Marathon Association shall be entitled, within its sole and entire discretion, to cancel this RFP/RFQ at any time and shall notify the Suppliers accordingly. The Comrades Marathon Association shall in no way be liable for any damages whatsoever, including, without limitation, damages for loss of profit, in any way connected with the cancellation of this RFP/RFQ procedure. The publication of an invitation to call for proposals does not commit The Comrades Marathon Association to appoint any of the qualifying Suppliers.

3. REQUIRED EXPERTISE AND COMPETENCIES

The Service Provider's proposal must outline the expertise and competencies on offer and should expressly detail their previous experience in dealing with projects of this nature. This may be supported by a detailed company profile, as well as a comprehensive list of references for completed previous projects of a similar nature. The Service Provider appointed to undertake this project should demonstrate a comprehensive knowledge and a proven track record in providing Still Photography Services to sporting events.

KINDLY NOTE THAT A FAILURE TO FULLY COVER THIS IN YOUR PROPOSAL MAY RESULT IN YOUR PROPOSAL BEING REJECTED WITHOUT FURTHER CONSIDERATION.

4. SUPPORTING DOCUMENTATION

Suppliers are required to submit the following documents:

a) An **original valid Tax Clearance Certificate or a valid SARS Pin verification letter** must be submitted with the bid proposal. **(Failure to submit the original and valid Tax Clearance Certificate or a valid SARS Pin verification letter will result in the invalidation of the bid proposal)**. Certified copies of the Tax Clearance Certificate will not be accepted). In bids where Consortia /Joint Ventures/Sub–contractors are involved each party must submit a separate, valid and original Tax Clearance Certificate.
b) **Verifiable References**.
c) **B-BBEE Verification Certificate** (would be an advantage).
d) Annexure A - STANDARD BID DOCUMENT FORM (SBD1).
e) Annexure B - DECLARATION OF INTEREST FORM (SBD4).
f) Annexure C - PREFERENTIAL POINTS CLAIM FORM (SBD6.1).
g) Annexure E - PRICING SCHEDULE FORM (SBD3.1).
h) Annexure G - CERTIFICATE OF INDEPENDANT BID DETERMINATION FORM (SBD9).
i) Annexure H - AUTHORITY TO SIGN A BID FORM.
j) Annexure I - DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD8).
k) Annexure K - SCHEDULE OF ALTERNATIVE BIDS.

KINDLY NOTE THAT A FAILURE TO SUBMIT THE <u>MANDATORY</u> DOCUMENTS (listed as Annexures A, B, E, G, H, & I) WITH THE PROPOSAL WILL RESULT IN YOUR PROPOSAL BEING REJECTED WITHOUT FURTHER CONSIDERATION.

5. PREFERENTIAL PROCUREMENT

The bid is **not** subject to BBBEE as it would be unfair to overseas based service providers to have this principle apply to this bid when such a principle is not applicable to them in their respective countries of residence. The 80/20 and 90/10 principle are also not applicable due to its alignment with the principle of BBBEE.

6. SERVICE LEVEL AGREEMENT

a) The acceptance of any proposal shall only be confirmed with the conclusion of a written service level agreement between The Comrades Marathon Association and the Successful Supplier, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between The Comrades Marathon Association and the Successful Supplier.
b) Until such time that an appropriate service level agreement has been concluded between The Comrades Marathon Association and successful service provider, no rights shall be conferred nor shall any legitimate expectations be conferred to the successful service provider to carry out the works or services provided for in this call for proposals.

7. FEE STRUCTURE

The Comrades Marathon Association reserves the right to negotiate any aspect of the proposed fees and disbursements with the preferred Supplier and shall not be bound to the fees and disbursements submitted by any Supplier.

8. EVALUATION CRITERIA

Evaluation will be carried out on the Functionality and the Preferential Point System (B-BBEE Status Level of Contribution and Price). The following preference point systems are applicable to all bids:

a) The 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included).
b) The 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

8.1. VALUE OF BID

The value of this bid is estimated not to exceed R1 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

8.2. PREFERENCE POINTS

The preference points awarded for this bid shall be for:

a) Price and B-BBEE status level of contribution.
b) The maximum 100 points which includes the Price and the B-BBEE status level of contribution.

8.3. ADJUDICATION USING A POINT SYSTEM

a) The bidder obtaining the highest number of total points will be awarded the contract.
b) Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
c) Points scored must be rounded off to the nearest 2 decimal places.
d) In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
e) However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
f) Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

9. THE AWARDING OF POINTS

For the 80/20 or the 90/10 preference point systems, the awarding of points will be done for Price, Functionality and B-BBEE status level of contribution.

9.1. POINTS AWARDED FOR PRICE

For the 80/20 or the 90/10 preference point systems, a maximum of 80 or 90 points is allocated for price on the following basis:

80/20

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$$

90/10

$$Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Ps = Points scored for comparative price of bid under consideration
Pt = Comparative price of bid under consideration
Pmin = Comparative price of lowest acceptable bid

9.2. FUNCTIONALITY

The below mentioned criteria will guide the evaluation of functionality / technical phase and bidders who score less than 60% in this phase will be disqualified for the next phase of evaluation.

FUNCTIONALITY ASSESSMENT SCORING CRITERIA	Weight	Score	Total
1. Technical Approach (50/100): • Methodology Proposed - The details of the proposed process to be followed in order to complete the tasks on hand (30).	**30**		
• Full colour images/portfolio of evidence from previous assignments successfully completed (20).	**20**		
(**Rating score values for technical approach is allocated as follows:** Poor = 1; Average = 2; Good = 3; Very Good = 4 and Excellent = 5. The maximum score value which can be awarded is 5 per technical approach category).			
2. Successful completion of similar projects in the last five years (20/100): This must be supported by the submission of a list of all similar projects successfully completed, **and** letters of completion and/or references from current/previous clients must be included with the proposal.	**20**		
(**Rating score values for similar projects is allocated as follows:** No similar projects = 0; One similar project completed = 1; Two similar projects = 2; Three similar projects = 3; Four similar projects = 4 and Five and more similar projects completed = 5. The maximum score value which can be awarded is 5).			
3. Project Work Plan (30/100): • The work plan should address: o *Strategy, include Sales Plan* o *Communication* o *Resources: Personnel, Equipment* o *Budget* o *Timeframes* o *Risk Management* • The quality and reasonableness of the project work plan will be assessed / evaluated and therefore a detailed work program outlining the various workflow items/tasks required for this project must be submitted.	**30**		
(Rating score values for the work program is allocated as follows: No program = 0; Poor program (insufficient information provided) = *1*; Adequate program (work items shown) = *2;* Good program (all necessary work items shown) = *3;* Very good program (all necessary and major work items shown) = *4* and Excellent program (all necessary work items shown, including links between tasks and additional information) = *5.* The maximum score value which can be awarded is 5).			
TOTAL	**100**		

9.3. B-BBEE STATUS LEVEL OF CONTRIBUTION

In terms of Regulation 5 (2) and 6 (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-BEE status level of contribution	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

9.3.1. Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

9.3.2. Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

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

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

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

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

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

10. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete Annexure C: Preferential Points Claim Form. (Points claimed must be in accordance with the table reflected in paragraph 9.3. and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

11. CONTRACTUAL OBLIGATIONS

The acceptance of any proposal shall only be confirmed with the conclusion of a written service level agreement between The Comrades Marathon Association and the Successful Supplier, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between the Comrades Marathon Association and the Successful Supplier.

Until such time that an appropriate service level agreement has been concluded between The Comrades Marathon Association and successful Supplier, no rights shall be conferred, nor shall any legitimate expectations be conferred to the successful Supplier to carry out the works or services provided for in this call for proposals.

12. INTELLECTUAL PROPERTY RIGHTS

Copyright, patent rights and other similar rights in any works or products created as a result of the performance of this tender and its assignments shall vest in and are hereby transferred to CMA, unless specifically agreed otherwise, in the form of individual written Agreement signed by both parties.

For this purpose only, all works including all photography and videography created in terms of this tender and the assignments thereof shall be deemed to have been created under the control and direction of CMA. All information documents, records and books provided by CMA to any supplier in connection with the proposal or otherwise are strictly private and confidential. Any proposer to any third party shall not disclose them, except with the express consent of CMA, which shall be granted in writing prior to such disclosure. CMA however reserves the right to disclose any information provided by any supplier to any of the members of CMA.

13. TERMINATION OF CONTRACT

CMA reserves the right to terminate the award of any tender to any party if there are reasonable grounds for considering that there is non-performance by the contractor in terms of the contract. CMA also reserves the right to curtail the scope of any tender awarded or to curtail any aspect of any tender. In the event of any such cancellation or curtailment, the tenderer shall have no claim or recourse against CMA, of whatsoever nature, save the recoupment of the tenderer's actual and reasonable costs already expended on the project.

14. SUBMISSION OF PROPOSALS

A sealed envelope containing the tender document proposal must be delivered for the attention of the **Procurement Officer** at the Reception of **Comrades House, 18 Connaught Road**, **Scottsville, Pietermaritzburg** by no later than ***Thursday 30 March 2023 before 11h00***. All tenders to be recorded in the Tender Register which will be available at reception. Any proposal not delivered at the time of the proposal closing, such a proposal will be regarded as a late proposal. Late proposals will not be considered. No proposal received by telegram, telex, e-mail, facsimile or similar medium will be considered. Bids may be addressed to the following:

Attention**: The Procurement Officer**
Comrades House
18 Connaught Road
Scottsville
Pietermaritzburg
3201

LIST OF OPTIONAL OR MANDATORY ANNEXURES

ANNEXURES	ANNEXURE DESCRIPTION	OPTIONAL OR MANDATORY
ANNEXURE A	STANDARD BID DOCUMENTATION FORM (SBD1)	MANDATORY
ANNEXURE B	DECLARATION OF INTEREST FORM (SBD 4)	MANDATORY
ANNEXURE C	PREFERENTIAL POINTS CLAIM FORM (SBD 6.1)	OPTIONAL
ANNEXURE E	PRICING SCHEDULE FOR PROFESSIONAL SERVICES FORM (SBD 3.1)	MANDATORY
ANNEXURE G	CERTIFICATE OF INDEPENDANT BID DETERMINATION FORM (SBD 9)	MANDATORY
ANNEXURE H	AUTHORITY TO SIGN A BID FORM	MANDATORY
ANNEXURE I	DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)	MANDATORY
ANNEXURE K	SCHEDULE OF ALTERNATIVE BIDS	OPTIONAL

ANNEXURE A: STANDARD BID DOCUMENTATION FORM (SBD 1)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

SECTION A: CMA BID INFORMATION

BID NUMBER: .....**CMA 5/2023**..... CLOSING DATE: **30 MARCH 2023** CLOSING TIME: **11:00**

DESCRIPTION: **REQUEST FOR PROPOSALS FOR STILL PHOTOGRAPHY SERVICES AT THE COMRADES MARATHON FOR A PERIOD OF THREE YEARS (2023, 2024 AND 2025 COMRADES MARATHON)**

CONTRACT PERIOD: **3 years (2023, 2024 and 2025)**

TENDER PRICE VALIDITY PERIOD: .....

CMA SUPPLIER DATABASE REGISTRATION NO: .....

SECTION B: BIDDER INFORMATION

NAMEOF BIDDER:.....

POSTAL ADDRESS:.....

STREET ADDRESS:.....

TELEPHONE NUMBER: CODE..... NUMBER..... CELLPHONE NUMBER:.....

FACSIMILE NUMBER: CODE..... NUMBER..... EMAIL ADDRESS:.....

VAT REGISTRATION NUMBER:.....

SECTION C: BIDDER SUPPORTING INFORMATION (PLEASE CIRCLE THE SELECTED ANSWER)

1. HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? **YES or NO**
2. HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? **YES or NO**
3. IF YES FOR QUESTION 2, WAS THE B-BBEE CERTIFICATE ISSUED BY AN ACCOUNTING OFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA), A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); OR A REGISTERED AUDITOR? **YES or NO**
4. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS OR SERVICES OFFERED? **YES or NO**

SECTION C: SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF BIDDING FORMS

PLEASE NOTE THAT THIS BID IS SUBJECT TO THE COMRADES MARATHON ASSOCIATION PROCUREMENT POLICY AND THE GENERAL CONDITIONS OF CONTRACT.

1. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
2. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
3. Any alteration made by the bidder must be initialled.
4. Bidding documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Bids submitted must be complete in all respects.
7. Bids will be opened in public as soon as practicable after the closing time of bid.
8. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
9. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.
10. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
11. No bid submitted by telefax, telegraphic or other electronic means will be considered.
12. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
13. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
14. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and visa versa and with words importing the masculine gender shall include the feminine and the neuter.
15. Use of correcting fluid/Tippex is prohibited. Usage of these products will invalidate the tender proposal document.
16. Where practical, prices are made public at the time of opening bids.

ANNEXURE B: DECLARATION OF INTEREST FORM (SBD 4)

Any legal person, or persons having a kinship with persons serving on the Board or a Standing Committee of the Comrades Marathon Association (CMA), or persons employed by the Comrades Marathon Association, including a blood relationship, may NOT 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). It is therefore required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- 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.

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

1. Full Name of bidder or his or her representative: .....

2. Identity Number: .....

3. Position occupied in the Company (director, trustee, shareholder, member):.....

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

5. Tax Reference Number: .....

6. Vat Registration Number: .....

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

8. Are you or any person connected with the bidder related to any staff member of the Comrades Marathon Association? **YES/NO**
If so, furnish the following particulars:
(a) Name of person / director / trustee/shareholder/ member: .....
(b) Name of CMA staff member to which the person is connected: .....
(c) Position of the CMA staff member: .....
(d) Any other particulars: .....

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

If so, furnish particulars: .....

10. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the Comrades Marathon Association and who may be involved with the evaluation and or adjudication of this bid? **YES/NO**
If so, furnish particulars: .....

11. 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 Comrades Marathon Association who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

If so, furnish particulars: .....

12. 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**

If so, furnish details of directors /trustees /members /shareholders:

Full Names	Identity Number	Personal Income Tax Reference Number

DECLARATION

I, THE UNDERSIGNED CERTIFY THAT THE INFORMATION FURNISHED IN THE PARAGRAPHS ABOVE IS CORRECT. I ACCEPT THAT THE COMRADES MARATHON ASSOCIATION MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

....

Name of Company Signature of Bidder

....

Position in the Company Date

ANNEXURE C: PREFERENTIAL POINTS CLAIM FORM (SBD 6.1)

This Preference Points Claim Form contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution.

Points claimed in respect of B-BBEE status level must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA.

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

1. Name of company / firm: .....

2. VAT Registration Number: .....

3. Company Registration Number: .....

4. Type of company (Firm Partnership / Joint Venture / Consortium / One person business / Sole propriety / Close corporation / Company Pty Limited): .....

5. Describe the principal business activities of the company: .....

6. Company Classification (Manufacturer / Supplier / Professional supplier / Other suppliers e.g. transporters etc.: .....

7. Has a B-BBEE certificate been issued to your company by a Verification Agency which is accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA. **YES / NO**

8. Will any portion of the contract be sub-contracted? **YES / NO**

a) If yes, indicate what percentage of the contract will be subcontracted?.....
b) The name of the sub-contractor?.....

c) Whether the sub-contractor is an EME? **YES / NO**

d) The B-BBEE status level of the sub-contractor?.....

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

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

(i) The preference points claimed are in accordance with the BEE Status Level of Contribution as indicated in paragraph 9.3 on page 8 of this tender invitation document.

(ii) 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.

(iii) 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 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

Witnesses:

1. .....

2. .....

.....
SIGNATURE (S) OF BIDDER(S)

ANNEXURE E: PRICING SCHEDULE FOR SERVICES FORM (SBD 3.1)

SECTION A: BIDDER INFORMATION

1. NAME OF BIDDER: .....
2. BID NUMBER: .....**CMA 5/2023**.....
3. OFFER TO BE VALID FOR..... DAYS FROM THE CLOSING DATE OF BID.
4. PERIOD REQUIRED FOR COMMENCEMENT WITH PROJECT AFTER ACCEPTANCE OF BID: .....
5. ESTIMATED TIME FRAME FOR COMPLETION OF WORK: .....
6. ARE THE RATES QUOTED FIRM FOR THE FULL PERIOD OF CONTRACT? YES/NO

   IF NOT FIRM FOR THE FULL PERIOD, PROVIDE DETAILS OF THE BASIS ON WHICH ADJUSTMENTS WILL BE APPLIED FOR, FOR EXAMPLE CONSUMER PRICE INDEX: .....

1. BID NUMBER: .....
2. DESCRIPTION: .....
3. BID PRICE IN RSA CURRENCY: **2023** - ..... **2024** - ..... **2025** - .....
4. TOTAL BID PRICE IN RSA CURRENCY FOR 3 YEARS: .....

The above information must be used for the formulation of proposals. 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 all applicable taxes for the project. R..... including Vat @ 15%.

Witnesses:

1. .....

2. .....

.....
SIGNATURE (S) OF BIDDER(S)

ANNEXURE G: CERTIFICATE OF INDEPENDENT BID DETERMINATION FORM (SBD 9)

1. This Standard Bidding Document (SBD) must form part of all bids 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). 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 organisation'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 organisations to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

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

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

I, the undersigned, in submitting the accompany bid (Bid number and Description):

…….....

In response to the invitation for the bid made by the Comrades Marathon Association, do hereby make the following statements that certify to be true and complete in every respect. I certify, on behalf (Name of Bidder):

.....
that:

a) I have read, and I understand the contents of this Certificate;

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

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

d) 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;

e) 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:

- has been requested to submit a bid in response to this bid invitation;
- could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

f) 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 consortium' will not be construed as collusive bidding.

g) In particular, without limiting the generality of paragraph "f" 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.

h) 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.

i) 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. *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.*

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

.....	.....
Signature	Date
.....	.....
Position	Name of Bidder

ANNEXURE H: AUTHORITY TO SIGN A BID FORM

1. If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid in the following format:

AUTHORITY BY BOARD OF DIRECTORS by resolution passed by the Board of Directors on …….....20…...

Mr/Mrs (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of (Name of Company):

.....

IN HIS/HER CAPACITY AS:

.....

SIGNED ON BEHALF OF COMPANY (PRINT NAME):

.....

SIGNATURE OF SIGNATORY: .....

DATE: .....

WITNESSES:

1. ……

2. ……

2. If a Bidder is a sole proprietor (One-Person Business) the person who signs the bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the sole proprietor must be submitted with this bid, that is before the closing time and date of the bid in the following format:
I, the undersigned
.....hereby
confirm that I am the sole owner of the business trading as
.....

SIGNATURE OF SIGNATORY: .....

DATE: .....

WITNESSES:

1. ……

2. ……

3. If a Bidder is a partnership, the following particulars in respect of every partner must be furnished and signed by every partner:

Name of Partner	Residential Address	Signature

We, the undersigned partners in the business trading as.....hereby

authorise .....……..…..to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and / or contract on behalf of .....

SIGNATURE.…….…… **DATE** ……..

4. In the case of a close corporation submitting a bid, a certified copy of the Founding Statement of such corporation shall be included with the bid, together with the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on .....20.....at.....,

Mr/Ms .....……., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation).....

SIGNED ON BEHALF OF CLOSE CORPORATION: .....

(PRINT NAME) IN HIS/HER CAPACITY AS .....

DATE: .....

SIGNATURE OF SIGNATORY: ……..

WITNESSES:

1. ……

2. ……

5. If the Bidder is a Co-operative, A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on .....20.....at.....,

Mr/Ms .....……..., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of cooperative): .....

SIGNATUREOF AUTHORISED REPRESENTATIVE/SIGNATORY:
.....

IN HIS/HER CAPACITY AS: .....

DATE: .....

SIGNED ON BEHALF OF CO-OPERATIVE**:**

.....
.....

NAME IN BLOCK LETTERS:
.....

WITNESSES:

1. .....

2. .....

6. If a bidder is a joint venture, a certified copy of the resolution/agreement passed/reached signed by the duly authorised representatives of the enterprises, authorising the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the joint venture must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE
By resolution / agreement passed / reached by the joint venture partners on: .....20 .....

Mr/Mrs., ...

Mr/Mrs.....

Mr/Mr.....
and

Mr/Mrs.....

(whose signatures appear below) have been duly authorised to sign all documents in connection with this bid on behalf of: (Name of Joint Venture):
.....

IN HIS/HER CAPACITY AS: .....

SIGNED ON BEHALF OF (COMPANY NAME): .....

SIGNATURE: ..... **DATE:** .....

IN HIS/HER CAPACITY AS: .....

SIGNED ON BEHALF OF (COMPANY NAME): .....

SIGNATURE: ……. **DATE:** .....

IN HIS/HER CAPACITY AS: .....

SIGNED ON BEHALF OF (COMPANY NAME): .....

SIGNATURE: ..... **DATE:**.....

.

7. If a bidder is a consortium, a certified copy of the resolution/agreement passed/reached signed by the duly authorised representatives of concerned enterprises, authorising the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the consortium must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE CONSORTIUM

By resolution/agreement passed/reached by the consortium: on: ..... 20.....

Mr/Mrs..... (whose signature appear below) have been duly authorised to sign all documents in connection with this bid on behalf of:

…….....(Name of Consortium)

IN HIS/HER CAPACITY AS: .....

SIGNATURE: ..... **DATE:** .....

ANNEXURE I: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)

1. This Standard Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by organisations 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 organisation'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? (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.	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 ❑	No ❑
4.2.1.	If so, furnish particulars:		
4.3.	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ❑	No ❑
4.3.1.	If so, furnish particulars:		
4.4.	Was any contract between the bidder and any organisation terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ❑	No ❑
4.4.1.	If so ,furnish particulars:		

CERTIFICATION

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

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

....
Signature Date

....
Position Name of Bidder

ANNEXURE K: SCHEDULE OF ALTERNATIVE BIDS

(This form is to be used whenever it is applicable)

Consideration will be given to alternative offers which the bidder may wish to submit. Such offers shall be described, measured and priced in sufficient detail to enable the Comrades Marathon Association to evaluate the alternative. He/she shall set out his/her proposal clearly hereunder or alternatively make photocopies of the original bid documentation.

SECTION	PAGE	ITEM

SIGNATURE: ..... DATE: .....

NB: The Comrades Marathon Association reserve the right to accept or reject alternative bids in line with the bid requirements.