



**GENERAL TENDER CONDITIONS  
AND  
TENDER - REQUEST FOR PROPOSAL (RFP)**

**Tender no SAT Netherlands and Belgium 002/19**

**Public Relations and Events Agency - 5 year contracting period**

**Date issued: 18 July 2019**

**Tender due date: 16 August 2019 at 12h00pm CEST (Central Europe Summer Time)**

**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS - (NOT TO BE RE-TYPED)**

**ALL BIDS TO BE SUBMITTED IN ENGLISH**

**SHORTLISTED APPLICANTS TO AVAIL THEMSELVES FOR PRESENTATIONS TAKING PLACE IN AMSTERDAM ON 22,  
27 AND 28 AUGUST 2019**

WHERE APPLICABLE, THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

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## 1. INTRODUCTION

South African Tourism is a statutory body whose main object is to promote tourism to and within The Republic of South Africa, by marketing the country as a tourism destination both internationally and domestically. Although accountable to Parliament of the Republic of South Africa, South African Tourism is an independent and impartial organization affiliated to the Government of the Republic of South Africa.

As a South African Government agency operating in Kingdom of the Netherlands servicing North Europe hub, our organization is compelled to operate within the confines of the Public Finance Management Act (PFMA) of The Republic of South Africa which have been established to secure transparency, accountability, and sound management of the revenue, expenditure, assets and liabilities of all South African Government Agencies.

Compliance to the regulations of the Public Finance Management Act (PFMA) forms part of South African Tourism's annual audit review by the Auditor General of South Africa at which time our organisation have to proof that our procurement processes took place within the minimum norms and standards as provided for within the Public Finance Management Act of The Republic of South Africa whilst having regard for the laws and regulations which governs procurement in the country in which goods and services will be delivered.

Section 217 of the Constitution of the Republic of South Africa, 1996, prescribes that goods and services must be contracted through a system that is fair, equitable, transparent, competitive and cost-effective where every potential supplier is given the opportunity to offer goods and services to South African Tourism when needed.

The submission of proposals will be in terms of this document. All information requested, must be supplied and all annexure completed, whether such information or annexure refers to the eventual tender or not. This information will form part of the eventual tender and must thus be completed, as there will not be an opportunity to do so later. Thus it essential that the information supplied is both correct and true.

Prospective bidders must periodically review our website for updated information or amendments with regard to tenders, prior to the due dates at the following link: <https://www.southafrica.net/gl/en/corporate/page/tenders>

## 2. CLOSING DATE

The closing date for the submission of proposals is **16 August 2019**. No late submissions will be accepted under any circumstance and no exceptions will be made.

## 3. TENDER DOCUMENTS MARKING

- 3.1 Failure on the part of the bidder to sign/mark this tender form and thus to acknowledge and accept the conditions in writing or to complete the attached forms, questionnaires and specifications in all respects, may invalidate the tender.
- 3.2 Tenders must be completed in black ink where mechanical devices, e.g. typewriters or printers, are not used.
- 3.3 Bidders will check the numbers of the pages and satisfy themselves that none are missing or duplicated. No liability will be accepted with regard to claims arising from the fact that pages are missing or duplicated.

- 3.4 Each tender, including 2 printed copies, and 1 electronic copy (in PDF format), must be submitted in a sealed envelope with the following markings:

Tender Number : SAT NORTH EUROPE 002/19  
Description : Public Relations and Events  
Closing date : 16 August 2019  
Name of Company : (Bidder)  
Contact Person : (Bidder)

- 3.5 Tenders should be hand delivered or couriered to the following address so as to reach the destination no later than the closing date and time:

Finance and Admin Manager  
Ms. Sthembile Zulu  
South African Tourism  
Jozef Israelskade 48A, 1072 SB,  
  
Amsterdam, Netherlands

- 3.6 No tenders transmitted by telegram, telex, facsimile, E-mail or similar apparatus will be considered.

#### 4. CONTACT AND COMMUNICATION

- 4.1 A nominated official of the bidder(s) can make enquiries in writing, to the specified person, Ms Sthembile Zulu via email [sthembile@southafrica.net](mailto:sthembile@southafrica.net). Bidder(s) must reduce all telephonic enquiries to writing and send to the above email address. All responses will be published on SA Tourism's website <https://www.southafrica.net/gl/en/corporate/page/tenders>.
- 4.2 Any communication to an official or a person acting in an advisory capacity for South African Tourism in respect of the bid after the closing date and the award of the bid by the Bidder(s) is discouraged.
- 4.3 All communication between the Bidder(s) and South African Tourism must be done in writing within the prescribed period.
- 4.4 Whilst all due care has been taken in connection with the preparation of this bid, South African Tourism makes no representations or warranties that the content of the bid or any information communicated to or provided to Bidder(s) during the bidding process is, or will be, accurate, current or complete. South African Tourism, and its employees and advisors will not be liable with respect to any information communicated which may not be accurate, current or complete.
- 4.5 If Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by South African Tourism (other than minor clerical matters), the Bidder(s) must promptly notify South African Tourism in writing of such discrepancy, ambiguity, error or inconsistency to afford South African Tourism an opportunity to consider what corrective action is necessary (if any).
- 4.6 Any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by South African Tourism will, if possible, be corrected and provided to all Bidder(s) without attribution to the Bidder(s) who provided the written notice.
- 4.7 All persons (including Bidder(s)) obtaining or receiving the bid and any other information in connection with the Bid or the Tendering process must keep the contents of the Bid and other such information

confidential, and not disclose or use the information except as required for developing a proposal in response to this Bid.

## 5. SECURITY AND INTEGRITY CLEARANCE

All information documents, records and books provided by South African Tourism to any bidder, in connection with the invitation to tender or otherwise, are strictly private and confidential. These will not be disclosed by any bidder to any third party, except with the express consent of South African Tourism, which will be granted in writing prior to such disclosure. South African Tourism, however, reserves the right to disclose any information provided by any bidder to any of the employees of South African Tourism for successful tenders.

We understand that your privacy and the security of your personal information is extremely important. Please use the link to understand what we do with your private data:

<https://www.southafrica.net/gl/en/travel/page/privacy-policy>

<https://www.southafrica.net/nl/nl/travel/page/privacybeleid>

A proposal for award will be rejected if South African Tourism determines that the supplier recommended for award, has engaged in corrupt or fraudulent activities in competing for the contract in question.

South African Tourism may require contractors to permit South African Tourism to inspect their accounts and records relating to the performance of the contract and to have them audited by auditors appointed by South African Tourism.

### 5.1 FALSE INFORMATION

Should the Bidder provide and/or provides South African Tourism intentionally or negligently with false and/or misleading information or intentionally or negligently omitted any material fact that may have rendered any statement made by the Bidder misleading, in connection with this Tender Request for Presentation or supporting information or any subsequent requests for information and/or such misleading and/or false information and/or omission of any material fact induced South African Tourism in awarding the Tender and/or concluding any subsequent agreement shall entitle South African Tourism in its sole discretion forthwith disqualify the Bidder and/or to immediately terminate any agreements subsequently entered into without prejudice to any of South African Tourism's rights it has in terms of such agreement and/or any law.

### 5.2 VAT, DUTIES AND OTHER TAXES

Prices must be quoted inclusive of VAT and all other relevant taxes and duties (where applicable) and should be shown separately.

#### 5.2.1 The full price under this tender must be quoted in EUR.

## 6. SPECIAL TENDER CONDITIONS

This tender and its acceptance will be subject to the terms and conditions described below.

South African Tourism is/will not be liable for any costs incurred in preparation and delivery of tenders.

All documents, samples and materials submitted as part of a tender become the property of South African Tourism, and yet in any event South African Tourism will not be liable for loss or damage to any documents, samples and materials submitted.

### 6.1 TENDER SURETY

South African Tourism requires no Tender surety, but bidders should note the conditions set out below. However, South African Tourism reserves the right to review this position at contractual stages.

## 6.2 DOWNSCALING OF WORK

South African Tourism reserves the right to downscale the required services should the need arise. In such cases, South African Tourism will only downscale such services after every completed contractual period of 12 months. At least 3 months' notice of such downscaling will be provided to the successful bidder.

## 6.3 VALIDITY PERIOD

The tender proposal must remain valid for at least six (6) months after the tender due date. All prices indicated in the proposal and other recurrent costs must remain firm for the period of the contract.

## 6.4 COMPLETENESS OF THE SOLUTION

The bidder must complete all documents in full and submit these with the proposal. Failure to comply with these requirements may invalidate the bidder or disqualify the proposal.

Notwithstanding any possible shortcomings and / or inconsistency in the specifications, the bidder must ensure that the solution offered will form a complete, cost effective and functional proposal for the whole services required solution.

## 6.5 CONTRACTUAL IMPLICATIONS

The bidder must complete all documents in full and submit these with the proposal. Failure to comply with these requirements may invalidate the bidder or disqualify the proposal.

6.5.1 Upon submission of the tender response, the Bidder is unconditionally bound by the terms and conditions of the Request for Proposal (RFP) and the tender response. In the event of any conflict or confusion arising between the terms and conditions of the RFP and the tender response, the RFP shall prevail.

6.5.2 The Bidder acknowledges that awarding of the Tender is based solely on the information supplied in the tender response, accordingly the relevant Terms and Conditions of the Request for Proposal and the tender response will be incorporated in the subsequent written agreement, unless otherwise provided by South African Tourism.

6.5.3 Other than providing rights to South African Tourism, nothing in this Tender Request and tender response should be construed to give rise to South African Tourism having any obligations or liabilities whatsoever, express or implied.

6.5.4 The successful Bidder shall only be entitled to render services and/or provide goods to South African Tourism once a separate written contract has been signed by both the Bidder and South African Tourism, whereupon the Request for Proposal and tender response will cease to have force and effect.

6.5.5 The successful bidder will assume sole responsibility, regardless of any third party or subcontracting agreements it may enter into.

6.5.6 The terms and conditions of this Request for Proposal and any agreement entered into between South African Tourism and a Bidder as a result of a successful proposal by the Bidder to this Request for Proposal (RFP) shall always be interpreted and subject to the laws of the respective countries namely: Netherlands, Belgium, Denmark, Sweden, Finland and Norway. The terms and conditions of this sub-clause 5.5.6 shall survive any subsequent contractual provision or agreement attempting to evade, amend or nullify the said provisions of this sub - clause 5.5.6 to the Request for Proposal.

## 6.6 CONDITIONS OF PAYMENT

South African Tourism will approve all content reviews and assessments set. No service will be provided to South African Tourism before an official purchase order has been issued to the supplier and service delivery will be within the specified time scale after the receipt of the official order.

All invoices will become due and payable 30 (thirty) days after receipt of invoice thereof unless otherwise agreed beforehand.

Notwithstanding any provisions in this document, no payment will become due or payable unless the invoice is accompanied with a statement, reconciling all monies already paid and still outstanding.

All invoices to be issued must be in Euros currency, and please be aware that there may be implications for currency fluctuations due to various operational currencies in the Nordic region.

#### 6.7 QUALITY ASSURANCE

All services rendered by the Bidder, its personnel, agents or sub-contractors will be subject to on-going evaluation to determine its effectiveness and will be so guaranteed for the full duration of the contract period by the Bidder after acceptance by South African Tourism.

#### 6.8 INTELLECTUAL PROPERTY RIGHTS

All intellectual property rights, including, but not limited to, copyright, trademarks, design rights, patent rights and other similar rights in the Request for Presentation and the tender response and in any works or products created as a result of the performance of the Bidder in relation to this Request for Presentation and tender response, will vest in, and are hereby assigned to South African Tourism, unless specifically agreed otherwise, in the form of individual written Agreements signed by both parties.

#### 6.9 AWARDING OF CONTRACT

Proven relevant experience and success, as well as the ability to deliver services required will be important considerations.

By the submission of tender, each submitter warrants that he/she/it is highly skilled, professional, competent and experienced in the area for which he/she has tendered. Any work performed by a successful bidder will be evaluated.

The bidder also warrants that the service provided will be of a superior standard, and is unlikely to cause undue difficulties.

**The Tender may be awarded, in part or in full, at the sole discretion of South African Tourism, to one or more concerns on a non-exclusive basis.** Tenders that are qualified by a bidder's own conditions may be rejected as being invalid, and failure of the submitter to renounce such conditions when called upon to do so may invalidate the Tender.

South African Tourism may request clarification or additional information regarding any aspect of the Tender. The bidder must supply the requested information within 24 hours after the request has been made, otherwise the bidder may be disqualified. South African Tourism may also request a demonstration, and submitters must comply with such a request within a reasonable time as mutually agreed.

#### 6.10 CONFLICT OF INTEREST, CORRUPTION AND FRAUD

South African Tourism reserves its right to disqualify any bidder who either itself or any of whose members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of South African Tourism or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity")

- (a) engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;
- (b) seeks any assistance, other than assistance officially provided by a Government Entity, from any employee, advisor or other representative of a Government Entity to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;

- (c) makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of South African Tourism officers, directors, employees, advisors or other representatives;
- (d) makes or offers any gift, gratuity, anything of any value or other inducement, to any Government Entity's officers, directors, employees, advisors or other representatives to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;
- (e) accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to a Government Entity;
- (f) pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to a Government Entity;
- (g) has in the past engaged in any matter referred to above; or
- (h) has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether a prison term was imposed and despite such bidder, member or director's name not specifically appearing on the List of Tender Defaulters kept at National Treasury.

#### 6.11 MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

The bidder should note that the terms of its Tender will be incorporated in the proposed contract by reference and that South African Tourism relies upon the bidder's Tender as a material representation in making an award to a successful bidder and in concluding an agreement with the bidder.

It follows therefore that misrepresentations in a Tender may give rise to service termination and a claim by South African Tourism against the bidder notwithstanding the conclusion of the Service Level Agreement between South African Tourism and the bidder for the provision of the Service in question. In the event of a conflict between the bidder's proposal and the Service Level Agreement concluded between the parties, the Service Level Agreement will prevail.

#### 6.12 PREPARATION COSTS

The Bidder will bear all its costs in preparing, submitting and presenting any response or Tender to this bid. Furthermore, no statement in this bid will be construed as placing South African Tourism, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their response to this bid.

#### 6.13 INDEMNITY

If a bidder breaches the conditions of this bid and, as a result of that breach, South African Tourism incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the bidder indemnifies and holds South African Tourism harmless from any and all such costs which South African Tourism may incur and for any damages or losses South African Tourism may suffer.

#### 6.14 PRECEDENCE



This document will prevail over any information provided during any briefing session whether oral or written, unless such written information provided, expressly amends this document by reference.

Prospective tenderers must periodically review <https://www.southafrica.net/gl/en/corporate/page/tenders> for updated information or amendments with regard to this tender, prior to due dates.

#### 6.15 LIMITATION OF LIABILITY

A bidder participates in this bid process entirely at its own risk and cost. South African Tourism shall not be liable to compensate a bidder on any grounds whatsoever for any costs incurred or any damages suffered because of the Bidder's participation in this Bid process.

#### 6.16 TAX COMPLIANCE

No tender shall be awarded to a bidder who is not tax compliant. South African Tourism reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder if it is established that such bidder was in fact not tax compliant at the time of the award or has submitted a fraudulent Tax Clearance Certificate to South African Tourism, or whose verification against the Central Supplier Database (for South African companies bidding) proves non-compliant or **applicable countries observing applicable country laws**. South African Tourism further reserves the right to cancel a contract with a successful bidder if such bidder does not remain tax compliant for the full term of the contract.

South African Tourism will therefore accept printed or copies of Tax Clearance Certificates submitted by bidders but will verify their authenticity on eFiling - **this section is only applicable to South Africa based companies**.

This is applicable for all individual bidding agencies, agency partners within agency groups and consortiums.

#### 6.17 TENDER DEFAULTERS AND RESTRICTED SUPPLIERS

No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appear on the Register of Tender Defaulters kept by National Treasury, or who have been placed on South African's National Treasury's List of Restricted Suppliers. South African Tourism reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been blacklisted with National Treasury or by another government institution.

#### 6.18 GOVERNING LAW

The governing law that dictates this bid, the bid response process and all processes associated with this bid is the World Trade Organisation (WTO) agreement (including South African procurement law) on government procurement and the Organisation for Economic Cooperation and Development (OECD) principals for integrity for public procurement.

Should any bidder be in disagreement with the governing laws to be applied, this should be stated in their bid submission.

6.19 RESPONSIBILITY FOR SUB-CONTRACTORS AND BIDDER'S PERSONNEL

A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid. If South African Tourism allows a bidder to make use of

sub-contractors, such sub-contractors will always remain the responsibility of the bidder and South African Tourism will not under any circumstances be liable for any losses or damages incurred by or caused by such sub-contractors.

#### 6.20 CONFIDENTIALITY

Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's tender(s) will be disclosed by any bidder or other person not officially involved with South African Tourism's examination and evaluation of a Tender.

No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Tender. This bid and any other documents supplied by South African Tourism remain proprietary to South African Tourism and must be promptly returned to South African Tourism upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived there from.

Throughout this bid process and thereafter, bidder(s) must secure South African Tourism's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this bid relates; or (ii) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

#### 6.21 SOUTH AFRICAN TOURISM PROPRIETARY INFORMATION

Bidder will on their bid cover letter make declaration that they did not have access to any South African Tourism proprietary information or any other matter that may have unfairly placed that bidder in a preferential position in relation to any of the other bidder(s).

#### 6.22 AVAILABILITY OF FUNDS

Should funds no longer be available to pay for the execution of the responsibilities of this bid (RFP SAT 001/19), South African Tourism may terminate the Agreement at its own discretion or temporarily suspend all or part of the services by notice to the successful bidder who shall immediately make arrangements to stop the performance of the services and minimize further expenditure: Provided that the successful bidder shall thereupon be entitled to payment in full for the services delivered, up to the date of cancellation or suspension.

#### 6.23 ANTI-CORRUPTION COMPLIANCE

South African Tourism is committed to conducting its business ethically and to achieving and maintaining the highest standards of corporate governance, particularly in respect of anti-corruption compliance. We require all our business partners, suppliers, vendors, contractors and service providers, who play an important and valued role in our continuing business success, to behave ethically and to avoid engaging in corrupt business activities.

Successful bidders will be required to undertake contractually that, in carrying out their responsibilities on behalf of South African Tourism, neither they nor their owners, officers, directors, employees, or their agents or subcontractors will pay, offer, or promise to pay, or authorize the payment directly or indirectly, of any money, gift, or anything of value to any government official or anyone else for the purpose of influencing any act or decision of such official or of the government to obtain or retain business, or to direct business to any person.

#### 6.24 FRONTING

South African Tourism supports the spirit of broad based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the South Africa's Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background South African Tourism condemns any form of fronting.

South African Tourism, in ensuring that Bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry / investigation, the onus will be on the Bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid / contract and may also result in the restriction of the Bidder /contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies South African Tourism may have against the Bidder / contractor concerned.

#### 6.25 SUPPLIER DUE DILIGENCE

South African Tourism reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits and requests for additional information.

#### 6.26 DURATION OF THE CONTRACT

South African Tourism intends to enter into a 60 (sixty) months contract and service level agreement with the successful bidders. A service level agreement/contract, with performance indicators based on the specification of the bid, will be concluded with the successful bidders to facilitate contract management and performance monitoring. The said agreements will quantify cost-benefits and mitigate risks to South African Tourism whilst protecting the successful bidders from scope creep.

Deliverables will be monitored continuously to ensure that products/services are delivered in accordance with the conditions of the contracts. The preferred bidders will be required to submit (without limitation) performance reports, i.e. through a progress tracking report monthly or until completion of the projects.

### 7. TERMINATION OF CONTRACT

South African Tourism reserves the right to curtail the scope of any tender awarded or to curtail any aspect of any bidder. In the event of any such cancellation, the bidder will have no claim against South African Tourism.

South African Tourism also reserves the right to terminate, in South African Tourism's sole discretion and without providing any reason for the termination, the award of any Tender to any party if such party breaches, on 2 or more occasions, any component of the Service Level Agreement to be signed by both the supplier and South African Tourism.

### 8. TENDER DOCUMENT SUBMISSION

All annexures must be completed in full, using the given numbering format. All attachments or references to attachments must be clearly marked and specific to information required. Compliance or non-compliance with detailed information must be indicated per paragraph as per numbering format if there are additional and/or alternative products/services, options must be separately tendered for in the form

of a separate document with a complete schedule describing deviations from specifications and technical brochures must be submitted where applicable.

If any of the conditions on this tender form are in conflict with any special conditions, stipulations or provisions incorporated in the tender, such special conditions, stipulations or provisions will apply.

Companies who fail to adhere to the above requirements; risk being disqualified from the evaluation process.

#### 8.1 ANNEXURES TO TENDER - REQUEST FOR TENDER DOCUMENTS SUBMISSION PRIOR TO PRESENTATION DATE

#### 8.2 ANNEXURE A: DETAILED SPECIFICATION OF GOODS & SERVICES

#### 8.3 ANNEXURE B: COMPANY INFORMATION

A sworn statement detailing the company structure, classification, sector, assets etc. of a firm is required. A sworn statement provides vital information required to evaluate a tender. It is therefore compulsory that the document be completed and stamped by a practicing legal representative or notary (*a person who has the authority to act as an official witness when legal documents are signed*).

#### 8.4 ANNEXURE C: DETAILED BREAKDOWN OF TOTAL COST AND STANDARD SERVICES

#### 8.5 ANNEXURE D: ACCEPTANCE OF GENERAL TENDER CONDITIONS OF SOUTH AFRICAN TOURISM

#### 8.6 ANNEXURE E: DECLARATION OF INTEREST FOR TENDERS

#### 8.7 ANNEXURE F: DECLARATION OF INTEREST FOR TENDERS (SBD4)

#### 8.8 ANNEXURE G: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

This annexure 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.

The tender of any bidder may be disregarded if that bidder, or any of its directors have:

- Abused the institution's supply chain management system;
- Committed fraud or any other improper conduct in relation to such system or;
- Failed to perform on any previous contract.

#### 8.9 ANNEXURE H: CERTIFICATE OF INDEPENDENT BID DETERMINATION

#### 8.10 SUPPLIER REGISTRATION

Bidders registered as legal entities who wishes to submit proposals for this tender need to attach proof of successful supplier registration on National Treasury's Centralized Supplier Database (CSD) before any bid will be considered. **SA Tourism will also not consider any bids from bidders whose tax status is not valid on CSD.** Bidders who are not registered on CSD can do so on <https://secure.csd.gov.za/>

In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate centralized supplier database registration report. **Failure to submit proof of CSD registration shall invalidate a tender and/or inclusion in any list or database of prospective suppliers.**

Bidders registered as legal entities outside the borders of South Africa is exempted from registering on National Treasury's Centralized Supplier Database (CSD) but will have to submit affirmation of Business certification/registration.

### 9 ANNEXURE A: DETAILED SPECIFICATION OF GOODS AND SERVICES

#### 9.1 Background on South African Tourism

South African Tourism was established by section 2 of the Tourism Act No 72 of 1993 and continues to exist in terms of section 9 of the new Tourism Act No 3 of 2014. South African Tourism is a schedule 3 A Public Entity in terms of schedule 3 of the Public Finance Management Act 1 of 1999.

“Objectives of the Tourism Act 3 of 2014” which are to:

- a. promote the practising of responsible tourism, contemplated in subsection (2) of the act, for the benefit of the Republic and for the enjoyment of all its residents and foreign visitors;
- b. provide for the effective domestic and international marketing of South Africa as a tourist destination;
- c. promote quality tourism products and services;
- d. promote growth in and development of the tourism sector; and
- e. enhance cooperation and coordination between all spheres of government in developing and managing tourism.

South African Tourism’s North Europe Hub business focuses on 3 distinct areas i.e. leisure, MICE, travel trade (tourism retail) with media relations as a key consideration to drive brand positivity and Tourism Grading as the reason to believe in our tourism products and experiences. The countries within this portfolio are divided into 2 regions: Benelux (consisting only of Netherlands and Belgium) and Nordics (Sweden, Denmark, Norway and Finland)

## 9.2 Countries serviced by South African Tourism’s North Europe hub division

South African Tourism’s North Europe Division executes a broad spectrum of segment-specific marketing activities and support activities in the several countries and these are divided into the following hubs:

Benelux region	Netherlands
	Belgium
Nordic region	Sweden
	Denmark
	Norway
	Finland

### 9.3 Scope of services

#### 3 Scope of services

The North Europe hub specifies the work that needs to be carried out through their annual business plans, by stipulating “Big Things” to be done. These big things consist of both a trade as well as a consumer focus and are compiled after a process that entails monitoring of macro-economic conditions and performance, brand tracking results such as awareness, positivity and conversion, as well as other key components contained in the marketing funnel. The key big things for 2019/20 for the hub is as follows:

#### Consumer:

**Big Thing 1** Inspire 2,4 million European Travellers who have not yet visited SA who are aware but not positive of SA by improving their perception about SA and therefore consider visiting, by addressing issues of safety and security, leveraging our leadership position in wildlife and scenic beauty, and using our uniqueness attributes

**Big Thing 2.** Convince 1,73 million North European travellers who are positive about the country to actively seek information and plan to travel to by convincing them that SA is a value for money destination by providing relevant targeted content & information on platforms at a time when they are seeking information to travel.

#### Trade:

#### **Big Thing 3.**

Get operators and travel agents to align themselves with our strategy, by giving them the knowledge about and train them in the value which South Africa offers, and give them the right tools (new products, videos, tailor-made itineraries.

**Big Thing 4.** Get strategic partners (both traditional and non-traditional), to actively partner with us to create incremental, impactful and measurable growth, by creating joint campaigns which emanate from shared data bases and information sharing (not sure this is enough)

#### **Netherlands and Belgium:**

The brand awareness work was done via branded content partnerships to introduce a fresh and vibrant view of South Africa. Albeit efforts to impact both awareness and positivity, persistent barriers impacting awareness are lack of safety perceptions, welcoming people and value for money. Further down the marketing funnel, numbers were lost at people who have sought information but chose not to book reflecting a gap in information provided on various channels.

Consumer insights reflect that the Dutch like to explore, meet the locals and discover hidden gems. This is over and above their key reasons for visiting South Africa, detailed as wanting to experience wildlife and safari, scenic beauty and culture. They also like to be on the front row for a dime so the value for money on the ground in eg restaurants and shops is highly appreciated. For Belgium it has become clear from research the Flanders region and the Brussels region have the most potential in terms of income and lust for travel. Belgians are also big on food and wine - following the growing trend globally. SA is still relatively unknown to the Belgium public and it is key to provide inspiring and practical info on the classic highlights, food and wine etc.

The public relations and messaging required from a barriers perspective in both Belgium and the Netherlands is a key gap to fill, while also having a focus on a fresh new campaign and view of South Africa will injecting positivity about the country, as reflected in the 2019/20 business plan. These are two key areas and gaps that need to be filled, and the agencies selected to assist the team in fulfilling these objectives need to be specialised in the digital and creative spheres of marketing.

South African Tourism’s hypothesis of these two key travel segments includes the following:

#### **‘Wanderluster’**

The Dutch Wanderluster segment is made up of younger travellers between the ages of 26 and 40, who do not have children. Highly educated and open-minded, they are very interested in travel in general, and have an

annual household income above €100,000+. They are adventure seekers (but also travel for relaxation) and within South Africa they are interested in safari, natural beauty and culture. While open to traveling alone, they are likely to travel with a significant other or with friends. They are quick decision-makers, with only a minority waiting more than 2 months to make a reservation, or to take a trip after making the reservation.

#### **‘Next Stop South Africa’ (NSSA)**

The Dutch NSSA is an older, wealthier, more experienced international traveller, with annual household income above €100,000+. They are aged between 41 and 65, with 75% over 55 years old. Close to half this group are retired and do not have any dependent children, this explains their high relative number of days available for vacation. NSSAs are highly interested in traveling for education and culture, with some interest in heritage and relaxation. They prefer independent or small group travel. Within South Africa, they are interested in natural beauty, immersive experiences with the opportunity to interact with locals and the local and historic culture of the destination. They thoroughly research the destination and plan out their holidays allowing 1-4 months between reservation and travel.

SA Tourism is therefore inviting proposals from reputable service to provide Creative, digital and brand communications services (including fit-for-purpose content creation); Social Media/ Digital and Online Communications (including social media ad buying and fit-for-purpose content creation); Brand Activations (including fit-for purpose content creation); to complement and localise global media buying/ investments in order to offer a fully integrated marketing approach. This approach would need to be inclusive of consumer, media and trade engagements for a period of five years. In addition, service providers will provide research and analytics including hyper targeted consumer insights, including future trends analysis (annually), tourism trade landscape analysis and mapping, including tourism data and analytics (annually) as well as campaign analytics and general reporting (quarterly).

After five years, the agreement may be extended at SAT’s discretion. SA Tourism needs an agency to engage with consumers and stakeholders constantly and consistently with positive messages and innovative campaigns that align with the SA Tourism global communications strategy.

The appointment of an agency will offer SA Tourism competitive advantage in being able to engage with the consumers by showcasing high quality relevant content and variety of experiences in the destination. This agency will need to promote the SA Tourism’s message, while at the same time driving campaigns and promotions across the various platforms, responding professionally and appropriately to issues arising, and engaging with care and diligence in this very public, volatile domain.

The appointed service provider will localize the Global Brand Communications and creative strategies, as conceptualised by the Global marketing services agency and local SAT Netherlands, Belgium and Nordics teams, and outline engagement plans that will assist SAT to achieve the business goals/targets to position SA positively in the Netherlands, Belgium and the Nordics. The successful bidder must therefore identify how best to position South Africa as the preferred holiday destination for The Netherlands, Belgium and Nordic travellers, outline a multi-year communication strategy and establish a yearly marketing plan that aligns with the overall marketing plan in order to understand how to engage travellers from the aforementioned countries.

Consequently, the appointed agency will be responsible for, but not limited to the following:

#### **9.4 CATEGORY 1: GENERAL PUBLIC RELATIONS:**

- Examine our two target market segments and present a local detailed plan to re-engage these markets through the use of effective PR tactics.
- Provide strategic consultancy, idea generation, conceptualisation and execution of online and offline consumer conversion PR campaigns.
- Present measurable PR campaigns designed to address the issues outlined in this brief and how these would ultimately drive conversions across our key segments.
- Position South Africa as a preferred holiday destination in the Netherlands and in Belgium through positive media relations to induce favourable coverage. This must include a focus on agenda-setting media as well as consumer, trade and online media.
- Identify and leverage the PR opportunities in the Netherlands and in Belgium and South Africa that will engage with SA Tourism’s key audiences.
- Identify non-traditional partnership opportunities and assist in crafting a value proposition to the prospective partners to secure the collaboration.
- Develop plans to maximise positive editorial coverage of South Africa as the preferred holiday destination.



- Execute trade media campaigns in line with Global Trade Plan. Assist with Marketing Collaboration Agreements

#### **CATEGORY 2: OPERATIONAL PR SERVICES:**

- Create an 'always on' 24/7 press office including consumer, travel trade and influencer engagement.
- Develop and maintain a consumer and trade media database of all media in the Netherlands and Belgium - with particular emphasis on tourism (a copy of this database should be made available to SA Tourism on a 6-monthly basis).
- Identify thought leadership platforms and create content that will connect the South African Tourism brand to relevant audiences and build trust;
- Advise on the South African Tourism brand communications strategy and approach in response to new opportunities, barrier issues and crisis outbreak, in line with South African Tourism crisis communication manual;
- Translation services of the developed content to be provided in Dutch and French where required
- Media monitoring services including but not limited to reputation management services should include monitoring blogs, discussion threads, forums and social networking sites;
- Find innovative, non - traditional PR avenues and incorporate this into communications goals and strategies
- Identify and recommend media, journalists, influencers and bloggers which should be targeted for familiarisation trips to South Africa and recommend the best activities to organise for engaging their audiences.
- Work with PR to liaise with influential bloggers to take on familiarisation trips;
- Build relationships with key online content writers and online media outlets for coverage on South Africa and thus driving increased referral traffic to the Netherlands and Belgium website and improve search engine visibility.
- Evaluate and source non-paid opportunities to increase our brand reach and visibility online.
- Identify niche markets and recommend content to engage these audiences.
- Prepare and issue media releases and fact sheets as per written briefs and follow-up with media to pursue publishing.
- Write speeches/ talking points for SA Tourism officials at key tourism events and media interactions and/or interviews.
- Develop and write articles or editorial pieces for publications as required or briefed by SA Tourism.
- Develop and produce all long-form content as required and/or briefed by SA Tourism.
- Produce, develop and edit multi-media content to support online and offline campaigns when needed.
- Disseminate information and pictures to media as instructed by SA Tourism.
- Approach media and secure interviews for SA Tourism.
- Provide a monthly clipping service of traditional, online and social media to SA Tourism and recommend ways to address matters arising.
- Crisis Communication and Reputation Management
- Social Media, Digital and Online PR (in collaboration with digital and creative agency)
- Stakeholder Management
- Consumer and Trade Activations
- Digital Support
- Develop PR measures and deliverables on an ongoing basis with media monitoring, tracking and reporting provided on monthly and quarterly basis;
- Conduct competitor analysis and report on PR activities of other Tourism Destinations in our respective markets.
- Innovation - insights on emerging trends, new media and platforms to reach our target audience.

#### **CATEGORY 3: TRADE PR**

- Tourism trade mapping and trade landscape analysis and database management (updated frequently) including a focus on MICE (particularly incentives and association business)
- Develop a trade strategy (B2B) that establishes credibility, increases visibility of South Africa and engages the Netherlands and Belgium travel trade.

- Identify long-haul trade currently not selling Africa/South Africa and come up with strategies on how to pursue them to start selling.
- Develop concepts that provide a platform for SAT to interact with the Netherlands and Belgium travel trade.
- Conceptualise digital campaigns for the Netherlands and Belgium travel trade and track results. Identify long-term opportunities for collaboration with travel trade partners that mutually benefits and adds value to SAT and partners.
- Develop content for B2B partners.

#### **CATEGORY 4: CRISIS COMMUNICATION AND REPUTATION MANAGEMENT**

- Develop a Netherlands and Belgium pro-active and always on PR strategy with relevant consumer centric content supported by a crisis communication framework informed by the Global Communications Strategy.
- Media monitoring
- Alert SA Tourism as to potential negative stories or issues which may need to be dealt with in the media and recommend crisis management activities - crisis management with guidance with Global PR team
- Identify and alert SA Tourism where lobbying or high level intervention may be required in market and recommend a Netherlands and/ or Belgium centric position.
- Identify unlikely and unconventional partnerships for strengthening our brand appeal.

#### **CATEGORY 5: STAKEHOLDER MANAGEMENT**

- Manage the database of the key stakeholders in the Netherlands and Belgium including - tourism industry stakeholders, SA embassy/ consulate staff and prominent pro-South Africa celebrities, business people or sports people (a copy of this database should be made available to SA Tourism on a monthly basis, this database will remain the property of SA Tourism at all times)

#### **9.6 CATEGORY 6: EVENT MANAGEMENT**

The entire project management and execution of trade activations as briefed, including:

- Project communication and consultancy.
- Co-ordination and workflow Management.
- Managing and appointing sub-contractors on the basis of competitively priced bids and complying with South African Tourism's supply chain policies.
- Enforcement of South African Tourism's policies and processes throughout and across all parties.
- Public Relations Events and activations as briefed
- Trade Activations and other events briefed.
- Stakeholder events and activations briefed.
- Roadshow Activations and activations as briefed.
- Example of general activation management services:
  - Event Production.
  - Event Execution.
  - Event Logistics.
  - Budget Management

#### **9.8 PROPOSALS**

- Proposals from bidders should clearly demonstrate their understanding of the brief and should further demonstrate their ability to successfully deliver on all the requirements as outlined under section 9.3 above.
- Proposals should also include credentials in the form of at least 2 examples of exemplary case studies carried out in the area of all stipulated requirements as listed in section 9.3
- All credentials should highlight your concept development, creative capabilities and any instances where you have leveraged other 3rd parties or departments within your wider organisation. They should not be older than two years and should include:
  - (a) Client name & background;
  - (b) Challenge faced by client;
  - (c) Solution delivered by your agency with supplementary graphics and/or URLs where appropriate; and
  - (d) Value added by your agency.

**9.9 KEY OBJECTIVES:**

- Increase arrivals to meet set targets
- Increase tourism spend to meet set targets
- Increase South Africa's positive brand awareness to meet set targets
- Improving geographical spread
- Improving seasonality patterns
- Promote transformation of the South African tourism industry to reflect a context inclusive of all population groups
- Promote South Africa to be a value for money and time destination that offers a variety of activities at various price points
- Position South Africa as a preferred holiday destination by showcasing a variety of experiences allowing time for positioning our brand attributes of wildlife, people, scenic beauty and adventure etc.

**9.10 SAT EXPECTS TO RECEIVE SEVERAL PROPOSALS, IN ORDER FOR OUR BID COMMITTEE TO EFFECTIVELY EVALUATE THE PROPOSALS, PROSPECTIVE BIDDERS ARE REQUIRED TO INCLUDE INFORMATION RELEVANT TO THE FOLLOWING SIX TOPICS:****(a) Introduction**

- Agency overview, size, company structure; and
- Relationship with other subsidiaries of your parent company

**(b) Marketing capabilities**

- Describe any prior destination marketing experience;
- Outline how other experiences outside of destination marketing would allow you to deliver innovative solutions to this sector; and
- Describe any competitive advantages that differentiate you from your competitors

**(c) Solution overview**

- Brief description of your understanding of SAT's needs and the challenges it faces in the Netherlands, Belgium and in the Nordics region. In doing so, please do not paraphrase or repeat the content of this RFP; and
- Describe how you would deliver on each Scope of Services section and any additional value-added services that you could offer based on your understanding of SAT's challenges

**(d) Experience, skills and qualifications of the proposed team who will work on the project/account**

- Provide a chart illustrating the specific human resources that will be assigned to the project and their experience on similar projects;
- Indicate how the quality and availability of staff will be assured over the term of the agreement; and
- Outline the reporting structure and how each team member would liaise with the client lead and the PR and media buying account leads.

**(e) Work plan and project management**

- Propose a work plan with associated timelines that will accomplish the tasks mentioned under scope of services; and
- Outline plans to monitor the campaign's performance and implement corrective measures where necessary.

**(f) Cost**

Provide two high level cost estimates, including all fees and resource rate cards for:

- Resources - **Resourcing needs to reflect the below mentioned services or similar, and needs to have the ability to localise across all 6 countries:**
  - One (1) Client Director for the Netherlands and Belgium

- One (1) project manager for the Netherlands and Belgium
  - Strategic lead
- Solution to meet minimum requirements; and-
  - Solution with proposed value-added services.
  - Cost should be presented in the same format for year 1, 2, 3, 4 and year 5 (with applicable escalation where relevant) and should separately indicate any once-off cost associated with the project.

#### 9.11 SHORT LISTING

The final evaluation will look at short-listed bidders (bidders who meets the minimum requirements for phase 1) in more detail and may call for additional information and presentations.

Brand tracking data and consumer insights data will be made available to all parties who meet the minimum requirements needed for phase 2.

Shortlisted agencies will be required to formally present their proposals to South African Tourism. Presentations will take place at South African Tourism offices situated in Amsterdam at a time and date which will be communicated in due course should the need exist.

#### 9.12 ASSOCIATION BETWEEN CONSULTANTS

Service providers may associate with each other to complement their respective areas of expertise, or for other reasons. Such an association may be for the long term (independent of any particular assignment) or for a specific assignment. The “association” may take the form of a joint venture or a sub-consultancy. In case of a joint venture, all members of the joint venture should sign the contract and are jointly and severally liable for the entire assignment. Once the bids or Requests for Proposals (RFPs) from service providers are issued, any association in the form of joint venture or sub-consultancy among firms should be permissible only with the approval of SAT. SAT will not compel consultants to form associations with any specific firm or group of firms, but may encourage associations with the aim to enhance transfer of skills.

#### 9.13 BID PROTOCOL AND PACKAGING OF BIDS

Bidders should take precaution to not contravene the provisions of Section 4 (1) (b) (iii) of The Republic of South Africa’s Competition Act No. 89 of 1998, as amended, which 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).

An agreement to engage in a restrictive horizontal practice is presumed to exist between two or more firms if -

- a) any one of those firms owns a significant interest in the other, or they have at least one director or substantial shareholder in common; and
- b) any combination of those firms engages in that restrictive horizontal practice;
- c) an agreement for co-operation between two or more competing businesses operating at the same level in the market;
- d) Price fixing- an arrangement in which several competing businesses make a secret agreement to set prices for their products to prevent real competition.

9.13.1 Proposals are expected to be presented in one pack. The pack, however, should be noticeably **subdivided into 3 parts** in the following order:

Bid protocol and packaging of bids

**Part A:** Documents and information relating to the vetting of company/commercial information where the following information and supporting documents should be provided in sequential order, for vetting and verification purposes:

- a) Cover letter introducing your company;
- b) National Treasury Centralized Supplier Database (CSD) registration summary report (only applicable to entities legally registered within the borders of South Africa);
- c) Affirmation of Business certification/registration or equivalent report (only applicable to entities legally registered outside the borders of South Africa);
- d) Valid certified copy of B-BBEE certificate (only applicable to entities legally registered within the borders of South Africa);
- e) Copies of latest Statement of financial position, Statement of financial performance and Cash flow statement;
- f) Letter of Good standing - Compensation Fund (COIDA) (only applicable to entities legally registered within the borders of South Africa);
- g) Copies of Identity Documents or Valid Passports of Members, Directors or owner
- h) Bidders must have specific experience and submit at least three recent references (in a form of written proof(s) on their client's letterhead including relevant contact person(s), office telephone & fax number, website and email address) where similar work were undertaken.

**Part B-** All documents and completed annexures of the Request for Proposal (RFP) in sequential order as they have been issued where bidders are required to:

- a) **Initial each page of the Request for Proposal (RFP) to confirm that they have read and understood the contents of the bid;**
- b) Duly completed (and signed where relevant) all Standard Bidding Documentation (SBD's) as required from section 9 onwards, including Annexure A-H and provide certificates where relevant.

Should all of these documents not be included and signed where applicable, the bidder may be disqualified on the basis of non-compliance/ non-responsiveness.

**Part C-** Credentials against the proposed scope of services, including a cover letter introducing your company and any information which will demonstrate:

- a) Bidders' capability to provide the required services, this may include but not limited to resources e.g. equipment, staff, asset register, global footprint etc. in line with SAT's request for proposals (RFP);
- b) Description and location of proposed premises where the actual services will be delivered from (SAT may perform site inspections of the proposed premises of shortlisted bidders);
- c) Proof of previous relevant experience;
- d) Proposal in line with your understanding of what the scope of work entails and any additional information which you deem valuable for consideration during the bid evaluation process;
- e) Any value-added services you are able to offer relevant to this scope of services;
- f) Proposed team structure and skills of team members who will be assigned to this contract should you be the successful bidder;
- g) A detailed cost breakdown (inclusive of VAT) based on your understanding of SAT's full requirements under this tender. Where unsure, as much detail as possible should be provided. Also clearly indicate any once-off cost. The cost should be shown for 5 years but where each respective year is clearly defined.

Companies who fail to adhere to the above requirements; risk being disqualified from the evaluation process.

#### 9.14 Anti-Corruption Compliance

SA Tourism is committed to conducting its business ethically and to achieving and maintaining the highest standards of corporate governance, particularly in respect of anti-corruption compliance. We require all

of our business partners, suppliers, vendors, contractors and service providers, who play an important and valued role in our continuing business success, to behave ethically and to avoid engaging in corrupt business activities.

To assist SA Tourism in respect of its commitment to ethical business practices, all successful bidders are required to complete an anti-bribery compliance questionnaire and thereafter to undergo an anti-bribery due diligence check; the outcome thereof may determine, at SA Tourism's discretion, whether SA Tourism will enter into any contractual agreement or other arrangements with the supplier, or not.

SA Tourism reserves the right to disqualify bidders based on the results and outcomes of its risk based anti-bribery due diligence procedures and will not furnish reasons for such decisions.

Successful bidders will further be required to sign warranties and undertake contractually that, in carrying out their responsibilities on behalf of SA Tourism, neither they nor their owners, officers, directors, employees, or their agents or subcontractors will pay, offer, or promise to pay, or authorize the payment directly or indirectly, of any money, gift, or anything of value to any government official or anyone else for the purpose of influencing any act or decision of such official or of the government to obtain or retain business, or to direct business to any person.

#### 9.15 Period of appointment

The appointment of the successful bidder will be subject to the signing of a contract and service level agreement based on the preferred bidder's tender proposal and final agreed scope of work by SA Tourism.

### 10. Evaluation process

The evaluation process will comprise of the following phases:

Phase 0	Phase 1	Phase 2	Phase 3
<b>Administration and Mandatory bid requirements</b>	<b>Functionality</b>	<b>Price</b>	<b>Recommendation and Appointment</b>
Short listing of bidders who are able to meet the requirements outlined under paragraph 9.13.1 Part A, B & C Only bidders that comply with ALL these criteria will proceed to Phase 1.	Bidder(s) are required to achieve a minimum threshold of 75% (at least 375 out of a possible 500 points) to proceed to phase 2 Only bidder(s) who pre-qualifies during Phase 1 of the bid evaluation process will be allowed to participate during phase 2 of the tender process.	Bidder(s) who meets the minimum threshold set for Phase 2 evaluation will be further evaluated on comparative price	Final successful bidder will be recommended for appointment

#### 10.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 (this is only applicable for South African -registered legal entities).

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

##### 10.1.1 Phase 0: Pre-qualification Criteria (Phase 1)

Without limiting the generality of SA Tourism's other critical requirements for this Bid, bidder(s) must submit the documents listed paragraph 9.13.1.

All documents must be completed and signed by the duly authorized representative of the prospective bidder(s). During this phase Bidders' response will be evaluated based on compliance with the listed administration and mandatory bid requirements. The bidder(s) proposal may be disqualified if they do not meet the requirement outlined in paragraph 9.13.1 Part A, B & C.

#### 10.1.2 Phase 1: Functional Evaluation Criteria = Weighting of 100 basis points

All bidders are required to respond to the technical requirements of the solution as outlined under paragraph 10.1.3.

Only Bidders that have met the Pre-Qualification Criteria in (Phase 0) will be evaluated in Phase 1 for functionality. Functionality will be evaluated as follows:

- i. Desktop Technical Evaluation - Bidders will be evaluated out of a weight of 100 where bidders will be required to achieve a minimum threshold of 75% (375 points out of a possible maximum of 500 points). Bidders who does not meet the 75% minimum threshold will be eliminated and will not be considered for further evaluation.
- ii. Only bidders who have met the minimum threshold under the (i) will be advanced to Phase 2 for further evaluation.

10.1.2 South African Tourism reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required.

#### 10.1.3 Criteria and weighting for Functionality:

- **Category 1 -5: Public Relations services:**

100%	Percentage points allocated for FUNCTIONALITY	<i>To be completed by the bidder.</i>
75%	Lowest acceptable % for FUNCTIONALITY - Tenders with less than this score will be eliminated (a minimum score of 375/500 is required to meet the 75% threshold)	
Deliverables / Performance Indicators	Value allocated	Reference Page in Bidders Proposal
Expertise and experience in traditional and digital PR - provide client testimonials/references on a letterhead within the last 12 months and accolades.	25	
Creativity and innovation in PR around consumer brands and the distribution channels - provide case studies	25	
Media Monitoring, Reputation Management Tracking and Reporting - approach, service and	20	

tools that will be made available to South African Tourism		
Expertise and experience of proposed team: Proven experience of proposed team to be deployed to the project. Number of years' and level of experience of the proposed team member	20	
Additional value to SA Tourism	10	
Total Weight	100	

- Category 6: Event Management

100%	Percentage points allocated for FUNCTIONALITY	<i>To be completed by the bidder.</i>
75%	Lowest acceptable % for FUNCTIONALITY - Tenderers with less than this score will be eliminated	
Deliverables / Performance Indicators	Value allocated	Reference Page in Bidders Proposal
Expertise and experience in event management within tourism and or service industry - provide client testimonials/references on a letterhead within the last 12 months and accolades	25	
Defining and conceptualizing project management mechanics to deliver engaging and innovative trade and stakeholder events - provide case studies for successful events that were executed and results.	35	
Localization of creative as per appropriate platforms and the production thereof, in terms of resources and language requirements	25	
Implementation and management of events-project management approach?	10	
Additional value to South African Tourism	5	



Total Weight	100	
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Bids proposals will be evaluated strictly according to the bid evaluation criteria stipulated in this section.

10.1.4 Bidders must, as part of their bid documents, submit supportive documentation for all functional requirements as indicated in the Terms of Reference. The panel responsible for scoring the respective bids will evaluate and score all bids based on information presented in the bid proposals in line with the RFP and the subsequent system demonstration.

10.1.5 The score for functionality will be calculated as in terms of the table below where each Bid Evaluation Committee (BEC) member will rate each individual criterion on the score sheet using the following value scale:

Rating	Definition	Score
<b>Excellent</b>	<b>Exceeds</b> the requirement. Exceptional demonstration by the bidder of the relevant ability, understanding, experience, skills, resources and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	<b>5</b>
<b>Good</b>	<b>Satisfies</b> the requirement with <b>minor additional benefits</b> . Above average demonstration by the bidder of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	<b>4</b>
<b>Acceptable</b>	<b>Satisfies</b> the requirement. Demonstration by the supplier of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with supporting evidence.	<b>3</b>
<b>Minor Reservations</b>	Satisfies the requirement with <b>minor reservations</b> . Some minor reservations of the supplier's relevant ability, understanding, experience, skills, resources and quality measures required to provide the goods / services, with little or no supporting evidence.	<b>2</b>
<b>Serious Reservations</b>	Satisfies the requirement with <b>major reservations</b> . Considerable reservations of the supplier's relevant ability, understanding, experience, skills, resources and quality measures required to provide the goods / services, with little or no supporting evidence.	<b>1</b>
<b>Unacceptable</b>	<b>Does not meet the requirement</b> . Does not comply and/or insufficient information provided to demonstrate that the supplier has the ability, understanding, experience, skills, resource & quality measures required to provide the goods / services, with little or no supporting evidence.	<b>0</b>

10.1.6 The value scored for each criterion will be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for each criterion. These scores will be added and expressed as a fraction of the best possible score for all criteria. The total score will be converted to a percentage and

only Bidders that have met or exceeded the minimum threshold of 75% for functionality will be evaluated and scored in terms of the pricing.

10.1.7 Individual value scores will be multiplied with the specified weighting for the criterion to obtain the marks scored for all the elements. These marks will be added and expressed as a fraction of the best possible score for all criteria. This score will be converted to a percentage average.

10.1.8 Any proposal not meeting the minimum score of **75 percent (75%)** on the technical/functionality evaluation will be disqualified and the financial proposal will not be considered.

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

**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 (THIS IS ONLY APPLICABLE TO SOUTH AFRICAN BIDDERS).**

**THE FOLLOWING WILL BE APPLICABLE TO ALL BIDDERS:**

### GENERAL CONDITIONS

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

This tender will be evaluated on the 100-point system for functionality and 100-point system for price. Once a tender is received, the lowest acceptable tender (75% score threshold).

10.2.2 Points for this bid shall be awarded for:

- (a) Functionality; and
- (b) Price

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

	POINTS
FUNCTIONALITY	100
PRICE	100

10.2.4 SA Tourism reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 10.2.5 DEFINITIONS

- (a) “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the South African 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 South African Broad-Based Black Economic Empowerment Act;

- (c) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) “EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) “functionality” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) “prices” includes all applicable taxes less all unconditional discounts;
- (h) “proof of B-BBEE status level of contributor” means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) “QSE” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the South African Broad-Based Black Economic Empowerment Act;
- (j) “Euro value” means the total estimated value of a contract in euros, calculated at the time of bid invitation, and includes all applicable taxes;

#### 10.2.6 POINTS AWARDED FOR COMPARATIVE PRICE

Points for comparative price will be calculated on a 100-point basis where the bidder with the lowest price will be awarded 100 points etc.

“**comparative price**” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;

Calculation of percentage for price:

$$Ps = So \times Ap \times Ms$$

Where

Ps = Percentage scored for functionality by tender under consideration

So = Total score of tender/proposal under consideration

Ms = Maximum possible score

Ap = Percentage allocated for functionality (eg 100% - as per specifications)

Example

$(375/500) \times 100\% = 75\%$

:

**10.3 SUB-CONTRACTING**

Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

YES		NO	
-----	--	----	--

10.3.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

**10.3.2 ANNEXURE A - DECLARATION OF COMPANY/FIRM INFORMATION**

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)		
BID IN RESPECT OF TENDER NO		
LEGAL NAME OF BIDDER		
TRADING NAME OF BIDDER		
COMPANY REGISTRATION NUMBER		
POSTAL ADDRESS		
STREET ADDRESS		
CONTACT PERSON FOR THIS TENDER		
TELEPHONE NUMBER	Code:	Number:
CELLPHONE NUMBER		

FACSIMILE NUMBER	Code:	Number:
E-MAIL ADDRESS		

TYPE OF COMPANY/FIRM
<input type="checkbox"/> PARTNERSHIP / JOINT VENTURE / CONSORTIUM
<input type="checkbox"/> ONE PERSON BUSINESS / SOLE PROPRIETY
<input type="checkbox"/> COMPANY
<input type="checkbox"/> BV/BABV/ApS/AB/OY
<input type="checkbox"/> Other - Specify

DESCRIBE PRINCIPAL BUSINESS ACTIVIES


COMPANY CLASSIFICATION

<input type="checkbox"/> MANUFACTURER
<input type="checkbox"/> SUPPLIER
<input type="checkbox"/> PROFESSIONAL SERVICE PROVIDER
<input type="checkbox"/> OTHER e.g. transport etc (specify)

Total number of years the firm has been in business	
Total number of employees :	
Full Time	
Part Time	

Street Address of all Facilities used by Firm (eg. Warehousing, storage space, offices etc.)


Do you Share Facilities	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, which facilities		

With who do you share facilities (Name of Firm / Individual)

Is the firm registered or does it have a business license	
<input type="checkbox"/> Registered	Number :
<input type="checkbox"/> Business License	Number :

Detail all trade associations in which you have membership

Did the firm exist under another name	<input type="checkbox"/> Yes	<input type="checkbox"/> No
---------------------------------------	------------------------------	-----------------------------

If yes, What was the firm's previous name

Who were the owners / partners / directors

List the current partners, proprietors and shareholders by name, Identification number, Citizenship, and Ownership, as relevant

Shareholder Name	Identification Number (passport/driver license)	Nationality	Date of Ownership	Percentage Voting

Note. Identify should owners themselves be a company or partnership  
Should space be insufficient, please attach annexures

Complete the following information for each Partner, Proprietor, Shareholder, Director, and Officer of the Firm (viz. chairperson, company secretary, director, etc.)

Title	Name	Nationality	Gender (M/F)	Disable (Yes/No)	Percentage of time devoted


Identify any owner or management officer who has an ownership interest in another firm

Name	Name & address of other firm	Title in other firm	Percentage Owner	Type of other business

Identify any owner or management officer who is an employee of, or has duties in another business enterprise

Name	Duties as Employee in Other Firm	Name and address of other firm	Type of other business

List the major items of equipment, plant and vehicles (movable and immovable assets) owned by the firm

Item Description	Quantity

What is the enterprises annual turnover (excl VAT) during the lesser period for which the business has been operating, or for the previous three financial years

Euro amount :	Euro		
Or Previous three financial years	Year	Year	Year
	Euro	Euro	Euro

List the four largest contracts / assignments completed by your firm in the last three years

Work Performed	For whom	Contact Person & Telephone numbers	Contract Fee Amount


the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

Failure on the part of a bidder to fill in and/or to sign this form and submit a Chamber of Commerce Verification Certificate in applicable country, translated to English from an accredited Verification Agency or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid.

**10.4 Phase 2: Consolidation of points for comparative price and functionality**

Bidder(s) who meets the minimum threshold for functionality (375/500) (75%) evaluation will be further evaluated on comparative price.

Upon the successful negotiation and signing of a contract and services level agreement with the preferred bidder all other bidders will be considered as unsuccessful.

**11. ANNEXURE B - COMPANY INFORMATION (TAX COMPLIANCE)**

SUPPLIER INFORMATION				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
TAX CLEARANCE NUMBER				



TAX CLEARANCE EXPIRY DATE (if applicable)					
HAS PROOF OF CENTRALISED SUPPLIER DATABASE REGISTRATION BEEN SUBMITTED?					YES or NO
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, enclose proof		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS/SERVICES/WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No If yes, enclose proof	

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES
<input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/>
YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	
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.	

<b>Total number of years the firm has been in business</b>	
<b>Total number of employees :</b>	
<b>Full Time</b>	
<b>Part Time</b>	
<b>Street Address of all Facilities used by Firm (eg. Warehousing, storage space, offices etc.)</b>	
<b>Do you Share Facilities</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>If yes, which facilities</b>	
<b>With who do you share facilities (Name of Firm / Individual)</b>	

The undersigned is duly authorised on behalf of the firm and affirms that the information furnished is true and correct	
<b>Name and surname</b>	
<b>Signature</b>	

Capacity under which the bid is signed	
Duly authorised to sign on behalf of	
Date	
Commissioner of Oath Signature	
Commissioner of Oath Stamp	

## 12. ANNEXURE C: DETAILED BREAKDOWN OF TOTAL COST AND STANDARD SERVICES

Bidders must ensure that a detailed pricing schedule is included that is broken down to meet the conditions set out in this document. If uncertain, as much detail as possible should be provided.

List any third party's involvement in your solution and include costs thereof. Provide a summary of all costs. The tender prices should be quoted in EUR currency. Refer to Validity Period with regard to costs.

Bidders need to provide a clear cost breakdown by body/role across all of the stated projects. i.e.

### Public Relations

- Example, how many bodies will make up the PR team?
- What is the ranking and roles of the teams by job title?
- Average rate per body in the team.

Please summarize the total cost below which agrees to your detailed pricing schedule: **PLEASE BASE YOUR COSTS ON RESOURCING AS WELL AS YEAR ON YEAR PROJECTED ESCALATION PERCENTAGE. COSTS WILL BE BASED ON WHAT IS REQUIRED FROM THE ANNUAL BUSINESS PLAN, AND YOUR COMMISSION REBATE SHOULD ALSO BE DISCLOSED IF ANY. THIS SECTION SHOULD INCORPORATE ANY OTHER COSTS FORSEEN COSTS (I.E. ADMINISTRATION PERCENTAGE, PROJECT FEES ETC.)**

TOTAL RESOURCE COST FOR 5 YEARS	EURO (Including all applicable taxes)	Projected annual escalation Percentage
YEAR 1		
YEAR 2		

YEAR 3		
YEAR 4		
YEAR 5		
OTHER (SPECIFY)		
TOTAL COST FOR YEARS		

### 13. TIME FRAMES

Pricing schedule should include stipulated time frames for delivery and/or execution and a detailed project / roll-out plan where applicable.

### 14. ANNEXURE D: ACCEPTANCE OF GENERAL TENDER CONDITIONS OF SOUTH AFRICAN TOURISM

I/We hereby tender to supply all or any of the services described in the Tender Request for Presentation, in accordance with the specifications stipulated therein (and which will be taken as part of, and incorporated into, this tender submission) at the prices and on the terms regarding time for delivery and/or execution inserted therein, to South African Tourism on the terms of the General Tender Conditions of South African Tourism

I/WE AGREE THAT -

- 14.1 The offer herein will remain binding upon me/us and open for acceptance by South African Tourism during the Validity Period indicated and calculated from the closing time of the tender.
- 14.2 if I/we withdraw my/our tender within the period for which I/we have agreed that the tender will remain open for acceptance, or fail to fulfil the contract when called upon to do so, South African Tourism may, without prejudice to its other rights, agree to the withdrawal of my/our tender or cancel the contract that may have been entered into between me/us and South African Tourism and I/we will then pay to South African Tourism any additional expense incurred by South African Tourism having either to accept any less favourable tender or, if fresh tenders have to be invited, the additional expenditure incurred by the invitation of fresh tenders and by the subsequent acceptance of any less favourable tender; South African Tourism will also have the right to recover such additional expenditure by set-off against monies which may be due or become due to me/us under this or any other tender or contract or against any guarantee or deposit that may have been furnished by me/us or on my/our behalf for the due fulfilment of this or any other tender or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the company may sustain by reason of my/our default;
- 14.3 if my/our tender is accepted the acceptance may be communicated to me/us by e-mail, letter or order by ordinary post or registered post;
- 14.4 laws of the Kingdom of the Netherlands will govern the contract created by the acceptance of my/our tender.

I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our tender; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the tender documents and that the price(s) and rate(s) cover all my/our obligations under a resulting contract and that I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.

I/We hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the Principal(s) liable for the due fulfilment of this contract.

I/We agree that any action arising from this contract may in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence or judgment which may be pronounced against me/us as a result of such action.

I/We agree that background screening can be done to all directors of our legal entity that submits this bid

I/We declare that I/we have participation /no participation in the submission of any other offer for the supplies/services described in the attached documents. If in the affirmative, state name(s) of tender(s) involved:


Duly signed by authorized person on this      day of    2019 as unconditional acceptance of the terms and conditions of this Tender.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

In capacity as: \_\_\_\_\_

**These conditions form part of the tender and failure to comply therewith may invalidate a tender.**

**15. ANNEXURE E: DECLARATION OF INTEREST FOR TENDERS**

This declaration must accompany tender documents submitted.

Any legal person, including persons employed by the South African Tourism or persons who act on behalf of South African Tourism or persons having a kinship with persons employed by South African Tourism including a blood relationship may make an offer or offers in terms of this tender invitation. In view of possible allegations of favouritism, should the resulting tender, or part thereof, be awarded to persons employed by South African Tourism, or to persons who act on behalf of South African Tourism, or to

persons connected with or related to them, it is required that the bidder or his/her authorized representative will declare his/her position visa versa the evaluating authority and/or take an oath declaring his/her interest, where

The bidder is employed by South African Tourism or acts on behalf of South African Tourism; and/or the legal person on whose behalf the tender document is signed, has a relationship with persons/a person who are/is involved with the evaluation of the tender(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 of the tender.

In order to give effect to the above, complete the following and submit with the tender.

<b>Are you or any person connected with the bidder, act on behalf of, or employed by South African Tourism?</b>	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>
<b>If Yes, state particulars :</b>		
<b>Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed in the department concerned or with South African Tourism, and who may be involved with the evaluation or adjudication of this tender?</b>	<input type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> <b>No</b>
<b>If Yes, state particulars :</b>		
<b>Are you or any person connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by Yes South African Tourism, who may be involved with the evaluation or adjudication of this tender?</b>	<input type="checkbox"/>	<input type="checkbox"/> <b>No</b>
<b>If Yes, state particulars :</b>		

Duly signed by authorized person on this \_\_\_\_\_ day of \_\_\_\_\_ 2019 as

Declaration of Interest for the tendering of: \_\_\_\_\_

TENDER REQUIREMENT, TENDER NUMBER.

Signature: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 In capacity as: \_\_\_\_\_  
 For and on behalf of: \_\_\_\_\_  
 COMPANY NAME (BIDDER): \_\_\_\_\_

Notary Declaration:
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**16. ANNEXURE F: DECLARATION OF INTEREST FOR TENDERS (SBD4)**

This declaration must accompany tender documents submitted.

- Any legal person, including persons employed by the state, 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 Presentation). In

view of possible allegations of favouritism, should be 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 authorized representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is self 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 bidders or his or her representative:	
2.2	Passport Number:	
2.3	Position occupied in the company (director, trustee, shareholder):	
2.4	Company registration number:	
2.5	Tax reference/identification number:	
2.6	VAT registration number :	

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

2.7.1 If so, furnish the following particulars:

2.7.1.1	Name of person / director / trustee / shareholder / member:	
2.7.1.2	Name of state institution at which you or the person connected to the bidder is employed:	
2.7.1.3	Position occupied in the state institution:	
2.7.1.4	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 attach 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)

Tender: Request for Proposal	If no, furnish reasons for the non-submission of such proof:	Company Confidential
2.7.2.2		

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

2.8.1	If yes, furnish particulars:	
-------	------------------------------	--

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

2.9.1	If yes, 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 YES / NO may be involved with the evaluation and or adjudication of this bid?

2.10.1	If yes, furnish particulars:	
--------	------------------------------	--

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



Tender: Request for Proposals	If yes, furnish particulars:	Company Confidential
2.11.1		

3 Full details of directors/trustees/members/shareholders

	Full Name	Identification Number	Passport Number
3.1			
3.2			
3.3			
3.4			
3.5			
3.6			
3.7			
3.8			
3.9			

4 DECLARATION

I, THE UNDERSIGNED (NAME) \_\_\_\_\_

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 3 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
POSITION

\_\_\_\_\_  
NAME OF BIDDER

**17. ANNEXURE G - DECLARATION OF BIDDERS'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD8)**

This Standard Bidding Document must form part of all bids invited where a service provider has performed work in South Africa during the last 5 years.

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.

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

- abused the institution's supply chain management system;
- committed fraud or any other improper conduct in relation to such system; or
  - failed to perform on any previous contract.

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

Item	Question	Yes	No
15.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
15.1.1	If so, furnish particulars:		
15.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>
15.2.1	If so, furnish particulars:		
15.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	<p>Yes</p> <p><input type="checkbox"/></p>	<p>No</p> <p><input type="checkbox"/></p>

15.3. 1	If so, furnish particulars:		
15.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
15.4. 1	If so, furnish particulars:		

**CERTIFICATION**

I, the undersigned, (NAME IN FULL) \_\_\_\_\_, certify that the information furnished on this Declaration is true and correct.

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration, made on behalf of the tendering company, prove to be false.

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Position

---

Name of bidder

**18. ANNEXURE H - CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD9)**

18.1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.

18.2 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).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

18.3 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. disregards 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.

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.

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

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and Presentations.

<sup>2</sup> 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.

**19 - CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD9)**

I, the undersigned, in submitting the accompanying bid:

.....

(Bid number and Description)

in response to the invitation for the bid made by:

**SOUTH AFRICAN TOURISM**

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

I certify, on behalf of: .....that:

(Name of Bidder)

19.1 I have read and I understand the contents of this Certificate;

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

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

19.4 Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;

19.5 For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

- (a) Has been requested to submit a bid in response to this bid invitation;
- (b) Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) Provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

19.6 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 consortium<sup>3</sup> will not be construed as collusive bidding.

19.7 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.

19.8 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.

19.9 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.

<sup>3</sup> 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.

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder