



<b>RFP NUMBER:</b>	<b>ELRC-T04-2021-22</b>
<b>DESCRIPTION:</b>	<b>Request for Proposals for the Appointment of Travel Management Company to provide Travel Management Services to The Education Labour Relations Council</b>
<b>PUBLISH DATE:</b>	<b>20 February 2022</b>
<b>VALIDITY PERIOD:</b>	<b>90 Days from the closing date</b>
<b>CLOSING DATE:</b>	<b>14 March 2022</b>
<b>CLOSING TIME:</b>	<b>11:00 AM</b>
<b>BID RESPONSES MUST BE HAND DELIVERED / COURIERED TO:</b>	<b>ELRC Building 261 West Avenue Centurion Pretoria 0046</b>
<b>ATTENTION:</b>	<b>Charles Mokoena</b>
<b>NB: Bidders must ensure that they sign the register at the reception when delivering their bids</b>	
<b>ELRC offices hours 08H00-16H00</b>	

## 1. BID SUBMISSION

- 1.1. The EDUCATION LABOUR RELATIONS COUNCIL hereby invites suitably qualified bidders to submit bids for travel management services.
- 1.2. Completed tender submissions must be hand delivered / deposited into the Tender Box at the reception area of Education Labour Relations Council Building, located at 261 West Avenue, Centurion, Pretoria for the attention of: "Charles Mokoena, Manager: Supply Chain Management.
- 1.3. All enquiries are to be directed to Supply Chain Management Office. Contact Details: Email: [charlesm@elrc.co.za](mailto:charlesm@elrc.co.za).

NB: Questions must be e-mailed to Mr Mokoena as indicated above.  
Subject: Enquiry Tender T04-2021-22.

- 1.4. **Closing date and time** for submission of tenders 14 March 2022 at 11:00 am.

The Tender Box will be accessible as from

20 February 2022 to 14 March 2022

- 1.5. No submissions sent by e-mail or facsimile will be accepted, and no late submissions will be accepted.
- 1.6. Bidders are requested to submit five submissions marked "Technical and Financial Proposal" (one original and four copies).
- 1.7. Bidders should ensure that Bids are delivered in time to the correct address. If the bid is late, it shall not be accepted for consideration. The ELRC reception is generally accessible 8 hours a day (08h00 to 16h00); 5 days a week (Monday to Friday). Bidders must ensure that they **sign the register** at the reception when delivering Bids. **Bidders must advise their couriers of the instruction above to avoid misplacement of bid responses.**
- 1.8. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – **(NOT TO BE RE-TYPED)**.
- 1.9. One hardcopy must be the original submission, clearly marked "Original" and the remaining hardcopies can be copied versions of the original.
- 1.10. Service providers should take particular care to ensure that there are no discrepancies on hardcopy submissions of the proposed solution.

**1.11.** Responses to this RFP must follow a two-envelope approach where service providers' pricing and technical response must be submitted in separate sealed envelopes. The copies must be bundled together and submitted as a single pack and clearly marked indicating the contents of the envelope as well as the BID number.

**1.12.** Each individual envelope must be clearly marked with the following information:

- Name of the RFP,
- RFP Number
- ORIGINAL or COPY 1 or COPY 2 etc.
- Return address label indicating the name and address of the Service Provider.

## **2. INTRODUCTION, BACKGROUND AND OVERALL OBJECTIVES**

**2.1.** This is to invite qualifying service providers to submit proposals to provide Travel Management Services to the Education Labour Relations Council (ELRC).

**2.2.** The ELRC execute its mandate in accordance with the Labour Relations Act any other legislation that relates to the governance of Public Education.

**2.3.** The ELRC currently uses the service of a travel management company to manage the travel requisition and travel expense processes with the travel management lifecycle. The travel requisition process is currently an automated process. The travel requisition is captured on the Pastel Evolution system that go through an authorisation approval procedure and are then forwarded to the ELRC travel co-ordinator. The ELRC travel co-ordinator forwards the travel requisition to the travel management company for travel bookings.

**2.4.** ELRC's primary objective in issuing this Request for Proposal is to enter into agreement with a successful bidder who will achieve the following:

- a) Provide the ELRC with the travel management services that are efficient, consistent, and reliable and will maintain a high level of traveller satisfaction in line with the service levels.
- b) Provide the ELRC with a dedicated key account executive that is suitably qualified for the duration of the contract.
- c) Achieve significant cost savings for the ELRC without any degradation in the services.
- d) Appropriately contain the ELRC's risk and traveller risk.

**2.5.** The Travel Management Services will be required for a period of three (3) years.

### **3. OVERVIEW OF REQUIREMENTS**

- 3.1.** The ELRC is inviting suitably qualified service providers who are registered with IATA and ASATA, for the rendering of excellence in quality, innovation and cost-effective travel services and related products for the ELRC's offices nationwide.
- 3.2.** The ELRC is seeking a travel service provider to create a partnership with, which will explore the most beneficial financial opportunities through an innovative, flexible approach to travel management. While the ELRC's corporate objective of cost reduction is paramount, travel is a personal experience and hence personal service is vital. It is expected that the appointed service provider will customize its services for the ELRC as much as possible to ensure the highest level of customer satisfaction with proactive participation in advising and guiding prospective travellers.
- 3.3.** Providing a one stop travel capability, i.e., everything from corporate travel to conferences and incentives travel, this can be arranged through a central office on a nationwide basis.
- 3.4.** The travel Agency must have a facility to render a professional corporate travel agency to the ELRC. Ensure a 24-hour service to facilitate amendments to travel arrangements, emergency travel arrangements, accommodation bookings etc.
- 3.5.** Management reports on detailed expenses per completed month for each service, inclusive of all savings, exception reports must be submitted together with month-end statements as prescribed by the ELRC.

### **4. SCOPE OF REQUIREMENTS**

- 4.1.** The ELRC requires services of a travel agency who will render travelling solution to ELRC's Head Office and its Provincial offices. The services will be rendered from the travel agency offices and an Accounts Manager whom the ELRC can liaise with to manage the account.
- 4.2.** Key outputs of the Travel agency will be to implement and co-ordinate the entire travel management based on the diversity of the individuals travel needs of the ELRC.
  - a) The travel services will be provided to all Travellers travelling on behalf of the ELRC. This will include employees, parties and contractors, consultants, and clients with ELRC instruction and cost of travel.
  - b) The travel agency must commit to give individual solutions within the ELRC's internal policies with the necessary flexibility to fulfil the ELRC's requirements as and when required.

- c) The travel agency will be required to provide operational business processes that are tailored to meet the location and service range as required by ELRC, with the widest choice available.
- d) Provide detailed itineraries, including airports information.
- e) The travel agency will also be required to continuously identify improvements in terms of costs and deliver innovative solutions to the ELRC.
- f) The travel agency must provide efficient, trained, capable competent and dedicated personnel and an account manager to perform the required services.
- g) Contingency plan with regards to personnel (Accounts Manager) and an ability to provide services during interruptions.
- h) The travel agency will be required to make reservations with car rental companies, taking into consideration the ELRC's internal policies.
- i) The travel agency must be able to negotiate optimal rates with car rental companies, shuttle services airfare and for accommodation and review rates in conjunction with the ELRC.
- j) The travel agency must have the capability of amending confirmed reservation, should the need arise.
- k) Assist parties and employees travelling overseas with international driver's license arrangements where applicable.
- l) The travel agency will be required to arrange for both national and international shuttle services to and from the airports.
- m) The travel agency must identify the level of support they will require from the ELRC.
- n) The successful travel agency will be required to conduct continuous workshops and/or information sessions to the ELRC stakeholders and employees in the Head Office and Provincial Offices.

#### **4.3. Reservations**

The Travel Management Company will:

- a) Always endeavour to make the most cost-effective and comprehensive travel arrangements.
- b) Always endeavour to make travel arrangements expeditiously (i.e., 24 hours).
- c) Apprise themselves of all travel requirements for destinations to which travellers will be travelling and advise the Traveller of alternative plans that are more cost effective and more convenient where necessary.
- d) Obtain a minimum of three (3) price comparisons for all travel requests where the routing or destination permits.
- e) Book the negotiated discounted fares and rates where possible.
- f) Must keep abreast and communicate timeously carrier schedule changes as well as all other alterations and new conditions affecting travel and make appropriate adjustments for any changes in travel prior to or during the traveller's official trip. When necessary, e-tickets and billing shall be modified and reissued to reflect these changes.

- g) Respond timely and process all queries, requests and authorized changes and cancellations timeously and accurately.
- h) Must be able to facilitate group bookings (e.g., for meetings, conferences, events, etc.)
- i) Must issue all necessary travel documents, itineraries, and vouchers timeously to traveller(s) prior to departure dates.
- j) Advise the Traveller of all visa and inoculation requirements well in advance. Visa applications will not be the responsibility of the TMC; however, the relevant information must be supplied to the traveller(s) where visas will be required.
- k) Assist with the arrangement of foreign currency and the issuing of travel insurance for international trips, where required.
- l) Note that, unless otherwise stated, all cases include domestic, regional, and international travel bookings.
- m) Negotiated airline fares, accommodation establishment rates, car rental rates, etc. that are negotiated directly or established by the ELRC are non-commissionable, where commissions are earned for ELRC bookings all these commissions should be returned to the ELRC on a monthly basis.

#### **4.4. Air Travel**

- a) The successful bidder must be able to book full-service carriers as well as low-cost carriers.
- b) The TMC will book the lowest airfares possible for domestic travel in line with ELRC policy instructions.
- c) For international flights, the airline which provides the most cost effective and practical routings may be used.
- d) The TMC should obtain three or more price comparisons where applicable to present the most cost effective and practical routing to the Traveller. Proof will be required.
- e) The airline ticket should include the applicable airline agreement number as well as the individual loyalty program number of the Traveller (if applicable).
- f) Airline tickets must be delivered electronically to the traveller(s) promptly after booking and before the departure dates.
- g) The TMC will be responsible for the tracking and management of unused e-tickets as per the agreement with the ELRC.

#### **4.5. Accommodation**

- a) The TMC will obtain price comparisons within the maximum allowable rate.
- b) The TMC will obtain three price comparisons from accommodation establishments that provide the best available rate within the maximum allowable rate and that is located as close as possible to the venue or office or location or destination of the traveller.

- c) This includes planning, booking, confirming and amending of accommodation with any establishment (hotel group, private hotel, guest house or Bed & Breakfast) in accordance with the ELRC's travel policy.
- d) Accommodation vouchers must be issued to all ELRC travellers for accommodation bookings and must be invoiced to the ELRC monthly. Such invoices must be supported by a copy of the original hotel accommodation charges.

#### **4.6. Rental and Shuttle Services**

- a) The TMC will book the approved category vehicle in accordance with the ELRC Travel Policy.
- b) The travel consultant should advise the Traveller on the best time and location for collection and return considering the Traveller's specific requirements.
- c) For international travel the TMC may offer alternative ground transportation to the Traveller that may include rail, buses and transfers.
- d) The TMC will book transfers in line with the ELRC Travel Policy Transfers can also include bus and coach services.
- e) Vouchers must be issued to all ELRC travellers for transport bookings and must be invoiced to ELRC monthly. Such invoices must be supported by a copy of the original transport quotation and official purchase orders. Proof must be submitted.

#### **4.7. After Hours and Emergency Services**

- a) The TMC must provide a consultant or team of consultants to assist Travelers with after hours and emergency reservations and changes to travel plans.
- b) A dedicated consultant/s must be available to assist Travelers with after hour or emergency assistance.
- c) After hours' services must be provided from Monday to Friday outside the official hours (16h30 to 8h00) and twenty-four (24) hours on weekends and Public Holidays.
- d) A call centre facility or after hours contact number should be available to all travellers so that when required, unexpected changes to travel plans can be made and emergency bookings attended to.
- e) The Travel Management Company must have a standard operating procedure for managing after hours and emergency services.
- f) This must include purchase order generation of the request within 24 hours.

#### **4.8. Financial Management**

- a) The TMC must implement the discounted air fares and the maximum allowable rates established by the National Treasury, at all times.
- b) The TMC will be responsible to manage the service provider accounts. This will include the timely receipt of invoices to be presented to the ELRC for payment within the agreed time period.

- c) Enable savings on total annual travel expenditure and this must be reported, and proof provided during monthly and quarterly reviews.
- d) The TMC is responsible for the consolidation of invoices and supporting documentation to be provided to ELRC's Financial Department on the agreed time period (e.g. weekly). This includes attaching the Travel Authorization or Purchase Order and other supporting documentation to the invoices reflected on the Service provider bill-back report or the credit card statement.
- e) Ensure Travel Supplier accounts are settled timeously.

#### **4.9. Technology, Management Information and Reporting**

- a) The TMC must have the capability to consolidate all management information related to travel expenses into a single source document with automated reporting tools.
- b) The TMC must have an appropriate integrated online booking system.
- c) The online system should have the capability to function as an App on any mobile device
- d) All management information and data input must be accurate.
- e) The TMC will be required to provide the ELRC with a standard monthly report.
- f) Reports must be accurate and be provided as per the ELRC's specific requirements at the agreed time. Information must be available on a transactional level that reflect detail including the name of the traveller, date of travel, spend category (example air travel, shuttle, accommodation).
- g) The ELRC may request the TMC to provide additional management reports.
- h) Reports must be available in an electronic format, for example Microsoft Excel.
- i) Service Level Agreements reports must be provided on the agreed date.
- j) Service Level Agreement reports must be provided on the agreed date. It will include but will not be limited to the following:

##### **Travel**

- After hours Report.
- Compliments and complaints.
- Consultants Productivity Report.
- Long term accommodation and car rental.
- Extension of business travel to include leisure.
- Upgrade of class of travel (air, accommodation, and ground transportation)

##### **Finance**

- Creditor's ageing report.
- No show reports.
- Cancellation report.
- Refund log; and
- Open voucher report.



- k) The TMC will implement all the necessary processes and programs to ensure that all the data is always secure and not accessible by any unauthorised parties.

#### **4.10. Account Management**

- a) An Account Management structure should be put in place to respond to the needs and requirements of the ELRC and act as a liaison for handling all matters regarding delivery of services in terms of the contract.
- b) The TMC must appoint a dedicated Key Account Executive/Manager and Business Manager that is ultimately responsible for the management of the ELRC's account.
- c) The necessary processes should be implemented to ensure good quality management and always ensuring Traveller satisfaction.
- d) A complaint handling procedure must be implemented to manage and record the compliments and complaints of the TMC and other travel service providers.
- e) Ensure that the ELRC's Travel Policy is enforced.
- f) The Service Level Agreement (SLA) must be managed, and customer satisfaction surveys conducted to measure the performance of the TMC.
- g) Ensure that workshops/training are provided to Travelers and/or Travel Bookers
- h) During reviews, comprehensive reports on the travel spend and the performance in terms of the SLA must be presented.

#### **4.11. Value Added Services**

The TMC must provide the following value-added services:

- a) Destinations information for regional and international destinations:
  - i. Health warnings.
  - ii. Weather forecasts.
  - iii. Places of interest.
  - iv. Visa information.
  - v. Travel alerts.
  - vi. Location of hotels and restaurants.
  - vii. Information including the cost of public transport.
  - viii. Rules and procedures of the airports.
  - ix. Business etiquette specific to the country.
  - x. Airline baggage policy; and
  - xi. Supplier updates.
- b) Electronic voucher retrieval via web and smart phones.

- c) SMS notifications for travel confirmations.
- d) Travel audits
- e) Global Travel Risk Management.
- f) VIP services for Executives that include, but not limited to check-in support.

#### **4.12. Cost Management**

- a) The ELRC's Travel Policy is establishing a basis for a cost savings culture.
- b) It is the obligation of the TMC Consultant to always advise on the most cost-effective option, and costs should be within the ELRC's Travel Policy.
- c) The TMC plays a pivotal role to provide high quality travel related services that are designed to strike a balance between effective cost management, flexibility, and traveller satisfaction.
- d) The TMC should have in-depth knowledge of the relevant supplier(s) products, to be able to provide the best option and alternatives that are in accordance with the ELRC's Travel Policy to ensure that the Traveller reaches his/her destination safely, in reasonable comfort, with minimum disruption, cost effectively and in time to carry out his/her business.

NB: The ELRC reserves the right to engage service providers direct should it be cost effective to do so.

#### **4.13. Annual Travel Reviews**

- a) Annual reviews are required to be presented by the TMC on all ELRC's travel activity in the past year. These reviews should be comprehensive and presented to the ELRC, as may be requested.

#### **4.14. Office Management**

- a) The TMC is to ensure high quality service to be delivered at all times to the ELRC's travellers. The TMC is required to provide ELRC with highly skilled and qualified human resources.

### **5. MANDATORY REQUIREMENTS**

**5.1.** Bidders must meet all mandatory requirements as stipulated in the tender document. Failure to comply with any of the requirements leads to the vendor being disqualified. **The mandatory requirements below are not subjected to any scoring as these are absolute minimum requirements.**

**5.2.** The bidders shall be obliged to submit the following:

- a) One original tender (with four copies clearly marked as original and copy 1 of 2, etc).
- b) Valid Tax Compliance Pin
- c) Audited Past three years Annual financial statements with signed audit report in case of a company.
- d) Original Certified copies (Copy with original stamp) of your CIPRO company registration documents listing all members with percentages, in case of a CC.
- e) Latest Original Certified copies of all share certificates (i.e., copy with original stamp), in case of a company.
- f) Shareholding breakdown per race, gender and percentage shareholding with shareholders of the bidding company who are not individuals.
- g) Declaration of interest.
- h) List of references of past and present clients (Company name, department, branch, contact person with office telephone number).
- i) Proof of ASATA and IATA membership

## **6. EVALUATION OF BIDS**

### **1. EVALUATION CRITERIA AND WEIGHTINGS**

Phase 1: Initial Screening Process:

**TRAVEL MANAGEMENT COMPANY TO PROVIDE TRAVEL MANAGEMENT SERVICES TO THE EDUCATION LABOUR RELATIONS COUNCIL FOR A PERIOD OF THREE (3) YEARS**

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- During this phase, bid responses will be reviewed for purposes of assessing compliance with RFP requirements including the general bid conditions, which requirements include the following:
  - Submission of a Valid Tax Compliance Pin
  - Submission of Company Registration Forms
  - Submission of ID copy for the Company Representative
  - BEE Status Certification (Certified document) / Affidavit must be original
  - IATA accredited.
  - ASATA or Similar Membership

Completion of all Standard Bidding Documents and other requirements, as reflected in this RFP, which covers the following:

- Declaration of Interest
- Shareholders' Information/ Group Structure

Failure to comply with the requirements assessed in Phase 1 (compliance), may lead to disqualification of bids.

**Phase 2: Functional Requirements**

<b>Sub-Criteria</b>	<b>Description</b>	<b>Weightings</b>
<b>Capacity</b>	Company profile. Years of existence and operation; equipment and other facilities.	<b>50%</b>
<b>Experience</b>	The CV of key personnel must be attached indicating working experience in similar role and IATA accreditation	<b>30%</b>

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<b>Sub-Criteria</b>	<b>Description</b>	<b>Weightings</b>
<b>Scope and Service offering</b>	This should clearly outline the range of service that the organisation provides over and above the ELRC requirements.	<b>10%</b>
<b>References</b>	Three references letters of Travel Management Services provided within the last three years be attached. These should include, company name, contact person and contact details (telephone number and e-mail).	<b>10%</b>
<b>Total</b>		<b>100%</b>

Services providers that will be shortlisted for the Pricing Evaluation phase will be those who have achieved a minimum score of 70% of the total score 100

**Phase 3: Evaluation of Price and BBEE**

- **Price:** The price points will be allocated against the proposals offered by Bidders.
- **Black Economic Empowerment:** BEE will be evaluated according to ELRC's Standard guidelines.
- **Broad Based Black Economic Empowerment Balance Scorecard:** as regulated in the Preferential Procurement Policy Framework Act Regulation of 2017.
- **Preferential Point System**  
Preference Point System (Pricing Evaluation): the phase will be based on the 80/20 principle.

<b>Criteria</b>	<b>Points</b>
Price	80
B-BBEE	20
<b>Total</b>	<b>100 points</b>

**7. DURATION OF THE CONTRACT**

- 7.1.** A Service Level Agreement (SLA), based on this tender requirement, will be entered into with the appointment of a service provider.
- 7.2.** The SLA (contract) will be valid for a period of three (3) years from the commencement date provided that the service provider maintains compliance with all the tender conditions and requirements during the period.

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**7.3.** If and when necessary, the contract may be extended for an additional period as may be determined by the ELRC at its sole discretion. Such extension shall be by mutual consensus in respect of duration and cost implications.

**PART A  
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (EDUCATION LABOUR RELATIONS COUNCIL)**

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
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**TRAVEL MANAGEMENT COMPANY TO PROVIDE TRAVEL MANAGEMENT SERVICES  
TO THE EDUCATION LABOUR RELATIONS COUNCIL FOR A PERIOD OF THREE (3)  
YEARS**

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DESCRIPTION	
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>	

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE  
BID BOX SITUATED AT (*STREET ADDRESS*)

<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes  <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT  <input type="checkbox"/> Yes  <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/>	A REGISTERED AUDITOR		
		NAME:			

**TRAVEL MANAGEMENT COMPANY TO PROVIDE TRAVEL MANAGEMENT SERVICES  
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<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs&amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>			
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 ANSWER PART B:3 BELOW ]
<b>SIGNATURE OF BIDDER</b>  .....		<b>DATE</b>	
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)</b>			
<b>TOTAL NUMBER OF ITEMS OFFERED</b>		<b>TOTAL BID PRICE (ALL INCLUSIVE)</b>	
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			



**PART B  
TERMS AND CONDITIONS FOR BIDDING**

**1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED--(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: ( BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.3 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.4 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.5 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD Printout from CSD indicating compliance must be provided).

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  
 YES  NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?  YES  
 NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  
 YES  NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?  
 YES  NO

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**IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.**

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

**SBD 3.1**

**PRICING SCHEDULE – FIRM PRICES**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

**Name of bidder:**

	<b>Service Fee (Unit cost)</b>	<b>Service Fee (Unit cost)</b>	<b>Service Fee (Unit cost)</b>
<b>Service Description</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>
Air - International			
Air - Regional			
Air - Domestic			
Air - Reissue/Changes			
Accommodation			
Accommodation international			
Accommodation regional			
Car Rental			
Shuttle / Transfer			
Bus / Train / Parking Booking			
After hours			
Bill back processing fee			
Refunds for air tickets			
Visas			
Foreigh exchange			
Travel insurance			
Invoice processing fee			
Conference			
<b>ONLINE BOOKING</b>			
Air - International			
Air - Regional			
Air - Domestic			
Air - Reissue/Changes			

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Accommodation			
Car Rental			
Shuttle / Transfer			
Bus / Train / Parking Booking			
Bill back processing fee			
Online booking system fee per passenger			
Consultant intervention if necessary			
After hours call centre			
Refunds for air tickets			
Visas			
Foreigh exchange			
Travel insurance			
<b>Total Unit Cost (VAT incl.)</b>			

NB: Any additional cost that may arise must be stated

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

OFFER TO BE VALID FOR.....DAYS FROM THE CLOSING DATE OF BID.

---

ITEM NO. INCLUDED)	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES
--------------------	----------	-------------	---

---

- Required by: .....

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- At: .....
- Brand and model .....
- Country of origin .....
- Does the offer comply with the specification(s)? \*YES/NO
- If not to specification, indicate deviation(s) .....
- Period required for delivery .....  
\*Delivery: Firm/not firm
- Delivery basis .....

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

\*\* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

\*Delete if not applicable

**SBD 4**

**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
  - the bidder is employed by the state; and/or
  - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

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

2.2 Identity Number:  
.....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):  
.....

2.4 Company Registration Number:  
.....

2.5 Tax Reference Number:  
.....

2.6 VAT Registration Number:  
.....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature; national Assembly or the national Council of provinces; or Parliament.
- (d) ELRC

<sup>2</sup>“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

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

2.7.1 If so, furnish the following particulars:

**TRAVEL MANAGEMENT COMPANY TO PROVIDE TRAVEL MANAGEMENT SERVICES TO THE EDUCATION LABOUR RELATIONS COUNCIL FOR A PERIOD OF THREE (3) YEARS**

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Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

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

2.8.1 If so, furnish particulars:

.....

.....

.....

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

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any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars.

.....  
 .....  
 .....

2.10 Are you, or any person connected with the bidder, **YES/NO**  
 aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

2.10.1 If so, furnish particulars.

.....  
 .....  
 .....

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

2.11.1 If so, furnish particulars:

.....  
 .....  
 .....

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

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

**TRAVEL MANAGEMENT COMPANY TO PROVIDE TRAVEL MANAGEMENT SERVICES TO THE EDUCATION LABOUR RELATIONS COUNCIL FOR A PERIOD OF THREE (3) YEARS**

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**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 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder



**SBD 6.1**

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution.

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE  
GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN  
RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL  
PROCUREMENT REGULATIONS, 2017.**

**1. GENERAL CONDITIONS**

- 1.1. The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2. The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or
- 1.3. Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).
- 1.4. Points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contributor.
- 1.5. The maximum points for this bid are allocated as follows:

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

- 1.6. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.7. The purchaser 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.

**2. DEFINITIONS**

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic

Empowerment Act;

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

### 3. POINTS AWARDED FOR PRICE

#### 3.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration

Pmin = Price of lowest acceptable bid

#### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

#### 5. BID DECLARATION

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

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

- 6.1. B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

#### 7. SUB-CONTRACTING

- 7.1. Will any portion of the contract be sub-contracted?  
(*Tick applicable box*)

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YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1. If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

**(Tick applicable box)**

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- v) **Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:**

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b> √	<b>QSE</b> √
<b>Black people</b>		
<b>Black people who are youth</b>		
<b>Black people who are women</b>		
<b>Black people with disabilities</b>		
<b>Black people living in rural or underdeveloped areas or townships</b>		
<b>Cooperative owned by black people</b>		
<b>Black people who are military veterans</b>		
<b>OR</b>		
<b>Any EME</b>		
<b>Any QSE</b>		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1. Name of company/firm:.....

8.2. VAT registration number:.....

8.3. Company registration number:.....

8.4. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium

- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

**8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
.....  
.....  
.....  
.....

**8.6. COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

8.8. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on

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a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES
1. ....
2. ....

.....
SIGNATURE(S) OF BIDDERS(S)
DATE: .....
ADDRESS .....
.....

**DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

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<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
4.1	<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? (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><b>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.</b></p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<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><b>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.</b></p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<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> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>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?</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....**

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.**



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

.....

**Signature**

.....

**Date**

.....

**Position**

.....

**Name of Bidder**

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a) disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b) cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid.
  - a) Includes price quotations, advertised competitive bids, limited bids and proposals.
  - b) Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

I certify, on behalf

Of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - a) has been requested to submit a bid in response to this bid invitation;

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- b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- a) prices;
  - b) geographical area where product or service will be rendered (market allocation)
  - c) methods, factors or formulas used to calculate prices;
  - d) the intention or decision to submit or not to submit, a bid;
  - e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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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

**3 Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.**