

Sourcing of a traffic training centre for DTSL traffic trainee's



Transport, Safety and Liaison
NORTHERN CAPE PROVINCE

FORMAL PRICE QUOTATION UP R 30 000-00 TO R 1000 000-00

NB: Use ink, preferably black, to fill in the information applicable to the specific required price quotation

Issued by:

Supply Chain Management Unit
Department of Transport, Safety and Liaison
Ocean Echo Building
Cnr Sydney & Lennox Street
Kimberley
8300

NAME OF A BIDDER: _____

CSD NUMBER: _____

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ANNEXURE A - PRICING SCHEDULE21

Invitation to Bid: RFQ/DTSL 23/24/10
Sourcing of a traffic training centre for DTSL traffic trainee's

BID ADVERTISEMENT FORM

Bid description	Sourcing of a traffic training centre for DTSL traffic trainees		
Bid number	RFQ/DTSL 23/24/10		
Name of institution	Department of Transport, Safety and Liaison		
The place where goods, works, or services are required	Ocean Echo Building, Cnr Sydney & Lennox Street, Kimberley		
Closing date and time	Date	24 November 2023	Time 11:00
Contact details	Postal address	Department of Transport, Safety and Liaison Private Bag X1368 Kimberley 8300	
	Physical address	Department of Transport, Safety and Liaison Ocean Echo Building Cnr Sydney & Lennox Street Kimberley 8300	
	Tel. no.	053 839 1700	
	Fax no.	N/A	
	E-mail address	dmqhum@ncpg.gov.za	
	Contact person	Mr Desmond Mqhum Deputy Director - Supply Chain Management	
Where bids can be collected	<ul style="list-style-type: none"> - DTSL provincial office - www.dtsl.gov.za 		
Where bids should be delivered	Ocean Echo Building, Cnr Sydney & Lennox Street, Kimberley		
Category (refer to annexure A)	N/A		
Sector	Other		
Region	Ocean Echo Building, Cnr Sydney & Lennox Street, Kimberley		
Compulsory briefing session/site visit	Date	N/A	
	Time	N/A	
	Venue	N/A	

1. INTRODUCTION

The Department of Transport, Safety and Liaison (DTSL) was established in terms of section 17(1) of the Public Finance Management Act, 1999 (Act, No.1 of 1999). DTSL seeks to appoint a service provider for the sourcing of a traffic training centre for DTSL traffic trainees.

2. PURPOSE OF THIS REQUEST FOR QUOTATION (RFQ)

The purpose of this Request for Quotation (RFQ) is to solicit quotations from potential bidder(s) for the sourcing of a traffic training centre for DTSL trainees for a period of 12 months. This RFQ document details and incorporates, as far as possible, the tasks and responsibilities of the potential bidder and services required by DTSL for the traffic trainees.

3. LEGISLATIVE FRAMEWORK OF THE BID

This RFQ has been prepared in accordance with Public Finance Management Act, 1999 (Act, No.1 of 1999) and its Regulations, and all relevant procurement legislation. If there is contradiction with this legislation, the ACT will prevail.

3.1 Tax Legislation

- 3.1.1 Bidder(s) must be tax compliant at the time of awarding of the bid. It is a condition of this bid that the tax matters of the successful bidder be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.
- 3.1.2 The Tax Compliance status requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 3.1.3 It is a requirement that bidders grant a written confirmation when submitting this bid that SARS may on an ongoing basis during the tenure of the contract disclose the bidder's tax compliance status and by submitting this bid such confirmation is deemed to have been granted.
- 3.1.4 Bidders are required to be registered on the Central Supplier Database (CSD) and the DTSL shall verify the bidder's tax compliance status through the Central Supplier Database.

3.2 Procurement Legislation

- 3.2.1 DTSL has a detailed evaluation methodology premised on Treasury Regulation 16A3 promulgated under Section 76 of the Public Finance Management Act, 1999 (Act, No. 1 of 1999), the Preferential Procurement Policy Framework Act 2000 (Act, No.5 of 2000) and Preferential Procurement Regulation of 2022, the Broad-Based Black Economic Empowerment Act, 2003 (Act, No. 53 of 2003) and the Reconstruction and Development Programme (RDP) as published in Government Gazette No. 16085 dated 23 November 1994.

3.2.2 In line with the Preferential Procurement Regulation of 2022, DTSL will hereby use specific goals determined by the department to advance the objectives of the department. All tenders will be evaluated in accordance with specific goals.

3.3 Technical Legislation and/or Standards

Bidder(s) should be cognisant of the legislation and/or standards specifically applicable to the services.

4. BRIEFING SESSION

No briefing session will be held for this tender as the specification as set out are very detailed and does not require a briefing session. The bid documents may be obtained from the SCM office of DTSL provincial office or downloaded from www.dtsl.gov.za or www.etenders.gov.za. **Clarity seeking questions relating to the bid can be sent in writing to dmqhum@ncpg.gov.za. Technical questions can be directed to hvancoller@gmail.com.**

5. TIMELINE OF THE BID PROCESS

The period of validity of the RFQ and the withdrawal of offers, after the closing date and time is 30 days. The bidder accepts that, if DTSL extends the deadline for bid submission (the Closing Date) for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

6. CONTACT AND COMMUNICATION

6.1 A nominated official of the bidder(s) can make enquiries in writing to dmqhum@ncpg.gov.za. The delegated office of DTSL may communicate with Bidder(s) where clarity is sought in the bid proposal.

6.2 Any communication to an official or a person acting in an advisory capacity for DTSL in respect of the bid between the closing date and the award of the bid by the Bidder(s) is discouraged.

6.3 All communication between the Bidder(s) and DTSL must be done in writing.

6.4 Whilst all due care has been taken in connection with the preparation of this bid, DTSL 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. DTSL and its employees and advisors will not be liable with respect to any information communicated which may not be accurate, current or complete.

6.5 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 DTSL (other than minor clerical matters), the Bidder(s) must promptly notify DTSL in writing of such discrepancy, ambiguity, error or inconsistency in order to afford DTSL an opportunity to consider what corrective action is necessary (if any).

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- 6.6 Any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by DTSL will, if possible, be corrected and provided to all Bidder(s) without attribution to the Bidder(s) who provided the written notice.
- 6.7 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 the purpose of developing a proposal in response to this bid.

7. LATE BIDS

Bids received after the closing date and time (24 November 2023 @ 11:00), at the address indicated in the bid documents, will not be accepted for consideration.

8. COUNTER CONDITIONS

Bidders' attention is drawn to the fact that amendments to any of the Bid Conditions or setting of counter conditions by Bidders or qualifying any Bid Conditions will result in the invalidation of such bids.

9. FRONTING

- 9.1. Government 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 Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the Government condemn any form of fronting.
- 9.2. The Government, 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, Industry and Competition 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 DTSL may have against the Bidder / contractor concerned.

10. SUPPLIER DUE DILIGENCE

DTSL will 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.

11. SUBMISSION OF QUOTATION

11.1 Bid documents may either be posted or hand delivered to Department of Transport, Safety and Liaison, Ocean Echo Building, Cnr Sydney & Lennox Street, Kimberley, 8300. Bidder(s) who wish to make use of speed services must mark "delivery to counter" and not to private bag / box. Bidder(s) must also contact the SCM office through the above-mentioned email stating the tracking number of the bid document. **It is the bidder's responsibility to ensure that the courier service delivers their document on time.**

11.2 Bid documents will only be considered if received by DTSL before the closing date and time, regardless of the method used to send or deliver such documents to DTSL. Bidders are required to initial each page of the tender document on the bottom right hand corner.

12. DURATION OF THE CONTRACT

The successful bidder will be appointed for a period of 12 months.

13. SCOPE OF WORK

Traffic officer training is an accredited qualification for traffic officers permanently employed by provincial or local authorities. The traffic officer will be awarded a Further Education and Training (FET) Certificate: Road Traffic Law Enforcement once the programme is completed.

The qualification must provide a broad knowledge, skills and values needed for learners to pursue a career in the road traffic law enforcement field. Learners achieving this Qualification will be deployable in the Northern Cape rural and urban roads as traffic law enforcement officers.

Learners must be provided with the theoretical knowledge and the practical competencies to be able to enforce road traffic law on South African roads.

This Qualification must contain competencies in road traffic law enforcement ethics, the legislative framework for traffic law enforcement, road-side traffic law enforcement, attending to road emergencies and the protection of oneself and the public.

Further, learners must be able to specialise in the use of different types of firearms, extend their learning pertaining to specific road traffic law enforcement legislation.

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The learner achieving this Qualification will be able to:

- Apply knowledge of the ethical framework within the traffic fraternity.
- Apply the legal and regulatory framework that governs the traffic officer's duties and activities.
- Demonstrate knowledge of health and safety requirements within the ambit of a traffic law enforcement.
- Demonstrate physical defensive and restraining techniques.
- Operate equipment used by a traffic officer.

14.1 Rationale

Road traffic law enforcement constitutes one aspect in a series of essential services currently being rendered on rural and urban roads. It will be in the interest of the country to ensure that traffic law enforcement officials are trained adequately in order to improve safety and efficiency on South African roads. Safety and efficiency on the countries roads is one of the factors which leads to an improved and dependable road transport system thus benefiting society and the economy.

This qualification is intended to meet the needs of the road traffic law enforcement sector by standardising the training of traffic law enforcement officials throughout South Africa and providing an entry point for learners interested in a career in road traffic law enforcement.

Learners typically completing this Qualification would be young adult school leavers recruited across the Northern Cape Province who would attend the learning program based on this Qualification at one of the various traffic colleges situated throughout the country as an entry point into the sector.

Once this Qualification has been completed, learners will be able to pursue the National Certificate: Policing, NQF Level 5 and/or the National Certificate: Generic Management, NQF Level 5. The latter qualification will make it possible for the learner to become a manager within the road traffic management sector.

This Qualification supports the objectives of the NQF in that it gives the learner access to a registered qualification. It will ensure that the quality of education and training in the sub-field is enhanced and of a world-class standard. The qualification will allow learners not only to develop their knowledge and skills in the field of road traffic law enforcement, but will also enable them to benchmark their competence against international standards.

QUALIFICATION RULES

The Qualification consists of a Fundamental, a Core and Elective Component.

To be awarded the Qualification learners are required to obtain a minimum of 145 credits as detailed below.

Fundamental Component:

The Fundamental Component consists of Unit Standards in:

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- Mathematical Literacy at NQF Level 4 to the value of 16 credits.
- Communication at NQF Level 4 in a First South African Language to the value of 20 credits.
- Communication in a Second South African Language at NQF Level 3 to the value of 20 credits.

It is compulsory therefore for learners to do Communication in two different South African languages, one at NQF Level 4 and the other at NQF Level 3.

All Unit Standards in the Fundamental Component are compulsory.

Core Component:

- The Core Component consists of Unit Standards to the value of 78 credits all of which are compulsory.

Elective Component:

- The Elective Component consists of a number of Unit Standards. Learners must choose Elective Unit Standards to the value of 11 credits from the Unit standards listed.

LEARNERS SHOULD BE ABLE TO:

1. Apply knowledge of the ethical framework within which the traffic office operates
2. Apply the legal and regulatory framework that governs the traffic officer's duties and activities.
3. Demonstrates knowledge of health and safety requirements within the ambit of a traffic law enforcement officer.
4. Demonstrate physical defensive and restraining techniques.
5. Operate specialised equipment used by a traffic officer.

Critical Cross-Field Outcomes:

Identifying and solving problems in which responses display that responsible decisions using critical and creative thinking have been made when:

- Prosecution is being prepared.
- Dealing with adverse reactions from uncooperative drivers.
- Giving evidence in court.
- Determining how traffic needs to be managed/directed at an incident scene.
- Managing an incident scene

Working effectively with others as a member of a team, group, organization, and community during:

- The prosecution of offenders.
- The identification and setting-up safe stopping areas.
- The examination of a vehicle.
- The safeguarding incident scenes.

MODERATION OPTIONS

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Anyone assessing a learner or moderating the assessment of a learner against this Qualification must be registered as an assessor with the relevant Education, Training, Quality, and Assurance (ETQA) Body.

Any institution offering learning that will enable the achievement of this Qualification must be accredited as a provider with the relevant ETQA.

Assessment and moderation of assessment will be overseen by the relevant ETQA according to the ETQA's policies and guidelines for assessment and moderation; in terms of agreements reached around assessment and moderation between ETQA's (including professional bodies); and in terms of the moderation guideline detailed immediately below.

Moderation must include both internal and external moderation of assessments at exit points of the Qualification, unless ETQA policies specify otherwise. Moderation should also encompass achievement of the competence described both in individual unit standards and the integrated competence described in the Qualification.

Anyone wishing to be assessed against this Qualification should be allowed to apply to be assessed by any assessment agency, assessor or provider institution that is accredited by the relevant ETQA.

- Assessors must be registered with the relevant ETQA (please attach a copy)
- Must be in possession of a relevant Qualification (please attach a copy)
- Have more than 2 years work experience in traffic law enforcement

NOTES:

According to the National Road Traffic Act, 1996 (Act 93 of 1996) training providers must be recognised by the Road Traffic Management Corporation (RTMC) before approval of accreditation. No training providers will be accreditation by the SASSETA to provide this qualification without the prior recommendation of the RTMC.

Course Duration: One Year

Modules

1	119462	Engage in sustained oral/signed communication and evaluate spoken/signed text.
2	9016	Represent, analyse and calculate shape and motion in 2 and 3-dimensional space in different contexts.
3	120476	Adhere to professional conduct and organizational ethics
4	117705	Demonstrate knowledge of the Firearms Control Act 2000 (Act No
5	119649	Handle and use a handgun
6	123515	Handle and use a handgun for business purposes
7	256519	Demonstrate an understanding of the legislature framework for road traffic law enforcement
8	256527	Apply knowledge of road traffic legislation pertaining to traffic officers, road users and vehicles.
9	243263	Demonstrate knowledge and understanding of anti-corruption issues in the Public Sector.

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10	116534	Carry out basic first aid treatment in the workplace
11	120486	Demonstrate physical defensive restraining techniques
12	25618	Examine vehicles fitness at the roadside
13	256520	Control Traffic
14	256524	Use Traffic law enforcement equipment
15	256523	Apply knowledge of legislation regarding dangerous goods and substances conveyed road
16	120331	Demonstrate knowledge pertaining to fires in working places
17	256525	Apply knowledge of the National Land Transportation Transition Act.
18	256517	Demonstrate an understanding of the Administrative Adjudication of the Road Traffic Offences Act.
19	256521	Evaluate loads on vehicles
20	119035	Isolate and secure a scene
21	119472	Accommodate audience and context needs in oral/signed communication
22	119457	Interpret and use information from texts
23	119457	Use language and communicate in occupational learning programmes
24	9015	Apply knowledges of statistics and probability to critically interrogate and effectively communicate findings on life related problems
25	119469	Read/View, analyse and respond to a variety of texts
26	119471	Use language and communicate in occupational learning programmes
27	7456	Use mathematical to investigate and monitor the financial aspects of personal, business and national issues
28	119459	Write/Present/Sign for a wide range of context
29	119031	Assess and analyse an incident
30	377222	Demonstrate knowledge of the Land Transport Legal Framework

Pass Requirements

Students must be found competent during the practical and theoretical assessments determined by RTMC and SASSETA policy guidelines.

16. INDEMNITY

The Department of Transport, Safety and Liaison shall not be liable for any injury and/or loss of life for employees representing the preferred bidder or damage to assets and property belonging to the preferred bidder or affiliates whilst on the premises during the contract period.

17. TRANSFER AND CESSION

The preferred bidder shall render the service as required which is the sourcing of a traffic centre for DTSL traffic trainees. The use of subcontractors will not be allowed after awarding of tender, without prior written permission by the Department. The successful bidder shall not cede, transfer, sell or alienate in

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any way this contract awarded in terms of RFQ/DTSL 23/24/09 or any part thereof to any person or company.

18. PRICE SCHEDULE (SEE ATTACHED ANNEXURE A)

This section of the specification must be completed by all bidder(s) as failure to comply shall lead to disqualification.

- All offers must include VAT, if the bidder is eligible for VAT verifiable by a unique VAT number. All prices must be in South African Currency (Rand).

19. EVALUATION AND SELECTION CRITERIA

In line with the PPF Regulations of 2022, DTSL will hereby be applying price and specific goal as a criteria to advance the objectives of the department. The DTSL has set minimum standards (Gates) that a prospective bidder needs to meet in order to be evaluated and selected as a successful bidder. The minimum standards consist of the following:

Mandatory requirements (Gate 1)	Price and Specification (Gate 2)
<p>Bidder(s) must submit all documents as outlined in the table below.</p> <p>Only Bidder(s) that comply with mandatory requirements will proceed to Gate 2.</p>	<p>Bidder(s) will be assessed on price and Specific goals.</p>

20.1 Gate 1: Mandatory Requirements

Without limiting the generality of the DTSL's other critical requirements for this bid, prospective bidder(s) must submit the documents listed in the table below. All documents must be completed and signed by the duly authorised representative of the prospective bidder(s). During this phase, bidder(s) responses will be evaluated based on compliance with the listed administration and mandatory bid requirements. The bidder(s) proposal may be disqualified for non-submission of any of the documents.

Document that must be submitted	Non-submission will result in disqualification	
Invitation to Bid- SBD 1	YES	Complete and sign the supplied pro forma document.

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Tax Status Tax Clearance Certificate	NO	In the event where the Bidder submits a hard copy of the Tax Clearance Certificate or SARS PIN, the CSD verification as well as SARS e-filing verification outcome will take precedence. At award, the successful bidder must be tax compliant on CSD and/ or SARS e filing.
Declaration of Interest - SBD 4	YES	Complete and sign the supplied pro forma document.
Preference points claim form - SBD 6.1	NO	Bidder(s) are required to prove the specific goal by providing the department with required documents.
Contract Form - Rendering of services - SBD 7.2	NO	Bidder undertake to render services described in the attached bidding documents.
Registration on Central Supplier Database (CSD)	YES	Bidders must be registered as a service provider on the Central Supplier Database (CSD). If you are not registered proceed to complete the registration of your company prior to submitting your proposal. Visit https://secure.csd.gov.za/ to obtain your vendor number. Submit proof of registration and CSD Master Registration Number (MAAA number).
Pricing Schedule	YES	Submit full details of the pricing proposal as per Annexure A in a separate envelope
Proof of address in the Northern Cape	YES	Bidders must provide proof of address (Lease Agreement/Ownership/Rates and taxes).

20.2 Gate 2: Evaluation of price (80) points and Specific Goal (20)

Price and Specific goal will be evaluated as follows:

SPECIFIC GOAL	PERCENTAGE	SCORE		
RACE	100 %BLACK OWNED COMPANY	5		
	76%-99% BLACK OWNED COMPANY	3		
	50%-75% BLACK OWNED COMPANY	2		
	LESS THAN 50% BLACK OWNED COMPANY	0		
GENDER	100 % FEMALE OWNED COMPANY	5		

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	76%-99% FEMALE OWNED COMPANY	3		
	50%-75% FEMALE OWNED COMPANY	2		
	LESS THAN 50% FEMALE OWNED COMPANY	0		
YOUTH (18-35 years)	100 % YOUTH OWNED COMPANY	5		
	76%-99% YOUTH OWNED COMPANY	3		
	50%-75% YOUTH OWNED COMPANY	2		
	LESS THAN 50% YOUTH OWNED COMPANY	1		
DISABILITY	100 % DISABILITY OWNED COMPANY	2		
	76%-99% DISABILITY OWNED COMPANY	1		
	50%-75% DISABILITY OWNED COMPANY	0		
LOCALITY	NORTHERN CAPE PROVINCE	3		

Stage 1 - Price Evaluation (80 Points)

Criteria	Specific Goal Allocation
Price Evaluation $P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	20

The following formula will be used to calculate the points for price:

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

Stage 2 - Specific Goal (20 Points)

Specific Goal Points allocation

Specific goals points may be allocated to bidders on submission of the following documentation or evidence:

- A duly completed Preference Point Claim Form: Standard Bidding Document (SBD 6.1);
- Originally certified Identification Document of Director/s
- Certified Copy of CIPC Report.

- A copy of B-BBEE or Sworn Affidavit

21. GENERAL CONDITIONS OF CONTRACT

Any award made to a bidder(s) under this bid is conditional, amongst others, upon –

- The bidder(s) accepting the terms and conditions contained in the General Conditions of Contract as the minimum terms and conditions upon which DTSL is prepared to enter into a contract with the successful Bidder.
- The bidder submitting the General Conditions of Contract to DTSL together with its bid, duly signed by an authorised representative of the bidder.

22. SPECIAL CONDITIONS OF THIS BID

DTSL reserves the right:

- To award this tender to a bidder that did not score the highest total number of points, only in accordance with section 2(1)(f) of the PPPFA (Act 5 of 2000)
- To negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other bidder(s) who has not been awarded the status of the preferred bidder(s).
- To accept part of a tender rather than the whole tender.
- To carry out site inspections, product evaluations or explanatory meetings in order to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the Bid.
- To correct any mistakes at any stage of the tender that may have been in the Bid documents or occurred at any stage of the tender process.
- To cancel and/or terminate the tender process at any stage, including after the Closing Date and/or after presentations have been made, and/or after tenders have been evaluated and/or after the preferred bidder(s) have been notified of their status as such.
- Award to multiple bidders based either on size or geographic considerations.

23. DTSL REQUIRES BIDDER(S) TO DECLARE

In the Bidder's Technical response, bidder(s) are required to declare the following:

Confirm that the bidder(s) is to: –

- Act honestly, fairly, and with due skill, care and diligence, in the interests of DTSL;
- Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;
- Act with circumspection and treat DTSL fairly in a situation of conflicting interests;
- Comply with all applicable statutory or common law requirements applicable to the conduct of business;
- Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with DTSL;

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- f. Avoidance of fraudulent and misleading advertising, canvassing and marketing;
- g. To conduct their business activities with transparency and consistently uphold the interests and needs of DTSL as a client before any other consideration; and
- h. To ensure that any information acquired by the bidder(s) from DTSL will not be used or disclosed unless the written consent of the client has been obtained to do so.

24. CONFLICT OF INTEREST, CORRUPTION AND FRAUD

DTSL 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 DTSL 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 in order 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 DTSL's 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 in order 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 or not 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.

25. MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

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The bidder should note that the terms of its proposal will be incorporated in the proposed contract by reference and that DTSL relies upon the bidder's proposal 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 proposal may give rise to service termination and a claim by DTSL against the bidder notwithstanding the conclusion of the Service Level Agreement between DTSL 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.

26. PREPARATION COSTS

The Bidder will bear all its costs in preparing, submitting and presenting any response or Tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing DTSL, 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.

27. INDEMNITY

If a bidder breaches the conditions of this bid and, as a result of that breach, DTSL 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 DTSL harmless from any and all such costs which DTSL may incur and for any damages or losses DTSL may suffer.

28. 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.

29. LIMITATION OF LIABILITY

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

30. TAX COMPLIANCE

No tender shall be awarded to a bidder who is not tax compliant. DTSL reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder in the event that 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

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DTSL, or whose verification against the Central Supplier Database (CSD) proves non-compliant. DTSL further reserves the right to cancel a contract with a successful bidder contract.

31. 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 National Treasury's List of Restricted Suppliers. DTSL 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 by another government institution.

32. GOVERNING LAW

South African law governs this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

33. 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. In the event that DTSL allows a bidder to make use of sub-contractors, such sub-contractors will at all times remain the responsibility of the bidder and DTSL will not under any circumstances be liable for any losses or damages incurred by or caused by such sub-contractors.

34. 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 DTSL'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 DTSL remain proprietary to DTSL and must be promptly returned to DTSL 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 DTSL'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

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adhere to this requirement may result in disqualification from the bid process and civil action.

35. DTSL PROPRIETARY INFORMATION

Bidder will on their bid cover letter make declaration that they did not have access to any DTSL 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).

36. AVAILABILITY OF FUNDS

Should funds no longer be available to pay for the execution of the responsibilities of this bid (RFQ/DTSL 23/24/10) the DTSL 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 there upon be entitled to payment in full for the services delivered, up to the date of cancellation or suspension.

ANNEXURE A - PRICING SCHEDULE

CLOSING DATE & TIME: ON 23 NOVEMBER 2023 AT 11H00

RFQ NUMBER: RFQ/DTSL 23/24/10 SOURCING OF A TRAFFIC CENTRE FOR DTSL TRAINEES

BIDDER NAME:

Item No.	Description	Quantity	Price Per Unit	Total Price
1.	Further Education and Training Certificate: Road Traffic Law Enforcement	25		
2.	Any disbursement (if applicable)	25		
Sub-Total				
Vat 15% (if applicable)				
Total Bid Price				