

BID REFERENCE NUMBER: RFT 02 2024-2025

THE APPOINTMENT OF TRAVEL MANAGEMENT COMPANY TO PROVIDE
TRAVEL MANAGEMENT SERVICES TO THE NATIONAL FILM AND VIDEO
FOUNDATION FOR A PERIOD OF 12 MONTHS



national film and video foundation
SOUTH AFRICA
an agency of the Department of Sport, Arts and Culture

**THE APPOINTMENT OF A TRAVEL MANAGEMENT COMPANY TO PROVIDE
TRAVEL MANAGEMENT SERVICES TO THE NATIONAL FILM AND VIDEO
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RFT 02 2024-2025

Advertisement date: 22 April 2024

Closing date and time: 14 May 2024 at 11h00

Bid Validity Period: 90 Days (From closing date)

Compulsory Briefing session: 30 April 2024

Meeting ID: 366 688 572 816

Passcode: vttKMF

TENDER BOX ADDRESS:

**NFVF Offices
2nd Floor
87 Central Street
Houghton
2198
Johannesburg
South Africa**

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MANDATORY DOCUMENTS – FAILURE TO COMPLY WITH ANY OF THE MANDATORY DOCUMENTS MAY RESULT IN TOTAL DISQUALIFICATION

CONDITIONS FOR COMPLETING BID DOCUMENTS

Document	Comments	Submitted? (Yes / No)
SBD 1 (Invitation to bid)	Make sure it is fully completed signed	
SBD 2 (Tax Clearance Certificate)	Certificate must be original and valid	
SBD 4 (Declaration of interest)	Make sure it is fully complete and signed	
SBD 8 (Declaration of Bidder's past supply chain management practices)	Make sure it is fully complete and signed	
SBD 9 (Certificate of Independent Bid Determination)	Make sure it is fully complete and signed.	
Certified copies of Original of Company Registration Documentation NB: Certification stamp must be original and no more than 3 months old as at date of closing of tender	certificate of registration, change of name certificate (if applicable) register of directors, and most current registered business address (Company Registration: CM1 and CK1, Change of Name Certificate:CM9, Latest Registered address: CM22, Most current register of directors CM29 and CK2)	
Total Bid Price	Bidders to provide a separate financial proposal	
Vat Registration Certificate	Bidder to submit if applicable	
Company Profile	Include structure of the company	

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Certified copies of Share Certificates	For all current shareholders if applicable	
Certified copies of identity documents	For all current shareholders / members	
B-BBEE Certificate or Sworn Affidavit	Valid certified copies must be submitted	
Medical Certificate	Signed medical certificate for specific goals points	
CSD Registration	Proof of CSD registration	
IATA & ASATA Licence / Certificate (MANDATORY)	Bidders are required to submit their International Air Transport Association (IATA) license/ certificate (certified copy) at closing date. Failure to submit the IATA Certificate will result in total disqualification. Where a bidding company is using a 3rd party IATA license, proof of the agreement must be attached and copy of the certificate to that effect at closing date. Bidders are required to submit their Association of Southern African Travel Agents (ASATA) license/certificate. Failure to submit the ASATA Certificate will result in total disqualification.	
Pricing Schedule	Submit full details of the pricing proposal as per the schedule in a separate envelope	

IF ANY OF THE ABOVEMENTIONED CONDITIONS IS NOT MET AND/OR ANY OF THE REQUESTED DOCUMENTS ARE NOT SUBMITTED AS PRESCRIBED, NFFV MIGHT DISQUALIFY YOUR BID

1. Bid Documents must be completed with ink (Blue or black) and not typed. No tippex is allowed. All changes must be scratched out and a signature appended next to each change.
2. All certified documents must be within the current six (6) months. Copies of previously certified documents will not be accepted and may result in automatic disqualification.
3. Bid documents must be secured together preferably bound or contained in a lever arch file as National Film and Video Foundation will not take any responsibility for any loss of documents as a result of not being properly secured upon submission.

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1. INTRODUCTION

The National Film and Video Foundation (NFVF) is an agency of the Department of Sport, Arts and Culture that was created to ensure equitable growth of South Africa's film and video industry. We do this by providing funding for the development, production, marketing, and distribution of films and also the training and development of filmmakers.

In addition, the NFVF commissions research and produces industry statistics that provide both the public and stakeholders with valuable insights into the South African film industry.

1.1. PURPOSE OF THE TENDER

- 1.1.1. The NFVF seeks to appoint service provider/s that will coordinate travel and accommodation and conference facilities arrangements in respect of its officials and/or approved non-NFVF officials in the interest of the NFVF.
- 1.1.2. The travel and accommodation arrangements will only be for persons travelling for official purposes and with prior approval obtained from the relevant authorities as per NFVF Delegation of Authority.
- 1.1.3. In cases of group bookings (training and development schools programme projects and film screenings), the NFVF reserves the right to exercise its own travel option and arrangements, taking into consideration any existing contract[s] with suppliers of services like charter flights or road transport.
- 1.1.4. The successful travel and accommodation service provider/s must use the NFVF negotiated rate code **1016964** and implement cost effective means of travel, accommodation, and venue facilities at all times.

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- 1.1.5. The travel management service provider/s must clearly demonstrate a reduction in costs by utilizing discounted rates, obtaining 3 comparison price quotations on behalf of NFVF and other available incentives optimally.
- 1.1.6. The Travel Management Company (TMC) must only issue travel vouchers (accommodation and ground transportation) and air tickets after the receipt of the travel authorisation form or purchase order.
- 1.1.7. In the event of an after-hours reservation, the TMC must execute the request based on a verbal approval or approval via short message service or email from the authorising official. The institution must present the travel authorisation form or purchase order to the TMC within 72 hours after the request was executed by the TMC or where not practical, within 24 hours upon return to the place of work, to avoid irregular or fruitless and wasteful expenditure.
- 1.1.8. The net and non-commissionable rate means a rate that does not include any third-party reward, i.e. a rate must not be marked up to include any commissions, rebates, overrides or any volume driven incentives.
- 1.1.9. The TMC must follow up with the institution and upon failure by the institution to submit the travel authorisation form or purchase order, the TMC may proceed to invoice the transaction.

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2. NFVF BACKGROUND

1.2. Background

The NFVF's primary objective in issuing this Request For Tender (RFT) is to enter into a service level agreement (SLA) with a successful bidder(s) who will achieve the following:

- a) Provide the NFVF with the travel management services that are consistent, reliable and will maintain a high level of traveler satisfaction in line with the service levels;
- b) Provide NFVF with a dedicated and highly experienced senior key account manager that is suitably qualified for the duration of the contract;
- c) Achieve significant cost savings for the NFVF without any degrading service levels.

1.3. Legislative And Regulatory Framework

This bid and all contracts emanating there from will be subject to the General Conditions of Contracts issued in accordance with of the Treasury Regulations 16A published in terms of the Public Finance Management Act , 1999(Act 1 of 1999). The Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Where, however, the Special Conditions of Contract are in conflict with the General Conditions of Contracts, the Special Conditions of Contract takes procedure.

2. DEFINITIONS

Accommodation means the rental of lodging facilities while away from one's place of abode, but on authorised official duty.

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After-hours service refers to an enquiry or travel request that is actioned after normal working hours, i.e. 17h00 to 8h30 on Mondays to Fridays and twenty-four (24) hours on weekends and public holidays

Air travel means travel by airline on authorised official business.

Authorising Official means the employee who has been delegated to authorise travel in respect of travel requests and expenses, e.g. line manager of the traveler.

Car Rental means the rental of a vehicle for a short period of time by a traveler for official purposes.

Department means the organ of state, Department or Public Entity that requires the provision of travel management services.

Domestic travel means travel within the borders of the Republic of South Africa.

Emergency service means the booking of travel when unforeseen circumstances necessitate an unplanned trip or a diversion from original planned trip.

Commerce refers to the Government's buy-site for transversal contracts.

International travel refers to travel outside the borders of the Republic of South Africa.

Lodge Card is a credit card which is specifically designed purely for business travel expenditure. There is typically one credit card number which is "lodged" with the TMC at to which all expenditure is charged.

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Management Fee is the fixed negotiated fee payable to the TMC in monthly instalments for the delivery of travel management services, excluding any indirect service fee not included in the management fee structure (visa, refund, frequent flyer tickets etc).

Merchant Fees are fees charged by the lodge card company at the point of sale for bill back charges for ground arrangements.

Quality Management System means a collection of business processes focused on consistently meeting customer requirements and enhancing their satisfaction. It is expressed as the organisational structure, policies, procedures, processes, and resources needed to implement quality management.

Regional Travel means travel across the border of South Africa to any of the Southern African Development Community (SADC) Countries, namely; Angola, Botswana, Comoros, Democratic Republic of Congo (DRC), Kingdom of Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, Kingdom of Eswatini, United Republic of Tanzania, Zambia and Zimbabwe.

Service Level Agreement (SLA) is a contract between the TMC and the NFVF that defines the level of service expected from the TMC.

Shuttle Service means the service offered to transfer a Traveler from one point to another, for example from place of work to the airport.

Third Party Fees are fees payable to third party service providers that provides travel related services on an ad hoc basis that is not directly provided by the TMC. These fees include visa fees and courier fees.

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Transaction Fee means the fixed negotiated fee charged for each specific service type e.g. international air ticket, charged per type per transaction per traveler.

Traveler refers to an NFVF official, consultant or contractor travelling on official business on behalf of the NFVF.

Travel Authorisation is the official form utilised by the NFVF reflecting the detail and order number of the trip that is approved by the relevant authorising official.

Travel Booker is the person coordinating travel reservations with the TMC consultant on behalf of the Traveler, e.g. the personal assistant of the traveler.

Travel Management Company or TMC refers to the Company contracted to provide travel management services (Travel Agents).

Travel Voucher means a document issued by the TMC to confirm the reservation and/or payment of specific travel arrangements.

Value Added Services are services that enhance or complement the general travel management services e.g. Rules and procedures of the airports.

VAT means Value Added Tax.

VIP or Executive Service means the specialised and personalised travel management services to selected employees of the NFVF (Heads of Department, Chief Executive Officer and Council Members) by a dedicated consultant to ensure a seamless travel experience.

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3. LEGISLATIVE FRAMEWORK OF THE BID

3.1. Tax Legislation

- 3.1.1. Bidder(s) must be compliant when submitting a proposal to NFVF and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).
- 3.1.2. 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.
- 3.1.3. The Tax Compliance status requirements are also applicable to foreign bidders /Individuals who wish to submit bids.
- 3.1.4. It is a requirement that bidders grant 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.
- 3.1.5. Bidders are required to be registered on the Central Supplier Database (CSD) and the National Treasury shall verify the bidder's tax compliance status through the CSD.
- 3.1.6. Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the CSD, and their tax compliance status will be verified through the CSD.

3.2. Procurement Legislation

NFVF 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).

3.3. Technical Legislation and/or Standards

Bidder(s) should be cognisant of the legislation and/or standards specifically

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applicable to the services.

4. BRIEFING SESSION

A compulsory virtual briefing session will be held on 30 April 2024 at 11H00.

Attached is the Microsoft Teams link to access the session:

(Meeting ID: 366688572816

Passcode: vttKMF)

Bidders must log in 5 minutes before the session to minimize missing information. and adhere to admin rules.

5. TIMELINES OF THE BID PROCESS

The period of validity of tender and the withdrawal of offers, after the closing date and time is 90 days. The project timeframes of this bid are set out below

Bid information	Due Date
Advertisement of bid on Government e- tender portal/print media	22 April 2024
Virtual Briefing and clarification session	30 April 2024
Closing date for questions/queries relating to bid	7 May 2024
Bid closing date	14 May 2024 @ 11am

All dates and times in this bid are South African standard time.

Any time or date in this bid is subject to change at the NFVF discretion. The establishment of a time or date in this bid does not create an obligation on the part of NFVF to take any action, or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if NFVF extends the deadline for bid submission (the Closing Date) for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

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6. CONTACT AND COMMUNICATION

- 6.1.** A nominated official of the bidder(s) can make enquiries in writing, to the specified person, Ms. L. Letsholo for bid enquiries via email nfvftenders@nfvf.co.za and/or 011 483 0880. **Bidder(s) must reduce all telephonic enquiries to writing and send to the above email address.**
- 6.2.** The delegated office of the NFVF may communicate with Bidder(s) where clarity is sought in the bid proposal.

Any communication to an official or a person acting in an advisory capacity for NFVF 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 NFVF must be done in writing.
- 6.4.** Whilst all due care has been taken in connection with the preparation of this bid, NFVF 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. NFVF and its employees and advisors will not be liable with respect to any information communicated which may not 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 NFVF (other than minor clerical matters), the Bidder(s) must promptly notify NFVF. In writing of such discrepancy, ambiguity, error or inconsistency in order to afford NFVF an opportunity to consider what corrective action is necessary (if any).
- 6.6.** Any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by NFVF 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

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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, at the address indicated in the bid documents, will not be accepted for consideration and where practicable, be returned unopened to the Bidder(s).

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. The NFVF supports the spirit of broad based black economic empowerment and recognises 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 NFVF condemns any form of fronting.

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

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the Bidder / contractor concerned.

10. SUPPLIER DUE DILIGENCE

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

11. SUBMISSION OF PROPOSALS

11.1. Bid documents must be posted to 87 Central Street, Houghton, Johannesburg, 2198 OR placed in the tender box OR couriered to the aforesaid address on or before the closing date and time.

11.2. Bidders must submit 2 Copies of the bid responses

11.3. Bid documents will only be considered if received by NFVF before the closing date and time, regardless of the method used to send or deliver such documents to NFVF. The bidder(s) are required to submit one (1) original of each file and (one (1) copy with content of each file by the 19 January 2024 at 11:00 Each file must be marked correctly and sealed separately for ease of reference during the evaluation process. Furthermore, the file must be labelled and submitted in the following format:

FILE 1 (TECHNICAL FILE)	FILE 2 (PRICE)
Exhibit 1: Pre-qualification documents <i>(Refer to Section 17.1 – Stage 1: Pre-qualification Criteria (Table 1))</i>	Exhibit 1: Pricing Schedule <i>(Annexure A2 – Pricing Submission)</i>

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<p>Exhibit 2:</p> <ul style="list-style-type: none">• Technical Responses and Bidder Compliance Checklist for Technical Evaluation• Supporting documents for technical responses. <i>(Refer to Section 17.2 - Stage 2: Technical Evaluation Criteria and Technical Scorecard and Compliance Checklist)</i>	
<p>Exhibit 3:</p> <ul style="list-style-type: none">• General Conditions of Contract (GCC)• Draft Service Level Agreement <i>(Refer to Section 20 – Service Level Agreement)</i>	
<p>Exhibit 4:</p> <ul style="list-style-type: none">• Company Profile• Any other supplementary information	

12. Identification details on the Tender package(s):

- 12.1.1. Name and Reference number of the tender.
- 12.1.2. Address of the bidder.
- 12.1.3. Names of the tendering entity and the contact person.
- 12.1.4. Date of submission.

12.2. Bidders are requested to initial each page of the tender document on the top right-hand corner.

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13. PRESENTATION/DEMONSTRATION

The NFVF reserves the right to undertake presentations/demonstrations from the short-listed bidders as part of the bid evaluation process.

14. DURATION OF THE CONTRACT

The successful bidder will be appointed for a period of **Twelve (12) months** with three (3) months' probation.

15. SCOPE OF WORK

15.1. Service Requirements

15.1.1. General

The successful bidder will be required to provide travel management services. Deliverables under this section include without limitation, the following:

- a. The travel services will be provided to all travelers travelling on behalf of NFVF. Locally and internationally, this will include employees and contractors, consultants and clients where the agreement is that NFVF is responsible for the arrangement and cost of travel.
- b. Provide travel management services during normal office hours (**Monday to Friday 8h30 – 17h00**) and provide after hours and emergency services as stipulated in paragraph 15.3.6.
- c. Familiarisation with current NFVF travel business processes.
- d. Familiarisation with current travel suppliers and negotiated agreements that are in place between the NFVF and third parties. Assist with further negotiations for better deals with travel service providers.

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- e. Familiarisation with the current NFVF Travel Policy and implementations of controls to ensure compliance.
- f. Penalties incurred as a result of the inefficiency or fault of a travel consultant will be for the TMC's account, subject to the outcome of a formal dispute process.
- g. Provide a facility for NFVF to update their travelers' profiles.
- h. Manage the third-party service providers by addressing service failures and complaints against these service providers.
- i. Consolidate all invoices from travel suppliers.
- j. Provide a detailed transition plan for implementing the service without service interruptions and engage with the incumbent service provider to ensure a smooth transition.
- k. Provide the reference letters from at least five (5) contactable existing/recent clients (within past 5 years) which are of a similar size to NFVF.
- l. It will be an added advantage if the bidder is a member of ASATA (Association of South African Travel Agents). Proof of such membership must be submitted with the bid at closing date and time.

15.1.2. Reservations

The TM C will:

- a. Receive travel requests from traveler's and/or travel bookers, respond with quotations (confirmations) and availability. Upon the receipt of the relevant approval, the travel agent will issue the required e-tickets and vouchers immediately and send it to the travel booker and traveler via the agreed communication medium.
- b. always endeavor to make the most cost effective travel arrangements based on the request from the traveler and/or travel booker.
- c. apprise themselves of all travel requirements for destinations to which travelers will be travelling and advice the traveler of alternative plans that are more cost effective and more convenient where necessary.

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- 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. keep abreast of carrier schedule changes as well as all other alterations and new conditions affecting travel and make appropriate adjustments for any changes in flight schedules prior to or during the traveler's official trip. When necessary, e-tickets and billing shall be modified and reissued to reflect these changes.
- g. book parking facilities at the airports and hotels where required for the duration of the travel.
- h. respond timely and process all queries, requests, changes and cancellations timeously and accurately.
- i. facilitate group bookings (e.g. for meetings, conferences, events, etc.)
- j. issue all necessary travel documents, itineraries, and vouchers timeously to traveler(s) prior to departure dates and times.
- k. advise the traveler of all visa and inoculation requirements well in advance.
- l. assist with the arrangement of foreign currency and the issuing of travel insurance for international trips where required.
- m. facilitate any reservations that are not bookable on the Global Distribution System (GDS).
- n. facilitate the bookings that are generated through their own or third party Online Booking Tool (OBT) where it can be implemented.
- o. Visa applications will not be the responsibility of the TMC; however, the relevant information must be supplied to the traveler(s) where visas will be required.
- p. Negotiated airline fares, accommodation establishment rates, car rental rates, etc., that are negotiated directly or established by National Treasury or by NFVF are **non-commissionable**, where commissions are earned for bookings all these commissions should be returned to NFVF on a quarterly basis.
- q. Ensure confidentiality in respect of all travel arrangements and concerning all

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persons requested by NFVF. Timely submission of proof that services have been satisfactorily delivered (invoices) as per NFVF's instructions.

15.1.3. Air Travel

- a. The TMC must be able to book full service carriers as well as low cost carriers.
- b. The TMC will book the most cost effective airfares possible for domestic travel.
- 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 traveler.
- e. The airline ticket should include the applicable airline agreement number as well as the individual loyalty program number of the traveler (if applicable).
- f. Airline tickets must be delivered electronically (SMS and/or email format) to the traveler(s) and travel bookers promptly after booking before the departure times.
- g. The TMC will also assist with the booking of charters for VIPs utilising the existing transversal term contract where applicable as well as the sourcing of alternative service providers for other charter requirements.
- h. The TMC will be responsible for the tracking and management of unused e-tickets as per agreement with the institution and provide a report on refund management once a quarter.
- i. The TMC must during their report period provide proof that bookings were made against the discounted rates on the published fares where applicable.
- j. Ensure that travelers are always informed of any travel news regarding airlines (like baggage policies, checking in arrangements, etc.)
- k. Assist with lounge access if and when required.

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15.1.4. Accommodation

- a. The TMC will obtain price comparisons within the maximum allowable rate matrix as per the cost containment instruction of the National Treasury.
- 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 traveler.
- c. This includes planning, booking, confirming and amending accommodation with any establishment (hotel group, private hotel, guest house or Bed & Breakfast) in accordance with NFVF travel policy.
- d. NFVF travelers may only stay at accommodation establishments which has negotiated corporate rates. Should there be no rate agreement in place in the destination, or should the contracted establishment be unable to accommodate the traveler, the TMC will source suitable accommodation bearing in mind the requirement of convenience for the traveler and conformation with acceptable costs, or as stipulated in written directives issued from time to time by the National treasury or NFVF.
- e. Accommodation vouchers must be issued to all NFVF travelers for accommodation bookings and must be invoiced to the NFVF as per arrangement. Such invoices must be supported by a copy of the original hotel accommodation charges.
- f. The TMC must during their report period provide proof, where applicable, that accommodation rates were booked within the maximum allowable rates as per the cost containment instruction of the National Treasury.
- g. The cancellation of accommodation bookings must be done promptly to guard against no show and late cancellation fees.

15.1.5. Car Rental and Shuttle Services

- a. The TMC will book the approved category vehicle in accordance with the NFVF Travel Policy with the appointed car rental service provider from the closest rental location (airport, hotel and venue).

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- b. The travel consultant should advise the Traveler on the best time and location for collection and return considering the Traveler's specific requirements.
- c. The TMC must ensure that relevant information is shared with travelers regarding rental vehicles, like e-tolls, refueling, keys, rental agreements, damages and accidents, etc.
- d. For international travel the TMC may offer alternative ground transportation to the Traveler that may include rail, buses and transfers.
- e. The TMC will book transfers in line with the NFVF Travel Policy with the appointed and/or alternative service providers. Transfers can also include bus and coach services.
- f. The TMC should manage shuttle companies on behalf of the NFVF and ensure compliance with minimum standards. The TMC should also assist in negotiating better rates with relevant shuttle companies.
- g. The TMC must during their report period provide proof that negotiated rates were booked, where applicable.

15.1.6. 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. Dedicated experienced and senior consultants must be available to assist VIP/Executive Travelers with after hour or emergency assistance.
- c. After hours' services must be provided from Monday to Friday outside the official hours (17h00 to 8h30) 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 travelers so that when required, unexpected changes to travel plans can be made and emergency bookings attended to.
- e. The TMC must have a standard operating procedure for managing after hours and emergency services. This must include purchase order generation of the request within 24 hours.

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15.2. Travel Volumes

The current NFVF total volumes per annum includes air travel, accommodation, car hire, forex, conference, etc. The table below details the number of transactions per annum:

Service Category	Estimated Number of Transactions per annum
Air travel – Domestic	218
Air Travel - Regional & International	73
Car Rental – Domestic	83
Car Rental - Regional & International	8
Shuttle Services - Domestic	80
Accommodation - Domestic	113
Accommodation - Regional & International	63
Transfers - Regional & International	63
Bus/Coach bookings	5
Train - Regional & International	5
Conferences/Events	40
After Hours	10
Parking	300
Insurance	63
Forex	63
GRAND TOTAL	1130

Note: These figures are projections based on the current trends and they may change during the tenure of the contract. **The figures are meant for illustration purposes to assist the bidders to prepare their proposals and they are not in any way binding.**

15.3. Communication

15.3.1. The TMC may be requested to conduct workshops and training sessions for

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Travel Bookers of NFVF.

- 15.3.2. All enquiries must be investigated and prompt feedback be provided in accordance with the Service Level Agreement.
- 15.3.3. The TMC must ensure sound communication with all stakeholders. Link the business traveler, travel coordinator, travel management Company in one smooth continuous workflow.

15.4. Financial Management

- 15.4.1. The TMC must implement the rates negotiated for the NFVF with travel service providers or the discounted air fares, or the maximum allowable rates established by the National Treasury where applicable.
- 15.4.2. The TMC will be responsible to manage the service provider accounts. This will include the timely receipt of invoices to be presented to NFVF for payment within the agreed time period.
- 15.4.3. Enable savings on total annual travel expenditure and this must be reported and proof provided during monthly and quarterly reviews.
- 15.4.4. The TMC will be required to offer a 30 day bill-back account facility to institutions should a lodge card not be offered. 'Bill back', refers to the supplier sending the bill back to the TMC, who, in turn, invoices NFVF for the services rendered.
- 15.4.5. Where pre-payments are required for smaller Bed & Breakfast /Guest House facilities, these will be processed by the TMC. These are occasionally required at short notice and even for same day bookings.
- 15.4.6. Consolidate Travel Supplier bill-back invoices.
- 15.4.7. In certain instances where institutions have a travel lodge card in place, the payment of air, accommodation and ground transportation is consolidated through a corporate card vendor.
- 15.4.8. The TMC is responsible for the consolidation of invoices and supporting documentation to be provided to NFVF Financial Department on the agreed time period (e.g. weekly). This includes attaching the Travel Authorisation or

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Purchase Order and other supporting documentation to the invoices reflected on the Service provider bill-back report or the credit card statement.

15.4.9. Ensure Travel Supplier accounts are settled timeously.

15.5. Technology, Management Information and Reporting

15.5.1. The TMC must have the capability to consolidate all management information related to travel expenses into a single source document with automated reporting tools.

15.5.2. The implementation of an online booking tool to facilitate domestic bookings should be considered to optimise the services and related fees.

15.5.3. All management information and data input must be accurate.

15.5.4. The TMC will be required to provide the NFVF with a minimum of three (3) standard monthly reports that are in line with the National Treasury's Cost Containment Instructions reporting template requirements at no cost.

The reporting templates can be found on <http://www.treasury.gov.za/legislation/pfma/TreasuryInstruction/AccountantGeneral.aspx>

15.5.5. Reports must be accurate and be provided as per NFVF's specific requirements at the agreed time. Information must be available on a transactional level that reflects details including the name of the traveler, date of travel, spend category (example air travel, shuttle, accommodation).

15.5.6. NFVF may request the TMC to provide additional management reports.

15.5.7. Reports must be available in an electronic format for example Microsoft Excel.

15.5.8. Service Level Agreements reports must be provided on the agreed date. It will include but will not be limited to the following:

15.5.8.1. Travel

- a) After hours' Report;
- b) Compliments and complaints;

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- c) Consultant Productivity Report;
- d) Long term accommodation and car rental;
- e) Extension of business travel to include leisure;
- f) Upgrade of class of travel (air, accommodation and ground transportation);
- g) Bookings outside Travel Policy.

15.5.8.2. Finance

- a) Reconciliation of commissions/rebates or any volume driven incentives;
- b) Creditor's ageing report;
- c) Creditor's summary payments;
- d) Daily invoices;
- e) Reconciled reports for Travel Lodge card statement;
- f) No show report;
- g) Cancellation report;
- h) Receipt delivery report;
- i) Monthly Bank Settlement Plan (BSP) Report;
- j) Refund Log;
- k) Open voucher report, and
- l) Open Age Invoice Analysis.

15.5.9. The TMC will implement all the necessary processes and programs to ensure that all the data is secure at all times and not accessible by any unauthorised parties.

15.6. Account Management

15.6.1. An Account Management structure should be put in place to respond to the needs and requirements of the NFVF and act as a liaison for handling all

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matters with regard to delivery of services in terms of the contract.

- 15.6.2. The TMC must appoint a dedicated Account or Business Manager that is ultimately responsible for the management of the NFVF's account.
- 15.6.3. The necessary processes should be implemented to ensure good quality management and ensuring Traveler satisfaction at all times.
- 15.6.4. A complaint handling procedure must be implemented to manage and record the compliments and complaints of the TMC and other travel service providers.
- 15.6.5. Ensure that the NFVF Travel Policy is enforced.
- 15.6.6. The Service Level Agreement (SLA) must be managed and customer satisfaction surveys conducted to measure the performance of the TMC.
- 15.6.7. Ensure that workshops/training is provided to Travelers and/or Travel Bookers
- 15.6.8. During reviews, comprehensive reports on the travel spend and the performance in terms of the SLA must be presented.

15.7. Value Added Services

The TMC must provide the following value added services:

- 15.7.1. Destination 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;

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- viii. Rules and procedures of the airports;
 - ix. Business etiquette specific to the country;
 - x. Airline baggage policy; and
 - xi. Supplier updates
 - xii. City Tax and any other related accommodation costs
- 15.7.2. Electronic voucher retrieval via web and smart phones;
- 15.7.3. SMS notifications for travel confirmations;
- 15.7.4. Travel audits;
- 15.7.5. Global Travel Risk Management;
- 15.7.6. VIP services for Executives that include, but is not limited to check-in support.
- 15.8. Cost Management**
- 15.8.1. The National Treasury cost containment initiative and the NFVF Travel Policy is establishing a basis for a cost savings culture.
- 15.8.2. It is the obligation of the TMC Consultant to advise on the most cost effective option at all times, and costs should be within the framework of the National Treasury's cost containment instructions.
- 15.8.3. The TMC plays a pivotal role to provide high quality travel related services that are designed to strike a balance between effective cost management,
- 15.8.4. flexibility and traveler satisfaction.
- 15.8.5. 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 NFVF Travel Policy to ensure that the Traveler reaches his/her destination safely, in reasonable comfort, with minimum disruption,

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cost effectively and in time to carry out his/her business.

15.9. Quarterly and Annual Travel Reviews

15.9.1. Quarterly reviews are required to be presented by the Travel Management Company on all NFVF travel activity in the previous three-month period. These reviews are comprehensive and presented to NFVF Procurement and Finance teams as part of the performance management reviews based on the service levels.

15.9.2. 6 -monthly Reviews are also required to be presented to NFVF Senior Executives.

15.9.3. These Travel Reviews will include without limitation the following information

15.9.3.1. Institution to list the information that will be required. The reporting requirements in the National Treasury Instruction 3 of 2016/17 (Cost Containment Measures related to Travel & Subsistence) may be used as minimum.

15.10. Office Management

15.10.1. The TMC to ensure high quality service to be delivered at all times to the NFVF's travelers. The TMC is required to provide NFVF with highly skilled and qualified human resources for the following roles including but not limited to:

- a. Senior Consultants
- b. Intermediate Consultants
- c. Junior Consultants
- d. Travel Manager (Operational)
- e. Finance Manager / Branch Accountant
- f. Admin Back Office (Creditors /Debtors/Finance Processors)
- g. Strategic Account Manager (per hour)
- h. System Administrator (General Admin)

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16. PRICING MODEL

The NFVF requires bidders to provide pricing for the transactional fee model.

16.1. Transaction Fees

Refer Annexure A2: Pricing Schedule

- 16.1.1. The transaction fee must be a fixed amount per service. The fee must be linked to the cost involved in delivering the service and not a percentage of the value or cost of the service provided by third party service providers.
- 16.1.1.1. Off-site option
- 16.1.2. The Bidder must further indicate the estimated percentage split between Traditional bookings and On-line bookings.

16.2. Volume driven incentives

- 16.2.1. It is important for bidders to note the following when determining the pricing:
 - i. National Treasury has negotiated non-commissionable fares and rates with various airlines carriers and other service providers;
 - ii. No override commissions earned through NFVF reservations will be paid to the TMCs;
 - iii. An open book policy will apply and any commissions earned through the NFVF volumes will be reimbursed to the NFVF. TMCs are to book these negotiated rates or the best fare available, whichever is the most cost effective for the institution.

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17. EVALUATION AND SELECTION CRITERIA

NFVF has set minimum standards (Stages) that a bidder needs to meet in order to be evaluated and selected as a successful bidder. The minimum standards consist of the following:

Pre-qualification Criteria (Stage 1)	Technical Evaluation Criteria (Stage 2)	Price Evaluation (Stage 3)
Bidders must submit all documents as outlined in paragraph 17.1 (Table 1) below. Only bidders that comply with ALL these criteria will proceed to Stage 2.	Bidder(s) are required to achieve a minimum of 80 points out of 100 points to proceed to Stage 3 (Price).	Bidder(s) will be evaluated on price and preference points. Stage 3 will only apply to bidder(s) who have met and exceeded the threshold of 80 points from the technical criteria.

17.1. Stage 1: Pre-qualification Criteria

Without limiting the generality of NFVF other critical requirements for this Bid, bidder(s) must submit the documents listed in **Table 1** below. All documents must be completed and signed by the duly authorised representative of the prospective bidder(s). During this stage Bidders' 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.

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Table 1: Documents that must be submitted for Pre-qualification

Document that must be submitted	Non-submission may result in disqualification?	
Invitation to Bid – SBD 1	YES	Complete and sign the supplied pro forma document
Declaration of Interest – SBD 4	YES	Complete and sign the supplied pro forma document
Declaration of Bidder's Past Supply Chain Management Practices – SBD 8	YES	Complete and sign the supplied pro forma document
Certificate of Independent Bid Determination – SBD 9	YES	Complete and sign the supplied pro forma document
Bidder`s Declaration form	YES	Complete and sign
Registration on Central Supplier Database (CSD)	YES	The Travel Management Company (TMC) 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.

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IATA & ASATA Licence / Certificate (MANDATORY)	YES	<p>17.1.1.1. Bidders are required to submit their International Air Transport Association (IATA) license/ certificate (certified copy) at closing date. Failure to submit the IATA Certificate will result in total disqualification.</p> <p>17.1.1.2. Where a bidding company is using a 3rd party IATA license, proof of the agreement must be attached and copy of the certificate to that effect at closing date.</p> <p>17.1.1.3. Bidders are required to submit their Association of Southern African Travel Agents (ASATA) license/certificate. Failure to submit the ASATA Certificate will result in total disqualification.</p>
Pricing Schedule	YES	Submit full details of the pricing proposal as per the schedule in a separate envelope

17.2. Stage 2: Technical Evaluation Criteria = 100 points

All bidders are required to respond to the technical evaluation criteria scorecard and compliance checklist.

Only Bidders that have met the Pre-Qualification Criteria in (Stage 1) will be evaluated in Stage 2 for functionality. Functionality will be evaluated as follows:

- i. Desktop Technical Evaluation – Bidders will be evaluated out of 100 points and are required to achieve minimum threshold of 80 points of 100 points.
- ii. The overall combined score must be equal or above 80 points in order to proceed to Stage 3 for Price evaluations.

17.3. Company Experience

17.3.1. The Travel Management Company should have minimum five (05) years'

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operational experience as a travel management services.

16.3.2 The Travel Management Company must submit at least five (05) reference letters to support the number of years and to prove that they have successfully performed, or they have been providing similar services from its previous and or current verifiable clients.

16.3.3 Testimonial/s or reference letter/s should be on a client letter head ,signed

16.3.4 and include contacts details for verification purpose.

16.3.5 Failure to submit the reference letters will result in no scoring.

17.4. Accounts Manager's Experience & Qualification

17.4.1. The Accounts Manager should have minimum experience of 5 (five) years in travel management industry.

17.4.2. A comprehensive CV should be submitted with the proposal.

17.5. Project Approach/Methodology

17.5.1. Service providers to indicate what procedure is going to be used to execute the service or project of this nature.

17.5.2. Project plan with final outputs and identified timeframes.

17.5.3. Service providers should show the efficiency in which the travel management services will be handled.

17.5.4. Infrastructure

17.5.4.1. Service providers should demonstrate the ability to provide travel management services to the NFVF and that includes the following:

a. Travel operative system

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- b. An Accounting package that will be used for bookings, travel spend, Invoicing, drawing management reports monthly, quarterly and annually.
- c. Capability to have a fully functional after hours system that issues out tickets and vouchers and emergency services to the NFVF.

17.5.5. Registration with relevant body

The appointed travel management services should provide proof of registration with relevant registration body, i.e. ASATA or equivalent.

- 17.5.6. As part of due diligence, NFVF will conduct a site visit at a client of the Bidder (reference) for validation of the services rendered. The choice of site will be at NFVF's sole discretion.

The Bidder's information will be scored according to the following points system:

Functionality	Maximum Points Achievable	Minimum Threshold
Desktop Technical Evaluation Details found in Annexure A2 – Technical Scorecard	100	80

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Functionality Evaluation

Bidders need to reach a minimum of 80 points to qualify to the next stage of evaluations:

No	Description	Weight
<p>1. Experience of Travel Management Agency</p> <p>a) A minimum of five (05) years' experience in providing travel management services (bidders to provide a company profile)</p> <p>b) Provide the reference letters for completed projects from contactable clients – name of institution, contact person, duration of contract (within 5 years)</p> <p>(one reference letter is equal to 3 points)</p> <p>All references will be contacted to verify existence or existed contract and service provider's delivery of service.</p>	<p>Experience</p> <ul style="list-style-type: none">• Less than 5 years = 0 points• 5 years = 3 points• 5 - 8 years = 5 points• 8- 10 years = 10 points• Above 10years = 15 points <p>Reference Letters</p> <ul style="list-style-type: none">• No reference letter = 0 point• One (01) reference letter= 3 points• Two (02) reference letters= 6 points• Three (03) reference letters= 9 points• Four (04) reference letters = 12 points• Five (05) reference letters & more = 15 points	<p>30</p> <p>Points</p>
<p>2. Project Plan or Methodology</p>	<p>The contents of a proposal should give a clear first-hand impression about the capability of the bidder, the bidder is expected to submit an organized well-written proposal (approach paper on methodology in achieving the project goal) using proper separators for each of the</p>	<p>50</p> <p>Points</p>

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	<p>chapters and annexures (if there is any).</p> <p>The approach paper must contain at least the following:</p> <p>Table of Contents:</p> <p>Listing of contents of the approach paper with page numbers and/ references to annexures (if any);</p> <p>Executive Summary:</p> <p>A brief summary of the whole contents of the approach paper.</p> <p>Approach:</p> <p>Detailed approach the bidder believes best to deliver the intended services for the Project with identification of tasks, for each of the activities.</p> <p>The scoring of the approach paper will be as detailed hereunder:</p>	
Methodology to be adopted on rendering Travel Management services	<p>Travel Management services knowledge (3 points), informative appropriateness of proposed approach/s, including turnaround times/timelines (7 points) and presentation on how the method will be implemented (5 points)</p> <p>(Total =15 Points)</p>	

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Project implementation schedule	Outline the support team to NFVF i.e. Number of dedicated resources. Expected turn around times for processing of requests (2 points), contact person in emergency and after hours and defining a roll out plan with regards to assigned resources (3 points) (Total =5 Points)	
Project implementation Risks and Risk Management proposal	Adequacy of understanding of program risks associated with travel management services (6 points) and appropriateness of mitigation options (4 points) (Total =10 Points)	
Quality Assurance and quarterly reporting Bidder to demonstrate the standard processes and systems in place to manage and minimize booking errors/failures and/or delays and respond to emergency bookings	Appropriateness of the Project Manager`s ability to compile quarterly reports, adhere to adequacy of reporting (3 points) and appropriateness of reporting through a clear quality assurance process (2 points) (Total = 5 Points)	
Understanding of sector challenges Bidder to demonstrate their responses and handling of emergency trips/ extension of travel period where need arises	Familiarity with the film and video sector challenges related to travel management services (include a short summary, not more than two pages, of your understanding of the challenges that this RFT seeks to address) (Total = 5 Points)	

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<p>After Hours and Emergency services :</p>	<p>Demonstrate and give a realistic approach to rendering services after hours, during emergencies and short notice in terms of response time/hours.</p> <p>Capacity, years of experience and/or indication of seniority of officials and email addresses to handle and respond to after hours within 2-4 hrs of request.</p> <p>(Total = 10 Points)</p>	
<p>3. Experience of the Account Manager and proposed Team in Travel Management</p> <p>The bidder will score zero (0) for failure to attach the CV of Account Manager</p>	<p>Experience of the Account Manager and proposed Team in Travel Management</p> <ol style="list-style-type: none"> 1. Less than 5 years (0 points) 2. 5 years (3 points) 3. Above 5-7 years (5 points) 4. Above 7 years (10 points) <p>Attach comprehensive CV's of the Account Manager detailing number of travelers requests handled/performed over a year period</p>	<p>10 points</p>
<p>4. Professional Body (Mandatory)</p>	<p>Professional Bodies</p> <p>Bidders are required to submit their:</p>	<p>10 Points</p>

	<ol style="list-style-type: none"> 1. International Air Transport Association certificate (IATA) – (5 points) 2. A ASATA license/certificate (certified copy) (Association of South Africa Travel Agency or any other professional travel body where available on closing date. (5 points) 	
<p>TOTAL POINTS</p>		<p>100</p>

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17.6. Stage 3: Evaluation based on price and BBEE

Only Bidders that have met the 80 points threshold in stage 2 will be evaluated in Stage 3 for price and preference points.

Bidders who obtain an overall score of 80 points and above will be evaluated on 80/20 preference points system. 80 points is for pricing and 20 points is B-BBEE. The following table would apply for allocation of preference points.

Specific Goals (PPPFA sec 2 (1) (d) Enterprises	Number of points (80/20 system)	Proof to be submitted to claim specific goals
SMME (Small Micro Medium Enterprise) EME & QSE	5	Valid B-BBEE certificate or Affidavit
Owned by black people (50% or more)	3	Valid B-BBEE certificate or Affidavit
Owned by black people who are youth	4	Certified ID copies of directors
Owned by Black people who are woman (50% or more)	5	Valid B-BBEE certificate or Affidavit
Owned by black people with disabilities	3	Medical certificate
TOTAL	20	

17.7. Joint Ventures, Consortiums and Trusts

Bidders must submit concrete proof of the existence of joint ventures and/or consortium arrangements. The NFVF will accept signed agreements as acceptable proof of the existence of a joint venture and/or consortium arrangement.

The joint venture and/or consortium agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters

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pertaining to the joint venture and/or consortium arrangement.

18. GENERAL CONDITIONS OF CONTRACT

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

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

19. CONTRACT PRICE ADJUSTMENT

Contract price adjustments will be done annually on the anniversary of the contract start date. The price adjustment will be based on the Consumer Price Index Headline Inflation in line with STATS SA P01414 CPI, Table E:All items

19.1. Upon award, the NFVF and the successful bidder will conclude a Service Level Agreement regulating the specific terms and conditions applicable to the services being procured by NFVF in the format of the draft Service Level Indicators included in this tender pack.

19.2. NFVF reserves the right to vary the proposed draft Service Level Indicators during negotiations with a bidder by amending or adding thereto.

19.3. Bidder(s) are requested to:

- a. Comment on draft Service Level Indicators and where necessary, make proposals to the indicators;
- b. Explain each comment and/or amendment; and
- c. Use an easily identifiable colour font or “track changes” for all changes

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and/or amendments to the Service Level Indicators for ease of reference.

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19.4. NFVF reserves the right to accept or reject any or all amendments or additions proposed by a bidder if such amendments or additions are unacceptable to NFVF or pose a risk to the organisation.

20. SPECIAL CONDITIONS OF THIS BID

NFVF reserves the right:

- 20.1.** 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)
- 20.2.** 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).
- 20.3.** To accept part of a tender rather than the whole tender.
- 20.4.** 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.
- 20.5.** 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.
- 20.6.** 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.
- 20.7.** Award to multiple bidders based either on size or geographic considerations.

21. NFVF REQUIRES BIDDER(S) TO DECLARE

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

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21.1. Confirm that the bidder(s) is to: –

- a. Act honestly, fairly, and with due skill, care and diligence, in the interests of NFVF.
- b. Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;
- c. Act with circumspection and treat NFVF fairly in a situation of conflicting interests;
- d. Comply with all applicable statutory or common law requirements applicable to the conduct of business;
- e. Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with NFVF.
- 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 NFVF as a client before any other consideration; and
- h. To ensure that any information acquired by the bidder(s) from NFVF will not be used or disclosed unless the written consent of the client has been obtained to do so.

22. CONFLICT OF INTEREST, CORRUPTION AND FRAUD

- 22.1.** NFVF 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 NFVF or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity")

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- 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 NFVF'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

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23. MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

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

23.2. It follows therefore that misrepresentations in a Tender may give rise to service termination and a claim by the NFVF against the bidder notwithstanding the conclusion of the Service Level Agreement between the NFVF 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.

24. 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 NFVF 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.

24.1. INDEMNITY

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

25. 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.

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26. LIMITATION OF LIABILITY

A bidder participates in this bid process entirely at its own risk and cost NFVF 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.

27. TAX COMPLIANCE

No tender shall be awarded to a bidder who is not tax compliant. NFVF 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 NFVF or whose verification against the Central Supplier Database (CSD) proves non-compliant. NFVF further reserves the right to cancel a contract with a successful bidder in the event that such bidder does not remain tax compliant for the full term of the contract.

28. 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. NFVF 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.

29. 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.

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

31. 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 the NFVF 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 remain proprietary to the NFVF and must be promptly returned to the NFVF 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 the NFVF's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this bid relates; or (ii) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

32. NFVF PROPRIETARY INFORMATION

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

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33. AVAILABILITY OF FUNDS

Should funds no longer be available to pay for the execution of the responsibilities of this bid (RFT 02 2024-2025), the NFVF may terminate the Agreement at its own discretion or temporarily suspend all or part of the services by notice to the successful bidder who shall immediately make arrangements to stop the performance of the services and minimize further expenditure: Provided that the successful bidder shall thereupon be entitled to payment in full for the services delivered, up to the date of cancellation or suspension.

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STANDARD BIDDING DOCUMENTS

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SBD1

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR THE REQUIREMENTS OF NATIONAL FILM AND VIDEO FOUNDATION

BID NUMBER: RFT 02 2024-2025 CLOSING DATE: 14/05/2024 TIME: 11:00

DESCRIPTION: THE APPOINTMENT OF TRAVEL MANAGEMENT COMPANY TO PROVIDE TRAVEL MANAGEMENT SERVICES TO THE NATIONAL FILM AND VIDEO FOUNDATION FOR A PERIOD OF 12 MONTHS

BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT:

**National Film and Video Foundation
87 Central Street
Houghton
JOHANNESBURG**

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

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

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

**THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER.....

POSTAL ADDRESS.....

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STREET ADDRESS.....
..... TELEPHONE NUMBER CODE.....
NUMBER..... CELL PHONE NUMBER.....
FACSIMILE NUMBER CODE..... NUMBER.....
VAT REGISTRATION NUMBER.....

HAS A TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? YES/NO

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES OFFERED BY YOU? YES/NO

(IF YES ENCLOSE PROOF)

SIGNATURE OF
BIDDER:.....DATE:.....
CAPACITY UNDER WHICH THIS BID IS
SIGNED.....

TOTAL BID PRICE.....

SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). 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

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- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity

Number.....

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

.....
.....

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

.....
.....

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.

¹“State” means –

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

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

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

2.7.1 If so, furnish the following particulars:

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**

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

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

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 any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state **YES/NO**

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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 Income Tax Reference Number	State Employee Number / Persal Number

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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 000 000.00 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000.00 (all applicable taxes included).

1.2 The value of this bid is estimated not to exceed R50 000 000.00 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) Specific goals points

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 SPECIFIC GOALS POINTS	20
Total points for Price and specific goals must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a proof of claim for specific goals including a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for specific goals are not claimed.

1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time

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subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase

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or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;

- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into

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account all factors of non-firm prices and all unconditional discounts;

3.3 Points scored must be rounded off to the nearest 2 decimal places.

3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for Specific points.

3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for specific points, the successful bid must be the one scoring the highest score for functionality.

3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 or 90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

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

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5. Points awarded for SPECIFIC GOALS

5.1 In terms of Preferential Procurement Regulation of 2022, preference points must be awarded to a bidder based on valid proof submitted of claiming for specific goals as per the table below:

Specific Goals (Informed by PPPFA sec 2 (1) (d) Enterprises	Number of points (90/10 system)	Number of points (80/20 system)
SMME (Small Micro Medium Enterprise) EME & QSE	2	5
Owned by black people (50% or more)	2	5
Owned by black people who are youth	2	4
Owned by Black people who are woman (50% or more)	2	4
Owned by black people with disabilities	2	2
TOTAL	10	20

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

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

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

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

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- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the subcontract.

6. BID DECLARATION

6.1 Bidders who claim points in respect of Specific goals must complete the following:

7. SPECIFIC GOALS CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a submitted valid proof.

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 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? YES / NO (delete which is not applicable)

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9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm :

9.2 VAT registration number :

9.3 Company registration number
:

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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**THE APPOINTMENT OF TRAVEL MANAGEMENT COMPANY TO PROVIDE TRAVEL
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9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the specific goal has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

WITNESSES:

1.

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

2.

DATE:.....
ADDRESS:.....
.....

SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.

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

Item	Question	Yes	No
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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?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <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>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

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4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <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.

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

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended,

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prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.

3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and 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:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

SBD 9

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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;
- (b) could potentially submit a bid in response to this bid invitation,

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based on their qualifications, abilities or experience; and

- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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SBD 9

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

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NAME OF YOUR COMPANY (IN BLOCK LETTERS)

SIGNATURE(S) OF THE BIDDER OR ASSIGNEE(S)

DATE

NAME OF PERSON SIGNING (IN BLOCK LETTERS)

CAPACITY

ARE YOU DULY AUTHORISED TO SIGN THIS BID?

COMPANY
NUMBER _____

REGISTRATION

VAT **REGISTRATION**

NUMBER

POSTAL ADDRESS (IN BLOCK LETTERS)

PHYSICAL ADDRESS (IN BLCOK LETTERS)

CONTACT PERSON

TELEPHONE NUMBER _____ **FAX NUMBER** _____

CELLPHONE NUMBER

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E-MAIL

TYPES OF BUSINESS

PRINCIPAL BUSINESS ACTIVITIES
