



## public works

Department:  
Public Works  
REPUBLIC OF SOUTH AFRICA

Private Bag X65, PRETORIA 0001, and Int Code: +27 12 Tel: 337-3208 Fax: 321-0517  
Website: [www.publicworks.gov.za](http://www.publicworks.gov.za)

Dear Sir/ Madam

You are hereby invited to submit a quotation for the supply and delivery of the following goods/assets/service to the Department of Public Works.

QUOTATION NO : RFQ245A4610  
QUOTATION DESCRIPTION : TRAINING  
VALIDITY PERIOD : 30  
CLOSING TIME : 11:00  
CLOSING DATE : 28-01-2022

DESCRIPTION	UNIT OF PURCHASE	QUANTIT Y REQUIRE D	UNIT COST (INCL VAT)	TOTAL AMOUNT (INCL VAT)
TRAINING OF DPWI OFFICIALS ON INTRODUCTION TO SANS 1544-ERNEGY PERFORMANCCE CERTIFICATES (EPCs) FOR GREEN BUILDING POLICY AWARENESS AND ENERY TRANSITIONS  PLEASE REFER TO THE ATTACHED TERMS OF REFERENCES	CANDIDATES	44		

Quotations may be emailed or hand delivered. If it is hand delivered please send the completed quotation to:

Enquiries : Public Works  
Tel : Corner Vermeulen and Bosman Street  
: Pretoria  
: Portia Moipolai  
: 012 406 1812

### Technical enquiries

Quotations must be submitted to the following email address: [ndpwquotations@dpw.gov.za](mailto:ndpwquotations@dpw.gov.za) or quotations box

**NOTE:** Suppliers are to ensure that their banking details are successfully verified on CSD, The department may at any point request verification of the details.

Please stamp the RFQ with your Company Stamp. **However** a quotation on the company letterhead would be accepted. **Failure to** return the forwarded PA-Forms will result in your quotation being considered as non-responsive.



public works  
& infrastructure

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Department:  
Public Works and Infrastructure  
**REPUBLIC OF SOUTH AFRICA**

## **Request for Quotations**

**Training of DPWI officials on Introduction to SANS 1544 -  
Energy Performance Certificates (EPCs) for Buildings,  
Green Building Policy Awareness and Energy Transitions**

**16 SEPTEMBER 2021**

## **1. Introduction**

- 1.1 On 08 December 2020, the Regulations for the Mandatory Display and Submission of Energy Performance Certificates for Buildings, 2019, was gazetted by the Ministry of Mineral Resources and Energy.
- 1.2 The main objectives of these Regulations are to introduce mandatory requirements for the display of energy performance certificates (EPCs) in non - residential buildings; and to provide for the submission of energy performance certificates by organs of state and owners of buildings.
- 1.3 Issuing of the EPCs shall be in accordance with the South African National Standard SANS 1544: 2014 Energy Performance Certificates For Buildings, published by the South African Bureau of Standards.
- 1.4 As the custodian of national government's building portfolio, the Department (Department of Public Works and Infrastructure - DPWI) is the largest property owner in South Africa. The Department's building portfolio has more than 92 000 facilities which are utilised by our various User Departments across National government.
- 1.5 As part of capacity building for project delivery, the Department is preparing to rollout training programmes on Energy Efficiency and SANS 1544, Green Buildings Policy Awareness and Energy Transitions which will include design of a pilot project for EPCs on a minimum of 5 buildings. The pilot EPCs will be produced by nominated staff within the National and Provincial Departments of Public Works;
- 1.6 Service Providers accredited by any SETA, and/or institutions of higher learnings registered with the Department of Higher Education and Training and/or with clear understanding of Energy Efficiency and Energy Performance Certificates (as per SANS 1544), DPWI Green Building Policy and Energy Transitions (with strong emphasis on the 4<sup>th</sup> industrial revolution or current

transition), with capacity to have training material available are hereby invited to submit quotations for:

**1.6.1. Training of 44 DPWI officials on Introduction to SANS 1544:2014 – Energy Performance Certificates for Buildings; Green Building Policy Awareness; Energy transitions**

1.7 Through this initiative DPWI aims to contribute towards the realisation of other socio-economic imperatives such as Job Creation, Enterprise Development, and Skills Development throughout the value-chain of Green Building subsets, including energy, water, and waste efficiency interventions;

## **2. Scope of Works**

The scope of this assignment is to:

- a). Provide general introductory training in terms of SANS 1544:2014 "Energy Performance Certificates For Buildings", awareness training on DPWI Green Building Policy and an overview on current Energy transitions to 44 DPWI officials. Two sessions are required and the training duration must not exceed two working days per session and must provide:
  - i) an overview of the role of EPCs in promoting energy efficiency in buildings and the relevant regulations and standards leading to EPCs; and
  - ii) must be to a sufficient level that competent staff with the relevant background and experience may be able to produce EPCs under the supervision of relevant accredited institutions.
  - iii) sufficient awareness training on the DPWI Green Building policy and its link to the EPCs
  - iv) an overview of energy transitions (towards 4<sup>th</sup> industrial revolution) with focus on energy efficiency opportunities which may be realised within the public or commercial buildings sector

The training must be provided by any relevant SETA accredited training entity and/or institutions of higher learning registered with the Department of Higher Education and Training all with experience on Energy Efficiency and knowledge of SANS 1544:2014 –Energy Performance Certificates for buildings, DPWI Green Building Policy and others, Energy Transitions

Training will be held ONLINE on dates that are suitable to DPWI and to the service provider.

### **3. Bid-Responsiveness and Evaluation Criteria**

#### **3.1 Eligibility Criteria for Assessing Bids:**

Accreditation with a SETA or be an institution of higher learning registered with the Department of Higher Education and Training.

#### **3.2 Functionality Criteria for Assessing Bids:**

Functionality will be evaluated in terms of assessing the course outline for each training course (awareness and detailed). The qualifying minimum evaluation criteria for functionality score is 65 points for course outlines.

Only the qualifying bids will be evaluated in terms of the 80/20 preference points systems, where the 80 points is used for price only and 20 points is used for BBBEE status level contribution score card.

#### **3.3 EVALUATION CRITERIA**

<b>No</b>	<b>Criteria</b>	<b>Score</b>	<b>Weights</b>
1	<b>COMPANY EXPERIENCE:</b>  The service provider must be SETA accredited or Higher Learning institution	SETA or HLI = 5 points	25

No	Criteria	Score	Weights
	(HLI) registered with Dept of Higher Education.	Non SETA or Non HLI = 0 point	
	Reference letter from an independent third party on previous technical / engineering related training course presented mainly on SANS 1544 or energy efficiency or energy management should be attached as proof of work.	(i)1 letter or more on SANS 1544 or EE or EM training = 5 points; (ii)1 letter or more on technical/engineering training course presented = 4; (iii)1 letter or more on non-technical/engineering training = 2; (iv)No letter = 0	<b>15</b>
<b>2</b>	<b>MODERATOR EXPERIENCE</b>  Course Moderator: The course moderator should have presented at least 2 courses on SANS 1544 or Energy Efficiency(EE) or Energy Management(EM).	(i) 2 courses or more on SANS 1544, EE or EM = 5 (ii) 1 course on SANS 1544, EE or EM = 3 (iii) 1 course in technical/engineering field = 1 (iv) 0 courses on	<b>20</b>

No	Criteria	Score	Weights
		SANS 1544, EE, EM or technical / engineering = 0	
	CV of the Course Moderator must be attached to the technical proposal as proof, and should reflect the number of courses presented and years' experience by the course moderator.		
3.	<b>QUALIFICATIONS</b> Qualifications: Course Moderator  ❖ Masters Degree in engineering or Built Environment or Energy Management (EM) studies or equivalent qualification (MTech).	(i) MTech/Masters Degree or higher in Engineering or Built Environment or EM studies = 5 (ii) BTech/Bachelor's Degree or higher in Engineering or Built Environment or EM studies; or Certificated Eng; or (CMVP); or (CEMP); or AEE professional = 3 (iii) Other qualification or none = 0	15
	CV of the Course Moderator must be attached to the technical proposal as proof, and should reflect the number of courses executed and years' experience by the moderator. Certified copies of certificates must be attached		

No	Criteria	Score	Weights
	to the proposal as proof, failure to attach, bidders will forfeit points		
4	<b>TRAINING MATERIAL:</b> A copy of training material or list of relevant topics to be covered in training manual.  <b>NB:</b> Training material to be made available within 14 days after appointment of service provider.	Copy of training manual = 5 List of topics =3 No manual or topics = 0	25
<b>Total</b>			<b>100</b>

#### 4. Bid Conditions

- 4.1 Unless otherwise required by law, the prices, which have been quoted in the proposal, have not knowingly been disclosed by the bidder, directly or indirectly to any other Bidders or competitors nor will they be so disclosed.
- 4.2 No attempt has been made or will be made by the Bidder to induce any other person or entity to submit or not to submit a bid for the purpose of restricting competition.
- 4.3 The Bidder has adhered to the highest standard of business ethics and successful bidder will be expected to go through security clearance.
- 4.4 Bidders may sub-contract for advancement of empowerment.



- 4.5 This Request for Quotation (RFQ) issued by the Department of Public Works and Infrastructure, and the bid submitted by the Bidder shall be treated as strictly confidential and no aspect thereof shall be disclosed to any third parties, except as necessary for the purpose thereof.
- 4.6 For the purpose of bid evaluation, bidders should note that bid documents will be opened, evaluated and scored according to the point system contained in item 3 above.
- 4.7 The Department reserves the right to withdraw or not award the bid at its own discretion and not compensate bidders for any losses or expectation that the commencement of the tender process might create.
- 4.8 Bids that do not score a minimum of 65% for functionality, will be disqualified and not be considered further.
- 4.9 The Proposal must contain the following minimum information in respect of each Person, including the Bidder:
- Names and contact details (including the name of the authorized representative of the Lead Member, telephone, facsimile, mobile number and email address);
  - Proof of registration (Certificate of Incorporation), including but not limited to, country of incorporation, nature of legal formation and corporate documentation, or to the extent that any Enterprise is not yet incorporated, copies of resolutions by proposed Equity Member authorizing their individual representatives to represent and bind them in the consortium;
  - Full disclosure of the details of any current or anticipated legal proceedings;
  - In respect of the Bidder, the Equity Members and Subcontractors, whether:

- any order of a court of proceedings for the Person's winding up has been granted. If so, please advise whether same has been for the purposes of bona fide reconstruction or amalgamation or not;
- the Person has been subject to judicial management, liquidation or insolvency proceedings, and if so, please provide details thereof, including the current status and the outcome of such proceedings;
- the Person, or any officer or employee thereof has been convicted of a criminal offence related to the conduct of its business or profession and if so, details thereof as well as the outcome or current status thereof;
- the Person has suffered a deduction for liquidated or ascertained damages in respect of any contract within the last three years and if so, please furnish details of the reasons for such deductions;
- the Person has had any contract cancelled or not renewed, failure to perform in accordance with the terms thereof;

## **5. Penalties**

The Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act (PPPFA), Act 5 of 2000 states that an organ of State must, upon detecting that a preference in terms of the Act and the said regulations has been obtained on fraudulent basis, or any specified goals attained in the performance of the contract, act against the person (or firm, consortium or joint venture) awarded the contract. Such organ of State may (in addition to any other remedy it may have, against such natural person, firm consortium or joint venture);

- Recover all costs, losses or damages it has incurred or suffered as a result of such natural person's (or firm, consortium or joint venture) conduct,
- 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,
- Restrict such natural person (or firm, consortium or joint venture) from obtaining business from any organ of state for a period not exceeding 10 years.

## 6. PRICING

The successful bidder will enter into a General Conditions of Contract (GCC) for the duration of training.

The following template must be used for pricing purposes. Note: the budget must be based on the total cost of **two** training interventions/sessions.

Work Component	Deliverable	Rate (R) per trainee	Number of trainees	Cost (excluding VAT)
1: Awareness training to SANS 1544	<u>Introduction</u> training course on SANS 1544 of up to <u>two days</u> in duration per session, for est 22 persons per session (Total =44 persons for two sessions)		44	
2: Green Building Policy Awareness Training	Awareness training course on DPWI Green Building Policy		44	
3. Energy Transitions training	Energy transitions overview with emphasis on energy efficiency		44	
Sub-total (excluding VAT)				
Vat at 15%				
Total (including VAT)				

## 7. All technical enquiries must be directed to the Project Management Team:

Head Office: Department of Public Works and Infrastructure  
Central Government Offices  
Cnr Bosman & Madiba (Formerly Vermulen) Street  
P/Bag X65, Pretoria, 0001

Raymond Masemola 012 406 1318 Raymond.masemola@dpw.gov.za	Mr Tieho Motloun Tieho.motloun@dpw.gov.za
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## 8. Submission of Quotations

Quotations to be submitted by email

**PA-03 (GS): NOTICE AND INVITATION FOR QUOTATION**

THE DEPARTMENT OF PUBLIC WORKS INVITES BIDDERS FOR THE PROVISION OF:

<b>Project description:</b>	TRAINING OF DPWI OFFICIALS ON INTRODUCTION TO SANS 1544-ERNEGY PERFORMANCCE CERTIFICATES (EPCs) FOR GREEN BUILDING POLICY AWARENESS AND ENERY TRANSITIONS
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<b>Quote no:</b>	RFQ245A4610	<b>Closing date:</b>	28-01-2022
<b>Closing time:</b>	11H00	<b>Validity period:</b>	30 days

Bidders who do not comply to the below criteria may be disqualified

<input checked="" type="checkbox"/>	Bid offer must be properly received on the bid closing date and time specified on the invitation, fully completed and signed in ink.
<input checked="" type="checkbox"/>	Submission of standard bidding documents (PA-11 ; PA-29; PA-32, PA 16)
<input checked="" type="checkbox"/>	PA-16 preference points claim form in terms of the preferential procurement regulations 2017
<input checked="" type="checkbox"/>	Compliance with Pre-qualification criteria for Preferential Procurement (It is compulsory to submit the certified BBBEE Certificate or a sworn affidavit in order to be considered.)
<input checked="" type="checkbox"/>	Accreditation with SETA/ or registered with the Department of Higher Education and Training

**Only bidders who complies with the following Pre-qualification criteria for Preferential Procurement will be considered:**

<input checked="" type="checkbox"/>	A tenderer having stipulated minimum B-BBEE status level of contributor; <input type="checkbox"/> Level <b>OR</b> <input type="checkbox"/> Level
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Points scoring system applicable for this bid:

<input checked="" type="checkbox"/> 80/20 points scoring system
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Price weighting applicable to this bid:

	<b>Weighting percentage (must add up to 100 %)</b>
<b>Price:</b>	100% of 80 points
<b>Total:</b>	100%

**TAX INFORMATION**

The taxes of the successful bidder must be in order at all times. Should the department find that the tax matters are not in order; 3 days may be given to the service provider to rectify the situation, or satisfactory arrangements must be made with the Receiver of Revenue to meet the bidder's tax obligations? Written confirmation is required. Bidders who fail to meet this requirement will lead to disqualification

**PART A  
PA-32: INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>				
BID NUMBER:	RFQ245A4610	CLOSING DATE:	28-01-2022	CLOSING TIME:
11:00				
DESCRIPTION	TRAINING OF DPWI OFFICIALS ON INTRODUCTION TO SANS 1544-ENERGY PERFORMANCE CERTIFICATES (EPCs) FOR GREEN BUILDING POLICY AWARENESS AND ENERGY TRANSITIONS			
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (DPW04.1 GS or DPW04.2 GS).</b>				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)				
<b>CNR MADIBA AND BOSMAN STREETS</b>				
<b>256 CENTRAL GOVERNMENT OFFICES;</b>				
OR EMAILED TO:				
ndpwquotations@dpw.gov.za				
<b>SUPPLIER INFORMATION</b>				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
	TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes
	<input type="checkbox"/> No			<input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?				
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
	<input type="checkbox"/>	A REGISTERED AUDITOR		
		NAME:		
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>				

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL APPLICABLE TAXES)	
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT/ PUBLIC ENTITY	PUBLIC WORKS	CONTACT PERSON	
CONTACT PERSON	Portia Moipolai	TELEPHONE NUMBER	
TELEPHONE NUMBER	012 406 1812	FACSIMILE NUMBER	
FACSIMILE NUMBER	086 272 8850	E-MAIL ADDRESS	
E-MAIL ADDRESS	Portia.moipolai@dpw.gov.za		

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE
1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILEING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>
3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO

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- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

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

**NB:** FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID. AN ORIGINAL OR CERTIFIED COPY OF THE B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE.

**Note Well:**

- a) In respect of non VAT vendors the bidders may not increase the bid price under Section 67(1) of the Value Added Tax Act of 1991 where the relevant transaction would become subject to VAT by reason of the turnover threshold being exceeded and the bidder becomes liable for VAT.
- b) All delivery costs must be included in the bid price, for delivery at the prescribed destination.
- c) The price that appears on this form is the one that will be considered for acceptance as a firm and final offer.
- d) The grand total in the pricing schedule(s), inclusive of VAT, attached to the bid offer must correlate and be transferred to this form (PA32).
- e) Where there are inconsistencies between the grand total price offer in the pricing schedule(s) and the PA32 price offer, the price offer on the PA32 shall prevail and deemed to be firm and final. No further correspondence shall be entered into in this regard.

<sup>1</sup> All applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies

## PA-11: DECLARATION OF INTEREST AND BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

Failure to complete this form in full and signed by the duly authorized person shall render the tender non-responsive and will be removed from any and all further contention.

Project title:	TRAINING OF DPWI OFFICIALS ON INTRODUCTION TO SANS 1544-ENERGY PERFORMANCE CERTIFICATES (EPCs) FOR GREEN BUILDING POLICY AWARENESS AND ENERGY TRANSITIONS		
Bid no:		Reference no:	

1. Any legal person, including persons employed by the State<sup>1</sup>; or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest, where:

- The bidder is employed by the state; and/or
- The legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that

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such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons 1

**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, trustees, shareholder<sup>2</sup> ect .....

.....

2.4 Company Registration Number: .....

2.5 Tax Reference Number:.....

2.6 VAT Registration Number: .....

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

<sup>1</sup> "State" means –

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

<sup>2</sup> "Shareholder" means –

- (a) a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercise 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 /trustees/shareholder/ member:.....

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

.....

Position occupied in the state institution:.....



Any other particulars:

.....  
 .....  
 .

- 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 the bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?  
☐ YES ☐ NO

2.10.1 If so, furnish particulars.

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

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

2.11.1 If so, furnish particulars:

.....  
 .....

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

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


#### 4. DECLARATION OF TENDERER / BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

4.1	Is the tenderer / bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the audi alteram partem rule was applied).</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.2	If so, furnish particulars:		
4.3	Is the tenderer / 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)? <b>To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.4	If so, furnish particulars:		
4.5	Was the tenderer / 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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.6	If so, furnish particulars:		
4.7	Was any contract between the tenderer / bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
4.8	If so, furnish particulars:		

#### 5. CERTIFICATION

I the undersigned (full name) \_\_\_\_\_ certify that the information furnished on this declaration form is true and correct.

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".  
For Internal Use

Effective date August 2017

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Version1.6

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Name of Tenderer / bidder	Signature	Date	Position

This form has been aligned with SBD4 and SBD 8

## PA- 29: CERTIFICATION OF INDEPENDENT BID DETERMINATION

Project title:	TRAINING OF DPWI OFFICIALS ON INTRODUCTION TO SANS 1544-ENERGY PERFORMANCE CERTIFICATES (EPCs) FOR GREEN BUILDING POLICY AWARENESS AND ENERGY TRANSITIONS		
Bid no:		Reference no:	

### INTRODUCTION

1. This PA-29 [Certificate of Independent Bid Determination] must form part of all bids<sup>1</sup> invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4. This form (PA-29) 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 (PA-29) must be completed and submitted with the bid:

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

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

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

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

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.

Name of Bidder	Signature	Date	Position

**Request for Quotation (Head Office only)**

**PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT**

Name of Tenderer ..... ☐ EME<sup>1</sup> ☐ QSE<sup>2</sup> ☐ Non EME/QSE (tick applicable box)

**1. LIST ALL PROPRIETORS, MEMBERS OR SHAREHOLDERS BY NAME, IDENTITY NUMBER, CITIZENSHIP AND DESIGNATED GROUPS.**

Name and Surname #	Identity/ Passport number and Citizenship##	Percentage owned	Black	Indicate if youth	Indicate if woman	Indicate if person with disability	Indicate if living in rural / under developed areatownship	Indicate if military veteran
1.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

# ## Where Owners are themselves a Company, Close Corporation, Partnership etc, identify the ownership of the Holding Company, together with Registration number  
State date of South African citizenship obtained (not applicable to persons born in South Africa )

<sup>1</sup> EME: Exempted Micro Enterprise

<sup>2</sup> QSE: Qualifying Small Business Enterprise

**Request for Quotation (Head Office only)**

**2. DECLARATION:**

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the Tenderer, hereby confirms that:

- 1 The information and particulars contained in this Affidavit are true and correct in all respects;
- 2 The Broad-based Black Economic Empowerment Act, 2003 (Act 53 of 2003), Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), the Preferential Procurement Regulations, 2017, National Small Business Act 102 of 1996 as amended and all documents pertaining to this Tender were studied and understood and that the above form was completed according to the definitions and information contained in said documents;
- 3 The Tenderer understands that any intentional misrepresentation or fraudulent information provided herein shall disqualify the Tenderer's offer herein, as well as any other tender offer(s) of the Tenderer simultaneously being evaluated, or will entitle the Employer to cancel any Contract resulting from the Tenderer's offer herein;
- 4 The Tenderer accepts that the Employer may exercise any other remedy it may have in law and in the Contract, including a claim for damages for having to accept a less favourable tender as a result of any such disqualification due to misrepresentation or fraudulent information provided herein;
- 5 Any further documentary proof required by the Employer regarding the information provided herein, will be submitted to the Employer within the time period as may be set by the latter;

**Signed by the Tenderer**

<b>Name of representative</b>	<b>Signature</b>	<b>Date</b>

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



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

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

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

### 1. GENERAL CONDITIONS

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

POINTS	
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

- 1.5. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the

Any reference to words "Bid" or "Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

## Broad-Based Black Economic Empowerment Act;

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

### 3. POINTS AWARDED FOR PRICE

### 1.1. 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

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

Where

**Ps** = Points scored for price of bid under consideration

Pt = Price of bid under consideration

$P_{min}$  = Price of lowest acceptable bid

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

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

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

## 5. BID DECLARATION

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

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

- 1.1. B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)  
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

## 7. SUB-CONTRACTING

- 1.1. Will any portion of the contract be sub-contracted?

(Tick applicable box)

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

- 7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

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

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

1.1. Name of company/firm:.....

1.2. VAT registration number:.....

1.3. Company registration number:.....

1.4. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

1.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

1.6. COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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



- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....



public works

Department  
Public Works  
REPUBLIC OF SOUTH AFRICA

6

Preference Points Claim for Bids: PA-16