



RE-ADVERTISEMENT OF BID NO: KGFT - RFP 2022/003
REQUEST FOR PROPOSALS:
APPOINTMENT OF TRANSACTIONAL ADVISOR FOR KZN GROWTH FUND TRUST
CLOSING DATE: 05 OCTOBER 2022
CLOSING TIME AT 11:00 AM

Issued by:

KZN Growth Fund Trust
28th Floor, 303 Dr Pixley KaSeme Street
Durban
4001

Procurement Enquires:

Supply Chain Management Unit
Email: accounts@kznqf.co.za
Sijabulile Ntshangase
Tel: 031 372 3720

Name of Bidder:

REQUEST FOR PROPOSAL

KZN GROWTH FUND TRUST, 28TH Floor, Dr Pixley KaSeme Street, Durban, 4001 (Hereinafter referred to as ("KGFT"))

BID NUMBER: KGFT RFP 2022/003

CLOSING DATE: 05 OCTOBER 2022

TIME: 11:00 AM

DESCRIPTION: APPOINTMENT OF TRANSACTIONAL ADVISOR FOR KZN GROWTH FUND TRUST

**COMPULSORY
BRIEFING:**

Yes

☐

No

X

☒

Contents

C.1	TENDER NOTICE AND INVITATION TO TENDER	4
C.2	INTRODUCTION AND TERMS OF REFERENCE	10
C.3	CONDITIONS OF BID AND CONTRACT	13
C.4	CERTIFICATE OF AUTHORITY TO SIGN A BID	21
C.5	PROCUREMENT TIMELINES	24
C.6	EVALUATION PROCESS & CRITERIA	25
C.7	EVALUATION REQUIREMENTS	27
C.8	TAX CLEARANCE REQUIREMENTS	30
C.9	BIDDERS DISCLOSURE	31
C.10	PREFEREANTIAL POINTS	34
C.11	DEVIATIONS FROM THE REQUEST FOR PROPOSAL	39
C.12	BID SUMMARY AND DETAILS	40
C.13	PRICING SCHEDULE	41

ANNEXURES

Confidentiality and Non-Disclosure Agreement (Annexure A)

C.1 TENDER NOTICE AND INVITATION TO TENDER

KZN Growth Fund Trust seeks to appoint a Turnaround Specialist to provide advisory services pursuant to its decision to exit one of its portfolio companies operating in the healthcare sector.

The tender document will only be available via **eTenders and KGFT Website**.

Submission:

One original and one electronic copy on a USB flash drive (flash drive must not be encrypted) must be submitted

The proposals shall be submitted in sealed envelopes delivered at KZN Growth Fund Trust 28th Floor, 303 Dr Pixley KaSeme Street, Durban, 4001 and should be deposited in the box located at the reception. The closing time for receipt of tenders is **05 October 2022 @11h00 am**.

Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted. It is important to note that all bids lodged will be examined to determine compliance with the bidding requirements and conditions. Bids with obvious deviation from the requirements, will be eliminated.

Technical and administrative queries relating to these documents may be addressed in writing only quoting the Bid No. for attention: Supply Chain Management Unit by email to accounts@kznqf.co.za

Tenders may only be submitted on the original tender documentation that is issued by KGFT written in black ink.

KGFT does not bind itself to accept the lowest or any bid and consider any bid for appointment

PART A - INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF KZN GROWTH FUND TRUST					
BID NUMBER:	KGFT-RFP 2022/003	CLOSING DATE:	05 OCTOBER 2022	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF TRANSACTIONAL ADVISOR SERVICES FOR KZN GROWTH FUND TRUST				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:					
KZN Growth Fund Trust					
28 th Floor, 303 Dr Pixley KaSeme Street					
Durban					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Sijabulile Ntshangase		CONTACT PERSON	Xolani Nhlapo	
TELEPHONE No.	031 372 3720		TELEPHONE NUMBER	031 372 3720	
E-MAIL ADDRESS	accounts@kzngf.co.za		E-MAIL ADDRESS	accounts@kzngf.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
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 THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. 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 SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS SHOULD ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER OR THE REPRESENTATIVE

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

All bidders must furnish the following particulars and include it in their submission (returnable documents)

Name of bidder:

Trading name

Company registration number
.....

VAT registration number

Workman’s compensation number
.....

Tax Clearance Certificate
/CSD Report submitted
.....

Postal address:

Street address:

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

In case of a joint venture, full details on joint venture members:

Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
_____	_____	_____	_____
Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
_____	_____	_____	_____
Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
_____	_____	_____	_____

Name of contracting entity in case of a consortium/joint venture

Entity name: _____

Postal address: _____

Street address: _____

Contact details of responsible person who will act on behalf of the entity/consortium/joint venture for this bid

Name and Surname _____

Telephone number: Code Number _____

Cellular number: _____

Facsimile number: Code Number _____

e-Mail address: _____

Contact details of alternative responsible person who will act on behalf of the person above should he/she not be available

Name and Surname

.....

Telephone number:

Code

Number

.....

Cellular number:

.....

Facsimile number:

Code

Number

.....

e-Mail address:

.....

Confirmation

Are you the accredited representative in South Africa for the services offered by you: YES / NO

Declaration

I/We have examined the information provided in this bid documents and offer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. I/We confirm the availability of the proposed team members. We confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date.

Are you duly authorised to commit the bidder:

YES / NO

SIGNATURE:of person authorised to sign the tender)

C.2 INTRODUCTION AND TERMS OF REFERENCE

KZN Growth Fund Trust (KGFT) was set up in 2008 as an initiative of the KZN Government's Department of Economic Development, Tourism and Environmental Affairs (EDTEA) to administer a unique public private partnership that would unlock funding gaps in transitions that would create jobs, enable and promote BBEE participation in business and growth in the economy.

Vision

To be KZN's leading development financier and impact investor.

Mission

To provide competitive and innovative financing solutions to private sector investments that propel socio-economic growth for a better future.

Values

Respect, accountability, integrity, stewardship and entrepreneurship.

Procurement Philosophy

It is the policy of KGFT, when purchasing goods and obtaining services, to follow a course of optimum value and efficiency by adopting best purchasing practices in supply chain management, ensuring that open and fair competition has prevailed, with due regard being given to the importance of:

- a) The promotion, development and support of businesses from disadvantaged communities (small, medium, micro enterprises, as well as established businesses within those communities) in terms of its B-BBEE Policy.
- b) The promotion of national and regional local service providers and agents before considering overseas service providers; and;
- c) The development, promotion and support for the moral values that underpin the above, in terms of the Fund's Business Ethics and Guidelines which requires that all commercial conduct be based on ethical and moral values and sound business practice. This value system governs all commercial behaviour within the Fund.

The quality, price and service that we provide our customers can only be as good as what we receive from our service providers. We strive for continuous improvement in our critical business areas and seek to establish relationships with service providers that are equally passionate in their quest for better quality, price and service.

1. SCOPE OF WORK

The KGFT seeks to appoint a Turnaround Specialist to provide sell-side transaction advisory services pursuant to its decision to divest its equity and quasi-equity investment (Ordinary Share Capital and Shareholder Loan Claims) in one of its portfolio companies, operating in the private healthcare industry. The sought-after Turnaround Specialist is expected to oversee the entire divestment process, from the initiation to the ultimate successful closure of the transaction. While the KGFT understands and acknowledges that there is no set approach or set timeline for the M and A process, the Turnaround Specialist is expected to adopt a set of processes that optimise the ultimate outcome for the KGFT

The proposed sell-side transaction advisory process is expected to culminate in the identification of one or more buyers who have a full understanding of the investment opportunity presented herein and is/are prepared to acquire the KGFT's investment in the portfolio company on terms and conditions that are acceptable to the KGFT. A project steering committee comprising of KFGT staff members shall be established and the appointed Turnaround Specialist shall be required to make regular presentation on the progress of the transaction to the steering committee. A presentation to one of the KGFT's internal committees may also be required as and when deemed necessary.

2. REQUESTED INFORMATION FOR ASSESSMENT

To enable the KGFT's Supply Chain Management (SCM) function to conduct a thoroughly adequate assessment of each bidding entity's ability to meet the minimum requirements as proposed herein, the following list of information is requested in as detailed a format as practicable:

2.1 A detailed bid proposal, encompassing the following information as a minimum:

- a. Company profile encompassing;
 - i. Service offering;
 - ii. Value added services;
 - iii. Evidence of the bidder's presence in the KZN province;
 - iv. Evidence of the bidder's experience in the provision of similar services;
 - v. Abridged CV's of the proposed transaction advisory team, together with proof of qualifications, industry affiliations and membership certificates;
- b. Evidence of registration on the National Central Supplier Database;
- c. Valid tax clearance certificate, including tax compliance status pin;
- d. Valid B-BBEE certificate/affidavit and in the case of a JV a joint BBBEE Certificate;
- e. Proof of banking details;
- f. Four written letters of reference for similar work conducted

2. OUTPUTS AND KEY DELIVERABLES FOR SERVICES PROVIDED

While there is no fixed approach to the provision of sell-side transaction advisory services in pursuit of a divestment, the following process is typical of the steps followed in a similar transaction. Outputs together with the key deliverables expected herein, are pegged to each stage of the proposed divestment process in an effort to ensure completeness of deliverable and outputs:

Task	Outputs and Key Deliverables
Organisation	<ul style="list-style-type: none"> • Conduct limited advisor due diligence on the asset and produce a report to help prepare an investment teaser; • Prepare a financial model that presents both the recent history of the company, as well as management's best estimate of what the future holds; • Prepare and distribute an investment teaser; • Prepare a confidential information memorandum (CIM); • Develop and present a sale's strategy; and • Prepare and present a list of potential buyers;
Marketing	<ul style="list-style-type: none"> • Establish and carryout the transaction marketing strategy including, but not limited to, the following; • The establishment of initial potential buyers list and soliciting expression of interests; • The distribution of investment teaser to potential buyers; • Prepare and distribute Non-Disclosure Agreements (NDA) to potential buyers; • Preparation and distribution of confidential information memorandum (CIM) with potential buyers; • Prepare and coordinate management presentations;
Management of the bidding process	<ul style="list-style-type: none"> • Receive initial indicative offers from identified potential buyers; • Conduct initial analysis and comparison of interested buyers; • Prepare a shortlist of potential buyers; • Conduct a high-level due diligence on the shortlisted bidders • Present shortlisted buyers to steering committee;
Management Meetings and Due Diligence	<ul style="list-style-type: none"> • Establish a data room and manage the data room, including facilitating the sharing of information and responding to queries; • Schedule management presentations to shortlisted parties;
Solicit Final Bids	<ul style="list-style-type: none"> • Draft and circulate the process letter; • Receive final proposals (offers) from potential buyers; • Conduct a comparative analysis of final proposals from potential buyers; • Present preferred buyer(s) to the steering committee and select the successful buyer;

C.3 CONDITIONS OF BID AND CONTRACT

	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
1.	GUIDELINE ON COMPLETION				
1.1	Bidders must indicate compliance or non-compliance on a paragraph-by-paragraph basis. Indicate compliance with the relevant bid requirements by marking the YES box and non-compliance by marking the NO box. If the contents of the paragraph only need to be noted, please mark the NOTED box. The bidder must clearly state if a deviation from these requirements are offered and the reason therefore. If an explanatory note is provided, the paragraph reference must be attached as an appendix to the bid submission. Bids not completed in the manner prescribed may be considered incomplete and rejected.				
2.	KGFT SERVICE LEVEL AGREEMENT				
2.1	The KGFT Service Level Agreement (SLA) will be the only contract signed by both parties and will form the basis of this contract. KGFT's terms and conditions will not be negotiated.				
3.	ADDITIONAL INFORMATION REQUIREMENTS				
3.1	During evaluation of the bids, additional information may be requested in writing from bidders. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to the bid being disregarded.				
4.	CONFIDENTIALITY				
4.1	The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid.				
4.2	All bidders are bound by a confidentially agreement preventing the unauthorised disclosure of any information regarding KGFT or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation or products to other clients without written approval of the accounting authority or the delegate.				

5.	INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT	Yes	No	Noted	If no, indicate deviation
5.1	Copyright of all documentation relating to this assignment belongs to KGFT. The successful bidders may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.				
5.2	All the intellectual property rights arising from the execution of this Agreement shall vest in KGFT and the service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.				
5.3	In the event that the service provider would like to use any information or data generated in terms of the Services, the prior written permission must be obtained from KGFT.				
5.4	KGFT shall own all materials produced by the service provider during the course of, or as part of the Services including without limitation, deliverables, computer programmes (source code and object code), programming aids and tools, documentation, reports, data, designs, concepts, know-how and other information whether capable of being copyrighted or not ("IP") which IP KGFT shall be entitled to freely cede and assign to parties nominated by KGFT.				
6	PAYMENTS				
6.1	KGFT will pay the service provider for the actual services rendered in line with the SLA.				
6.2	The service provider shall from time to time during the duration of the contract, invoice KGFT for the services rendered. No payment will be made to the service provider unless an invoice complying with section 20 of VAT Act No 89 of 1991 has been submitted to KGFT.				
6.3	Payment shall be made into the bidder's bank account or per cheque payment normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this bid is awarded).				

7	NON-COMPLIANCE WITH DELIVERY TERMS	Yes	No	Noted	If no, indicate deviation
7.1	As soon as it becomes known to the service provider that he will not be able to deliver the goods/services within the delivery period and/or against the quoted price and/or as specified, KGFT must be given immediate written notice to this effect. KGFT reserves the right to implement remedies as provided for in the SLA.				
8	WARRANTIES				
8.1	The service provider warrants that: It is able to conclude this Agreement to the satisfaction of KGFT.				
8.2	Although the service provider will be entitled to provide services to persons other than KGFT, the service provider shall not without the prior written consent of KGFT, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide the Services.				
9.	PARTIES NOT AFFECTED BY WAIVER OR BREACHES				
9.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this Agreement by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof				
9.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this Agreement shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this Agreement.				
10	SUBMITTING BIDS				
10.1	All bid documents must be <u>originals</u> , <u>sealed</u> and <u>hand delivered</u> through Supply Chain Management (SCM) as per 10.2 below				
10.2	All bid documents must be delivered to: KZN Growth Fund Trust 28 th Floor, 303 Dr Pixley Street, Durban,4001 At reception in the Bid box Closing date: 05 October 2022 at 11:00am				

11	LATE BIDS	Yes	No	Noted	If no, indicate deviation
11.1	Late submissions will not be accepted. A submission will be considered late if it arrived one second after 11:00 or any time thereafter. The bid (tender) box shall be locked at exactly 11:00 and bids arriving late will not be accepted under any circumstances. Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.				
12.	CLARIFICATIONS				
12.1	<p>Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (letter, facsimile or e-mail).</p> <p>Please make reference to Tender Notice and Invitation to Tender page of this bid pack for contact details.</p> <p>The bid number should be mentioned in all correspondence. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all bidders by e-mail only.</p>				
13.	FORMAT OF BIDS				
13.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.				
13.2	Bidders are to set out their proposal in the following format:				
13.2.1	Part 1: Invitation to Bid & Introduction				
13.2.2	Part 3: Compliance to Special Conditions of Bid and Noting of Evaluation Criteria				
13.2.3	Part 4: National Treasury CSD report				
13.2.4	Part 5: Bidders Disclosure and Certificate of Authority to Sign a Bid				
13.2.5	Part 6: BBBEE				
13.2.6	Part 7: Technical/Functionality Proposal				
13.2.7	Part 8: Deviations from Request for Bid				
13.2.8	Part 9: Procurement Timelines				
13.2.9	Part 10: Terms of Reference				
13.2.10b	Part 11: Annexures				

14.1	PART 1: INVITATION TO BID (FORM C1)				
14.2	PART 3: COMPLIANCE TO SPECIAL CONDITIONS OF BID AND NOTING OF EVALUATION CRITERIA (FORM C3)				
	Bidders must complete C3. Indicating compliance/non-compliance or noted. In case of non-compliance details and referencing to the specific paragraph is required.				
14.3	PART 4: SARS TAX STATUS (FORM C8)				
	The bidder must be compliance with SARS and such information will be verified with Central Supplier Database (CSD). In case of a joint venture, or where sub-contractors are utilised, each joint venture member and/or sub-contractor (individual) <u>must</u> be in compliance with SARS and the information will be verified on Central Supplier Database (CSD).				
14.4	<u>PART 5: (FORM C4, C9 AND C10)</u> Certificate of Authority to Sign a Bid Bidders Disclosure Form (SBD 4) Preferential Points Form (SBD 6.1)				
14.4.1	Bidders must complete and submit the Declaration forms. A bidder must complete the relevant part of the document and it must indicate who is delegated to communicate or deal with KGFT. Any other irrelevant sections to the tendering entity must be marked 'N/A'.				
14.4.2	Bidders must submit 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)				
14.4.3	For a consortium or joint venture: 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. 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.				

14.5	<u>PART 6: JOINTVENTURE/CONSORTIUM AGREEMENT (FORM C4)</u>	Yes	No	Noted	If no, indicate deviation
14.5.1	A copy of the joint venture/consortium agreement must be included.				
14.6	PART 7: TECHNICAL PROPOSAL/FUNCTIONALITY PROPOSAL (FORM C9)				
14.6.1	The bidder must provide letters of reference on the client letterhead including contact details, for the previous, current or ongoing projects of similar nature. This will be verified by KGF.				
14.7	PART 8: DEVIATIONS FROM REQUEST FOR BID (FORM C11)				
14.7.1	Please indicate deviations or modifications to this Request for Bid on form C11				
14.7.2	If no deviations are required, please mark the form “Nil” and sign				
14.8	PART 9: PROCUREMENT TIMELINES (FORM C6)				
14.8.1	This part of a bid documents informs bidders when the bid process is expected to be finalised. It may not necessarily be followed.				
14.8.2	Terms of reference (TOR) are the requirements by KGFT. When a proposal is submitted, a bidder must be certain that TOR are understood and has the capacity to offer a specified service.				
14.9	PART 10: ANNEXURES				
14.9.1	Bidder must insert all their additional annexures in part 11. This can include professional registrations, insurances etc.				
14.10	VAT				
14.10.1	KGFT is a VAT Vendor. Prices quoted must include VAT (where applicable).				
14.10.2	KGFT reserves the right to request the preferred bidder to register for VAT if the award is anticipated to be in excess of R1m for 12 consecutive months as the VAT Act requires.				

15	PRESENTATIONS	Yes	No	Noted	If no, indicate deviation
15.1	KGFT reserves the right to invite bidders for presentations before the award of the bid.				
15.2	Presentation may affect the points awarded for functionality.				
16	NEGOTIATION				
16.1	KGFT has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.				
16.2	KGFT shall not be obliged to accept the lowest or any financial offer or proposal. Furthermore, KGFT reserve the right not to award the tender to highest ranking bidder in terms of PPPFA.				
16.3	All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties.				
17	DOMICILIUM				
17.1	The parties hereto choose <i>domicilium citandi et executandi</i> for all purposes of and in connection with the final contract as follows:				
	KZN Growth Fund Trust 28 th Floor, Dr Pixley KaSeme Street Durban 4001				
18	COST OF BID PREPARATION				
18.1	Bidders shall prepare and submit a bid at their own expense.				
19	BID VALIDITY PERIOD				
19.1	Bid will be valid for a period of 45 days				
19.2	The bidder will hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.				
19.3	If requested by the employer, the bidder will consider extending the validity period stated in the tender data for an agreed additional period.				

20	ISSUE ADDENDA	Yes	No	Noted	If no, indicate deviation
20.1	If necessary, KGFT may issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until seven days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify those tendering entities appearing on the attendance list				
20.2	Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list				
20.3	Tenderers are obliged to acknowledge, in writing, receipt of addenda to the tender documents, which the employer may issue.				
21	SUBMITTING OF FRAUDULENT DOCUMENTS				
21.1	KGFT will 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.				
21.2	KGFT will list bidders/ directors in the list of restricted suppliers and they will not conduct any business with an organ of state.				

C.4 CERTIFICATE OF AUTHORITY TO SIGN A BID

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

(I) COMPANY	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(V) SOLE PROPRIETOR	(VI) JOINT VENTURES

i. CERTIFICATE FOR COMPANY

I,, chairperson of the Board of Directors of, hereby confirm that by resolution of the Board (copy attached) taken on 20....., Mr/Ms, acting in the capacity of, was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

Chairman:

As Witnesses:

Date:

ii. CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as.....

..... Hereby authorise Mr/Ms..... acting in the capacity of, to sign all documents in connection with the tender for

Contract No: and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.

iii. CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as,

..... hereby authorize Mr/Ms.

acting in the capacity of, to sign all documents in

connection with the tender for Contract No and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.

iv. **CERTIFICATE FOR SOLE PROPRIETOR**

I,, hereby confirm that I am the sole owner of the business trading as.....

Signature of Sole owner:

As Witnesses:

1.....

2.....

Date:

v. **CERTIFICATE OF AUTHORITY FOR JOINT VENTURES**

This Returnable Schedule is to be completed by **EACH member** of a joint venture submitting a tender.

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms....., authorised signatory of the Company.....acting in the capacity of lead JV partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf as a joint venture.

NAME OF JV ORGANIZATION.....

ADDRESS:

.....

.....

DULY AUTHORISED SIGNATORY NAME

DESIGNATION:

SIGNATURE

DATE:.....

C.5 PROCUREMENT TIMELINES

PROCUREMENT TIMELINE	DATE	TIME
RFP Release Date	26 September 2022	12:00am
Written questions of clarification – closing date	03 October 2022	16:00pm
Written response to all clarifications	04 October 2022	16:00pm
Service Provider Proposals Due	05 October 2022	11:00am
Completion of Bid Evaluations	12 October 2022	16:00pm
Anticipated letter of Award	25 October 2022	16:00pm
Commencement Date	01 November 2022	09:00am

***Indicative dates**

C.6 EVALUATION PROCESS & CRITERIA

This phase consists of Mandatory and Non-Mandatory administrative compliance evaluation of all proposals.

1	EVALUATION PROCESS				
1.1	<u>STAGE ONE: ADMINISTRATION COMPLIANCE</u>				
1.1.1	<p>All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, will be eliminated from further adjudication.</p> <p>Mandatory</p> <p>Bids will only be compliant if bidder has submitted the following documents:</p> <ul style="list-style-type: none"> • The bidder must be registered as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/ in compliance with National Treasury compliance paragraph 4.2 with instruction note 4a of 2016/2017 • The bidder must be in good standing with SARS and such information will be verified through Central Supply Database (CSD) or using SARS e-filing pin in National Treasury compliance with instruction note 9 of 2017/2018 prior to the award of the bid; • A fully completed bidders disclosure indicating that there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer; Or that none of its directors/shareholders is listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; • BBBEE Certificate (Affidavit or SANAS Accredited). In the case of a JV a combined BBBEE Certificate. • The bidder must provide 3 letters of reference on the client letterhead including contact details, for the previous, current or ongoing projects of similar nature. This will be verified by KGFT. • USB flash drive (flash drive must not be encrypted) <p>Failure to complete and/or provide any mandatory information as requested above will result in the submission being deemed non-responsive.</p>				

1.2	<u>STAGE TWO: FUNCTIONALITY REQUIREMENTS</u>				
1.2.1	Responsive bids will be evaluated according to the criteria, weightings and threshold scores as indicated below.				
1.3	ADJUDICATION OF BID				
1.3.1	The Bid Adjudication Committee will consider the recommendations and make the final award.				
1.3.2	The bid shall be awarded at the sole and absolute discretion of KGFT. KGFT hereby represents that it is not obliged to award this bid to any bidder. KGFT is entitled to retract this bid at any time as from the date of issue. KGFT is not obliged to award this bid to the bidder that quotes the lowest.				
1.3.3	A bidder shall be disqualified from bidding if any attempt is made either directly to solicit and/or canvass any information from any employee or agent of KGFT regarding this bid from the date the offer is submitted until the date of award of the bid.				
1.4	Awarding of contract				
1.4.1	KGFT reserves the right to award this bid in full or part				

C.7 EVALUATION REQUIREMENTS

STAGE 2 - FUNCTIONALITY REQUIREMENTS

About Functionality Requirements, being stage 2 of the evaluation process, the following criteria and the associated weightings will be applicable:

ELEMENT	WEIGHT	SCORE
<p>BIDDER'S EXPERIENCE (THE BELOW INFORMATION MUST BE SUBMITTED IN TABLE FORM AND BACKED UP BY A LETTER OF REFERENCE)</p> <p>Bidders must demonstrate experience in having provided work of a similar nature, by means of a portfolio made up of at least 5 (Five) similar projects that have recently been completed or are currently in progress:</p> <p>The portfolio of evidence for each relevant project should detail the following as a minimum:</p> <ol style="list-style-type: none"> I. Client name; II. Scope of work; III. Transaction values; and IV. Project Duration; <ul style="list-style-type: none"> • 3 (three) points are allocated per similar project listed. • 2 (two) points per letter submitted for the project listed. 	<p>15 10</p>	
<p>QUALIFICATIONS, PROFESSIONAL AFFILIATIONS AND EXPERIENCE</p> <p>Team's qualifications, accreditation and affiliations (must incl. CVs as well as relevant proof of qualification accreditation, affiliations from the relevant Professional Bodies/Council).</p> <p>Bidders must demonstrate that the proposed lead professional team to be allocated to this project, is adequately experienced in having carried out work of a similar nature (evidence of this experience to be submitted in tabular form) :</p> <p>Scoring for the proposed lead professional team's experience is to be allocated as follows:</p> <ol style="list-style-type: none"> 1. less than or up to 30% professionally qualified team and average experience of team ranges between 1 and 5 years – (10) 2. Between 31% to 60% professionally qualified team and average experience of team ranges between 6 and 10 years (20) 3. More than 61% professionally qualified team and average experience of team is more than 10 years - (30) <p>This will be evaluated using head count of the team members registered with recognized professional affiliations as a percentage of total team to be assigned to the project.</p> <p>*The team's experience shall be determined using a simple average whereby the aggregate experience of the team members in years, is divided by the size of the team.</p> <p><u>Team qualification must be attached as part of the submission (lack of submission of proof of qualification / accreditation will lead to zero scoring)</u></p>	<p>30</p>	

CLIENT REFERENCE LETTERS Minimum of Four contactable written references for which similar work was performed *Reference letters needs to be relevant to the scope of this work and must include details below: <ol style="list-style-type: none"> 1. Type of work conducted; 2. Date of engagement; and 3. Duration of the engagement. <p>Letters must be on the relevant company letterhead, dated and signed and not older than 3 to 4 years.</p> <p>* 5 points to be allocated per contactable reference submitted which is in line with requirements above</p>	20	
METHODOLOGY AND APPROACH The Service Provider shall provide a technical proposal, in which it sets-out its technical approach and methodology in rendering the transactional advisory services. <ol style="list-style-type: none"> 1. The technical proposal evidences an understanding of the process of undertaking a transactional advisory service – (5) 2. The technical proposal evidences an understanding of the outcomes of the transactional advisory process and the expected deliverables – (5) 3. The technical proposal makes mention of value-added services available – (5) Points to be allocated using above 3 categories, with each category being 5 points	15	
PROPOSAL FOR VALUE-ADD SERVICES <ul style="list-style-type: none"> • Current industry practices based on exit strategies with key focus on Developmental Finance Institutions (DFIs) Points to be allocated based on proposed DFI exits	10	
TOTAL	100	

Bidders who obtain at least 70 points in stage 2 (Functionality) will proceed to Stage 3 (Pricing) and Stage 4 (Preferential Points).

Note: Failure to obtain the minimum of 70% of the maximum score on functionality will result in disqualification from further evaluation.

STAGE 3 - PRICING

Contracts will be awarded in terms of the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000 Preferential Procurements Regulation, 20 January 2017 Gazette Number 40553) Responsive bids will be adjudicated in terms of 80/20 preference point system in terms of which points are awarded to bidders based on;

Stage 3: Price	Maximum points to be awarded
Relative competitiveness of the price	80

STAGE 4 - PREFERENTIAL POINTS

In terms of Section 9(1) of the Broad-Based Economic Empowerment Act the B-BBEE status Preference Points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance in Accordance with the table below:

Preference Points

B-BBEE Points	20
B-BBEE Status Level Contributor	Number of points
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-Compliant	0

C.8 TAX CLEARANCE REQUIREMENTS

It is a condition of a bid that the taxes of the successful bidder **must** be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1. the bidder must be in good standing with SARS and such information will be verified through Central Supplier Database (CSD)
2. In bids where Joint Ventures/Sub-Suppliers/Partners are involved, each party must submit a separate valid Tax Clearance Certificate for their organization.
3. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. BIDDER'S DECLARATION

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of institution	State

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read and I understand the contents of this disclosure;

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

3.3 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 consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 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.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

² 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.

- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF
PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING
ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO
BE FALSE.

.....
Signature	Date
.....
Position	Name of bidder

C.10 PREFERENTIAL POINTS

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to ~~exceed~~/not exceed R50 000 000 (all applicable taxes included) and therefore the80/20..... preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 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 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

- (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) **“price”** 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;

5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

5.1 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

6. BID DECLARATION

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

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

7.1 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.

8. SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

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

8.1.1 If yes, indicate:

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

(***Tick applicable box***)

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

- 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 least 51% owned by:	EME √	QSE √
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>
Black people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>
Black people living in rural or underdeveloped areas or townships	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative owned by black people	<input type="checkbox"/>	<input type="checkbox"/>

Black people who are military veterans		
OR		
Any EME		
Any QSE		

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:.....

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 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

C.11 DEVIATIONS FROM THE REQUEST FOR PROPOSAL

Should the bidder desire to make any departures from, or modifications to this Request for Proposal or to qualify its bid in any way, it shall clearly set out its proposals hereunder or alternatively state them in a covering letter attached to its bid and referred to hereunder, failing which the bidder shall be deemed to be unqualified and conform exactly with the requirements of this Request for Proposal.

If no departures or modifications are desired, the Schedule hereunder is to be marked “NIL” and signed by the bidder.

Unless otherwise specified specifically and stipulated in writing, the Contract constitutes the sole memorial of the Contract between the parties and any terms and conditions forming part of the bidder’s Bid or other documentation shall not form part of the Contract and shall be of no force or effect.

PAGE NUMBER	CLAUSE NUMBER	DEVIATION

SIGNATURE OF BIDDER

DATE

C.12 BID SUMMARY AND DETAILS

We the undersigned submit this bid in accordance with the conditions contained in the referenced RFP document and attach the documents required:

No.	Description in detail	Documents Attached
A. Commercial Documents		(Yes/ No/ N.A.)
1.	Deviations from Request for Proposal	
2.	Covering letter	
3.	Entire Bid Document	
4.	CC or Company Registration Documents or copy of ID if sole propriety	
5.	In good standing with SARS and such information will be verified through Central Supply Database (CSD);	
6.	BBBEE Certificate/Affidavit	
7.	Joint Venture Agreement where applicable	
B. Technical Documents		
8.	Proposal :Detailing Company Profile and award letters	
9.	Contactable reference letters where the bidder has rendered similar service	
10.	Capacity of the bidder – CV's and qualifications of resources	

Name

Date

Signature

C.13 PRICING SCHEDULE



Price Proposal

NAME
OFBIDDER:

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

Required to give a breakdown for work to be undertaken as follows:

Description	Nature (Fixed/Variable)	Proportion (%)
Upfront/Retainer Fee (including disbursements)		Capped at 1% of purchase price
Success Fee		Max 2% of purchase price
Overall Fee		100.00%

- It is the KGFT’s expectation that the overall fee charged on the proposed transaction is made up of a retainer fee to compensate the service provider on the work conducted herein, together with a success fee, paid upon the successful closing of the envisaged transaction.
 - It is expected that the upfront/retainer fee should not be more than 20-30% of the overall fee.
 - A scaled success fee as determined in accordance with the Lehman Scale or Double Lehman Scale is preferred;
 - It is expected that the pricing proposal detailed above, is inclusive of all relevant project costs, including disbursements;
- It is the KGFT’s expectation that the upfront/retainer be based on milestones, subject to successful negotiations between the KGFT and the appointed service provider;
- All rates must be inclusive of VAT and must be quoted in South African Rands
- KGFT reserves the right to consider the guidelines on consultancy rates as set out in the National Treasury Instruction 03 of 2017/2018: Cost Containment Measures where relevant.

**** Please note that the KGF will reserve the right to use its discretion on the pricing weights where there is a variance of services rendered by participating parties utilising various seniority of staff.