



## REQUEST FOR PROPOSALS

<b>YOU ARE HEREBY INVITED TO SUBMIT A BID TO MEET THE REQUIREMENTS OF THE DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED</b>	
<b>BID NUMBER:</b>	RFP302/2023
<b>COMPULSORY BRIEFING SESSION DETAILS:</b>	<p>Tender briefing will be done online via Microsoft teams. Bidders are advised to use the link below to join the briefing session.</p> <p>Link: <a href="#">Click here to join the meeting</a></p> <p>08 December 2023 @11H00 (Johannesburg time)</p>
<b>CLOSING DATE:</b>	19 January 2024
<b>CLOSING TIME:</b>	23H55 (Midnight)
<b>PERIOD FOR WHICH BIDS ARE REQUIRED TO REMAIN OPEN FOR ACCEPTANCE:</b>	120 days
<b>DESCRIPTION OF BID:</b>	APPROACH TO DISTRIBUTION ASSET MANAGEMENT (ADAM) PROGRAMME DESIGN & PILOT FEASIBILITY
<b>BID DOCUMENTS ELECTRONIC SUBMISSION:</b>	<p><b>1. ELECTRONIC SUBMISSIONS</b></p> <p><b><u>INSTRUCTIONS:</u></b></p> <ul style="list-style-type: none"><li>➤ Bidders are required to submit written requests for clarification via e-mail to <a href="mailto:lihleSCM@dbsa.org">lihleSCM@dbsa.org</a> ONLY, quoting the RFP Number on the subject of the e-mail.</li><li>➤ Bidders will thereafter receive a OneDrive Link to upload their submission documents electronically.</li><li>➤ Written requests for clarification will be considered up to and including <b>15 December 2023 16:00</b> Johannesburg time. Requests received after this date may not be attended to.</li><li>➤ Any requests after the stipulated date and time may be disregarded.</li></ul>

<p><b>NB: Electronic submission is encouraged for all bidders interested in this tender</b></p> <p><b>Closing date of this RFP302.2023 is 19 January 2024 before 23:55. No physical bids will be received or accepted at the DBSA offices</b></p>	
<b>NAME OF BIDDER:</b>	
<b>CONTACT PERSON:</b>	
<b>EMAIL ADDRESS:</b>	
<b>TELEPHONE NUMBER:</b>	
<b>FAX NUMBER:</b>	
<b>BIDDER'S STAMP OR SIGNATURE</b>	



The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption.  
Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree : 0800 20 49 33  
Email : [dbsa@whistleblowing.co.za](mailto:dbsa@whistleblowing.co.za)  
Free Post : Free Post KZN 665 | Musgrave | 4062  
SMS : 33490

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**PART A**  
**INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED ("DBSA")**

BID NUMBER: **RFP302/2023**

**DESCRIPTION: APPROACH TO DISTRIBUTION ASSET MANAGEMENT (ADAM) PROGRAMME DESIGN & PILOT FEASIBILITY.**

**COMPULSORY BRIEFING: 08 December 2023** - Tender briefing will be done online via Microsoft teams.

**COMPULSORY BRIEFING LINK:** [Click here to join the meeting](#)

Time: 11H00 AM Johannesburg time (**Microsoft Teams**)

Closing time for the OneDrive Link submissions - 16h00 on the 15<sup>th</sup> of December 2023 (Telkom Time)

Commented [KN1]: Check this date?

**CLOSING DATE:** **19 January 2024**

**CLOSING TIME:** 23H55

Name

 Bidder Name

Name

 Folder 1\_Financial Proposal  
 Folder 2\_Technical Proposal

- a) It remains the bidder's responsibility to ensure that the bid submission is uploaded using the correct bidder document and tender link.
- b) Should a bidder encounter an issue with the system, the bidder must provide sufficient evidence as proof of attempting to upload their submission before the cut-off time and the error received.
- c) Faxed, emailed bids will not be accepted, only an electronic submission received via the link will be accepted.
- d) It is therefore the responsibility of the bidder to request for a link to participate.
- e) The DBSA assumes no responsibility if a Bidder's designated email address is not correct, or if there are technical challenges, including those with the Bidders computer, network, or internet service provider (ISP).

**BID SUBMISSION LINK REQUESTS:**

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

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT, WHICH ARE SET OUT IN PART C OF THIS DOCUMENT.

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

BIDDERS THAT ARE UNINCORPORATED CONSORTIA CONSISTING OF MORE THAN ONE LEGAL ENTITY MUST SELECT A LEAD ENTITY AND FURNISH THE DETAILS OF THE LEAD ENTITY, UNLESS OTHERWISE SPECIFIED.

NAME OF BIDDER AND EACH ENTITY IN CONSORTIUM:				
POSTAL ADDRESS:				
STREET ADDRESS:				
CONTACT PERSON (FULL NAME):				
EMAIL ADDRESS:				
TELEPHONE NUMBER:				
FAX NUMBER:				
BIDDER REGISTRATION NUMBER OR REGISTRATION NUMBER OF EACH ENTITY IN CONSORTIUM				
BIDDER VAT REGISTRATION NUMBER OR VAT REGISTRATION NUMBER OF EACH ENTITY IN CONSORTIUM				
BBBEE STATUS LEVEL VERIFICATION CERTIFICATE /BBBEE	YES		NO	

1..1.1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES/WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No <small>[IF YES ENCLOSE PROOF]</small>			
1..1.2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES/WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No <small>[IF YES ANSWER PART B:3 BELOW ]</small>			
1..1.3 SIGNATURE OF BIDDER				
1..1.4 DATE				
1..1.5 FULL NAME OF AUTHORISED REPRESENTATIVE				
1..1.6 CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)				
STATUS LEVEL SIGNED AFFIDAVIT SUBMITTED?  [TICK APPLICABLE BOX]				
IF YES, WHO ISSUED THE CERTIFICATE?				
REGISTERED WITH THE NATIONAL TREASURY CSD  [TICK APPLICABLE BOX]	YES		NO	
CSD REGISTRATION NUMBER				
TAX COMPLIANCE STATUS PIN (TCS) NUMBER ISSUED BY SARS				

**PART B****TERMS AND CONDITIONS FOR BIDDING****1. BID SUBMISSION:**

1.1. BIDS MUST BE SUBMITTED ELECTRONICALLY BY THE STIPULATED TIME TO THE LINK PROVIDED. 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)**

**1.3. SOUTH AFRICAN 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 BY 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 MUST BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.**

**2. TAX COMPLIANCE REQUIREMENTS**

2.1 ALL BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS IN THEIR COUNTRY OF RESIDENCE.

2.2 SOUTH AFRICAN 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 SOUTH AFRICAN BIDDERS CAN APPLY FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 SA BIDDERS' MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.

2.5 IN BIDS WHERE CONSORCIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER (TAX COMPLIANCE) IN ACCORDANCE WITH APPLICABLE LEGISLATION IN THEIR COUNTRY OF RESIDENCE.

2.6 WHERE SA BIDDERS HAVE NO TCS AVAILABLE BUT ARE REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  
     YES  NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?  
     YES  NO

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  
     YES  NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?  
     YES  NO

**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.**

## PART C

### CHECKLIST OF COMPULSORY RETURNABLE SCHEDULES AND DOCUMENTS

**Please adhere to the following instructions:**

- Tick in the relevant block below;
- Ensure that the following documents are completed and signed where applicable; and
- Use the prescribed sequence in attaching the annexes that complete the Bid Document

**NB:** Should all these documents not be included, the Bidder may be disqualified on the basis of non-compliance

**YES      NO**

<input type="checkbox"/>	<input type="checkbox"/>	One original Bid document in separate folders; Folder 1 - for Pre-Qualifying Criteria and Functional Evaluation and Folder 2 - Price / Financial Proposal – <b>Electronic submission</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part A:</b> Invitation to Bid
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part B:</b> Terms and Conditions of Bidding
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part C:</b> Checklist of Compulsory Returnable Schedules and Documents
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part D:</b> Conditions of Tendering and Undertakings by Bidders
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part E:</b> Specifications/Terms of Reference and Project Brief
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure A:</b> Price Proposal Requirement
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure B:</b> SBD4 Declaration of Interest
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure C:</b> SBD6.1 and B-BBEE status level certificate
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure F:</b> Certified copies of your CIPC company registration documents listing all members with percentages, in case of a sole corporation
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure G:</b> Certified copies of latest share certificates, in case of a company.
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure H: (if applicable):</b> A breakdown of how fees and work will be spread between members of the bidding consortium.

- Annexure I:** Supporting documents to responses to Pre-Qualifying Criteria and Functional Evaluation Criteria.
- Annexure J:** General Condition of Contract
- Annexure K:** CSD Tax Compliance Status and Registration Requirements Report

## PART D

### CONDITIONS OF TENDERING AND UNDERTAKINGS BY BIDDER

#### 1. DEFINITIONS

In this Request for Proposals, unless a contrary intention is apparent:

- 1.1 **B-BBEE** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act, 2003;
- 1.2 **B-BBEE Act** means the Broad-Based Black Economic Empowerment Act, 2003;
- 1.3 **B-BBEE status level of contributor** means the B-BBEE status received by a measured entity based on its overall performance used to claim points in terms of regulation 6 and 7 of the Preferential Procurement Regulations, 2022.
- 1.4 **Business Day** means a day which is not a Saturday, Sunday or public holiday in South Africa.
- 1.5 **Bid** means a written offer in the prescribed or stipulated form lodged by a Bidder in response to an invitation in this Request for Proposal, containing an offer to provide goods, works or services in accordance with the Specification as provided in this RFP.
- 1.6 **Bidder** means a person or legal entity, or an unincorporated group of persons or legal entities that submit a Bid.
- 1.7 **Companies Act** means the Companies Act, 2008.
- 1.8 **Compulsory Documents** means the list of compulsory schedules and documents set out in Part B.
- 1.9 **Closing Time** means the time, specified as such under the clause (Bid Timetable) in Part C, by which Tenders must be received.
- 1.10 **DBSA** means the Development Bank of Southern Africa Limited.
- 1.11 **DFI** means Development Finance Institution.
- 1.12 **Evaluation Criteria** means the criteria set out under the clause 26 (Evaluation Process) of this Part C, which includes the Qualifying Criteria, Functional Criteria and Price and Preferential Points Assessment (where applicable).
- 1.13 **Functional Criteria** means the criteria set out in clause 27 of this Part C.
- 1.14 **Intellectual Property Rights** includes copyright and neighbouring rights, and all proprietary rights in relation to inventions (including patents) registered and unregistered trademarks (including service marks), registered designs, confidential information (including trade secrets and know how) and circuit layouts, and all other proprietary rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.
- 1.15 **PFMA** means the Public Finance Management Act, 1999.

1.16 **PPPFA** means the Preferential Procurement Policy Framework Act, 2000.

1.17 **PPPFA Regulations** means the Preferential Procurement Regulations, 2022 published in terms of the PPPFA.

1.18 **Pre-Qualifying Criteria** means the criteria set out in clause 26.3 of this Part C.

1.19 **Price and Preferential Points Assessment** means the process described in clause 26.6 of this Part C, as prescribed by the PPPFA.

1.20 **Proposed Contract** means the agreement including any other terms and conditions contained in or referred to in this RFP that may be executed between the DBSA and the successful Bidder.

1.21 **Request for Proposal or RFP** means this document (comprising each of the parts identified under Part A, Part B, Part C and Part D) including all annexures and any other documents so designated by the DBSA.

1.22 **SARS** means the South African Revenue Service.

1.23 **Services** means the services required by the DBSA, as specified in this RFP Part D.

1.24 **SLA** means Service Level Agreement.

1.25 **SOE** means State Owned Enterprise, as defined by the Companies' Act.

1.26 **Specification** means the conditions of tender set and any specification or description of the DBSA's requirements contained in this RFP.

1.27 **State** means the Republic of South Africa.

1.28 **Statement of Compliance** means the statement forming part of a Tender indicating the Bidders compliance with the Specification.

1.29 **Tendering Process** means the process commenced by the issuing of this Request for Proposals and concluding upon formal announcement by the DBSA of the selection of a successful Bidder(s) or upon the earlier termination of the process.

1.30 **Website** means a website administered by DBSA under its name with web address  
[www.dbsa.org](http://www.dbsa.org)

## 2. INTERPRETATIONS

In this RFP, unless expressly provided otherwise a reference to:

- 2.1 "includes" or "including" means includes or including without limitation; and
- 2.2 "R" or "Rand" is a reference to the lawful currency of the Republic of South Africa.

## 3. TENDER TECHNICAL AND GENERAL QUERIES

Queries pertaining to this tender must be directed to:-

DBSA Supply Chain Management Unit

Email: [lihleSCM@dbsa.org](mailto:lihleSCM@dbsa.org)

No questions will be answered telephonically.

## 4. SUBMISSION OF TENDERS

**COMPULSORY BRIEFING: 08 December 2023** - Tender briefing will be done online via Microsoft teams.

LINK: [Click here to join the meeting](#)

Time: 11H00 AM Johannesburg time (**Microsoft Teams**)

CLOSING DATE: **19 January 2024**

CLOSING TIME: 23H55

## 5. RULES GOVERNING THIS RFP AND THE TENDERING PROCESS

- 5.1 Participation in the tender process is subject to compliance with the rules contained in this RFP Part C.
- 5.2 All persons (whether a participant in this tender process or not) having obtained or received this RFP may only use it, and the information contained herein, in compliance with the rules contained in this RFP.
- 5.3 All Bidders are deemed to accept the rules contained in this RFP Part C.
- 5.4 The rules contained in this RFP Part C apply to:
  - 5.4.1 The RFP and any other information given, received or made available in connection with this RFP, and any revisions or annexure;
  - 5.4.2 the Tendering Process; and

5.4.3 any communications (including any briefings, presentations, meetings and negotiations) relating to the RFP or the Tendering Process.

## **6. STATUS OF REQUEST FOR PROPOSAL**

6.1 This RFP is an invitation for person(s) to submit a proposal(s) for the provision of the services as set out in the Specification contained in this RFP. Accordingly, this RFP must not be construed, interpreted, or relied upon, whether expressly or implicitly, as an offer capable of acceptance by any person(s), or as creating any form of contractual, promissory or other rights. No binding contract or other understanding for the supply of services will exist between the DBSA and any Bidder unless and until the DBSA has executed a formal written contract with the successful Bidder.

## **7. ACCURACY OF REQUEST FOR PROPOSAL**

7.1 Whilst all due care has been taken in connection with the preparation of this RFP, the DBSA makes no representations or warranties that the content in this RFP or any information communicated to or provided to Bidders during the Tendering Process is, or will be, accurate, current or complete. The DBSA, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete.

7.2 If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the DBSA (other than minor clerical matters), the Bidder must promptly notify the DBSA in writing of such discrepancy, ambiguity, error or inconsistency in order to afford the DBSA an opportunity to consider what corrective action is necessary (if any).

7.3 Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the DBSA will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice.

## **8. ADDITIONS AND AMENDMENTS TO THE RFP**

8.1 The DBSA reserves the right to change any information in, or to issue any addendum to this RFP before the Closing Time. The DBSA and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.

8.2 If the DBSA exercises its right to change information in terms of clause 8.1, it may seek amended Tenders from all Bidders.

## **9. REPRESENTATIONS**

No representations made by or on behalf of the DBSA in relation to this RFP will be binding on the DBSA unless that representation is expressly incorporated into the contract ultimately entered between the DBSA and the successful Bidder.

## **10. CONFIDENTIALITY**

10.1 All persons (including all Bidders) obtaining or receiving this RFP and any other information in connection with this RFP or the Tendering Process must keep the contents of the RFP and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this RFP.

## **11. REQUESTS FOR CLARIFICATION OR FURTHER INFORMATION**

11.1 All communications relating to this RFP and the Tendering Process must be directed to the Tender Officer.

11.2 All questions or requests for further information or clarification of this RFP or any other document issued in connection with the Tendering Process must be submitted to the Tender Officer in writing, and most preferably by e-mail to [lihleSCM@dbsa.org](mailto:lihleSCM@dbsa.org)

11.3 Any communication by a Bidder to the DBSA will be effective upon receipt by the Tender Officer (provided such communication is in the required format).

11.4 The DBSA has restricted the period during which it will accept questions or requests for further information or clarification and reserves the right not to respond to any enquiry or request, irrespective of when such enquiry or request is received.

11.5 Except where the DBSA is of the opinion that issues raised apply only to an individual Bidder, questions submitted and answers provided will be made available to all Bidders by e-mail, as well as on the DBSA's website without identifying the person or organisation which submitted the question.

11.6 In all other instances, the DBSA may directly provide any written notification or response to a Bidder by email to the address of the Bidder (as notified by the Bidder to the Tender Manager).

11.7 A Bidder may, by notifying the Tender Officer in writing, withdraw a question submitted in accordance with clause 12, in circumstances where the Bidder does not wish the DBSA to publish its response to the question to all Bidders.

## **12. UNAUTHORISED COMMUNICATIONS**

- 12.1 Communications (including promotional or advertising activities) with staff of the DBSA or their advisors assisting with the Tendering Process are not permitted during the Tendering Process, or otherwise with the prior consent of the Tender Officer. Nothing in this clause 12 is intended to prevent communications with staff of, or advisors to, the DBSA to the extent that such communications do not relate to this RFP or the Tendering Process.
- 12.2 Bidders must not otherwise engage in any activities that may be perceived as, or that may have the effect of, influencing the outcomes of the Tendering Process in any way.

## **13. IMPROPER ASSISTANCE, FRAUD AND CORRUPTION**

- 13.1 Bidders may not seek or obtain the assistance of employees of the DBSA in the preparation of their tender responses.
- 13.2 The DBSA may in its absolute discretion, immediately disqualify a Bidder that it believes has sought or obtained such improper assistance.
- 13.3 Bidders are to be familiar with the implications of contravening the Prevention and Combating of Corrupt Activities Act, 2004 and any other relevant legislation.

## **14. ANTI-COMPETITIVE CONDUCT**

- 14.1 Bidders and their respective officers, employees, agents and advisors must not engage in any collusion, anti-competitive conduct or any other similar conduct in respect of this Tendering Process with any other Bidder or any other person(s) in relation to:
  - 14.1.1 the preparation or lodgement of their Bid
  - 14.1.2 the evaluation and clarification of their Bid; and
  - 14.1.3 the conduct of negotiations with the DBSA.
- 14.2 For the purposes of this clause 14, collusion, anti-competitive conduct or any other similar conduct may include disclosure, exchange and clarification of information whether or not such information is confidential to the DBSA or any other Bidder or any other person or organisation.
- 14.3 In addition to any other remedies available to it under law or contract, the DBSA may, in its absolute discretion, immediately disqualify a Bidder that it believes has engaged in any collusive, anti-competitive conduct or any other similar conduct during or before the Tendering Process.

## **15. COMPLAINTS ABOUT THE TENDERING PROCESS**

- 15.1 Any complaint about the RFP or the Tendering Process must be submitted to the Supply Chain Management Unit in writing, by email, immediately upon the cause of the complaint arising or becoming known to the Bidder, ([tenders@dbsa.org](mailto:tenders@dbsa.org))
- 15.2 The written complaint must set out:
  - 15.2.1 the basis for the complaint, specifying the issues involved;
  - 15.2.2 how the subject of the complaint affects the organisation or person making the complaint;
  - 15.2.3 any relevant background information; and
  - 15.2.4 the outcome desired by the person or organisation making the complaint.
- 15.3 If the matter relates to the conduct of an employee of the DBSA, the complaint should be addressed in writing marked for the attention of the Chief Executive Officer of the DBSA, and delivered to the physical address of the DBSA, as notified.

## **16. CONFLICT OF INTEREST**

- 16.1 A Bidder must not, and must ensure that its officers, employees, agents and advisors do not place themselves in a position that may give rise to actual, potential or perceived conflict of interest between the interests of the DBSA and the Bidder's interests during the Tender Process.
- 16.2 The Bidder is required to provide details of any interests, relationships or clients which may or do give rise to a conflict of interest in relation to the supply of the services under any contract that may result from this RFP. If the Bidder submits its Bid and a subsequent conflict of interest arises, or is likely to arise, which was not disclosed in the Bid, the Bidder must notify the DBSA immediately in writing of that conflict.
- 16.3 The DBSA may immediately disqualify a Bidder from the Tendering Process if the Bidder fails to notify the DBSA of the conflict as required.

## **17. LATE BIDS**

- 17.1 Bids must be delivered by the Closing Time. The Closing Time may be extended by the DBSA in its absolute discretion by providing written notice to Bidders.
- 17.2 Bids delivered after the Closing Time or lodged at a location or in a manner that is contrary to that specified in this RFP will be disqualified from the Tendering Process and will be ineligible for consideration. However, a late Bid may be accepted where the Bidder can clearly

demonstrate (to the satisfaction of the DBSA, in its sole discretion) that late lodgement of the Bid was caused by the DBSA; that access was denied or hindered in relation to the physical tender box; or that a major/critical incident hindered the delivery of the Bid and, in all cases, that the integrity of the Tendering Process will not be compromised by accepting a Bid after the Closing Time.

17.3 The determination of the DBSA as to the actual time that a Bid is lodged is final. Subject to clause 17.2, all Bids lodged after the Closing Time will be recorded by the DBSA and will only be opened for the purposes of identifying a business name and address of the Bidder. The DBSA will inform a Bidder whose Bid was lodged after the Closing Time of its ineligibility for consideration. The general operating practice is for the late Bid to be returned within 5 (five) working days of receipt or within 5 (five) working days after determination not to accept a late Bid.

## **18. BIDDER'S RESPONSIBILITIES**

18.1 Bidders are responsible for:

- 18.1.1 examining this RFP and any documents referenced or attached to this RFP and any other information made or to be made available by the DBSA to Bidders in connection with this RFP;
- 18.1.2 fully informing themselves in relation to all matters arising from this RFP, including all matters regarding the DBSA's requirements for the provision of the Services;
- 18.1.3 ensuring that their Bids are accurate and complete;
- 18.1.4 making their own enquiries and assessing all risks regarding this RFP, and fully considering and incorporating the impact of any known and unknown risks into their Bid;
- 18.1.5 ensuring that they comply with all applicable laws in regard to the Tendering Process particularly as specified by National Treasury Regulations, Guidelines, Instruction Notes and Practice Notes and other relevant legislation as published from time to time in the Government Gazette; and
- 18.1.6 submitting all Compulsory Documents.

18.2 South African bidders with annual total revenue of ZAR10 million or less qualify as Exempted Micro Enterprises (EMEs) in terms of the B-BBEE Act must submit a certificate issued by a registered, independent auditor (who or which is not the Bidder or a part of the Bidder) or an accredited verification agency.

- 18.3 South African bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy, or a sworn affidavit thereof, substantiating their B-BBEE status. The submission of such certificates must comply with the requirements of instructions and guidelines issued by National Treasury and be in accordance with the applicable notices published by the Department of Trade and Industry in the Government Gazette.
- 18.4 The DBSA 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 DBSA.
- 18.5 Failure to provide the required information may result in disqualification of the Bidder.

## **19. PREPARATION OF BIDS**

- 19.1 Bidders must ensure that:
  - 19.1.1 their Bid is submitted in the required format as stipulated in this RFP; and
  - 19.1.2 all the required information fields in the Bid are completed in full and contain the information requested by the DBSA.
- 19.2 The DBSA may in its absolute discretion reject a Bid that does not include the information requested or is not in the format required.
- 19.3 Unnecessarily elaborate responses or other representations beyond that which is sufficient to present a complete and effective tender proposal are not desired or required. Elaborate and expensive visual and other presentation aids are not necessary.
- 19.4 Where the Bidder is unwilling to accept a specified condition, the non-acceptance must be clearly and expressly stated. Prominence must be given to the statement detailing the non-acceptance. It is not sufficient that the statement appears only as part of an attachment to the Bid or be included in a general statement of the Bidders usual operating conditions.
- 19.5 An incomplete Bid may be disqualified or assessed solely on the information completed or received with the Bid.

## **20. ILLEGIBLE CONTENT, ALTERATION AND ERASURES**

- 20.1 Incomplete Bids may be disqualified or evaluated solely on information contained in the Bid.
- 20.2 The DBSA may disregard any content in a Tender that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.
- 20.3 The DBSA may permit a Bidder to correct an unintentional error in its Bid where that error becomes known or apparent after the Closing Time, but in no event will any correction be

permitted if the DBSA reasonably considers that the correction would materially alter the substance of the Bid or effect the fairness of the Tendering Process.

## **21. OBLIGATION TO NOTIFY ERRORS**

If, after a Bidder's Response has been submitted, the Bidder becomes aware of an error in the Bidders Response (including an error in pricing but excluding clerical errors which would have no bearing on the evaluation of the Bid), the Bidder must promptly notify the DBSA of such error.

## **22. RESPONSIBILITY FOR BIDDING COSTS**

- 22.1 The Bidders participation or involvement in any stage of the Tendering Process is at the Bidders sole risk, cost and expense. The DBSA will not be held responsible for, or pay for, any expense or loss that may be incurred by Bidders in relation to the preparation or lodgement of their Bid.
- 22.2 The DBSA is not liable to the Bidder for any costs on the basis of any contractual, promissory or restitutionary grounds whatsoever as a consequence of any matter relating to the Bidders participation in the Tendering Process, including without limitation, instances where:
  - 22.2.1 the Bidder is not engaged to perform under any contract; or
  - 22.2.2 the DBSA exercises any right under this RFP or at law.

## **23. DISCLOSURE OF BID CONTENTS AND BID INFORMATION**

- 23.1 All Bids received by the DBSA will be treated as confidential. The DBSA will not disclose contents of any Bid and Bid information, except:
  - 23.1.1 as required by law;
  - 23.1.2 for the purpose of investigations by other government authorities having relevant jurisdiction;
  - 23.1.3 to external consultants and advisors of the DBSA engaged to assist with the Tendering Process; or for the general information of Bidders required to be disclosed as per National Treasury Regulations, Guidelines, Instruction Notes or Practice Notes.

## **24. USE OF BIDS**

24.1 Upon submission in accordance with the requirements relating to the submission of Bids, all Bids submitted become the property of the DBSA. Bidders will retain all ownership rights in any intellectual property contained in the Bids.

24.2 Each Bidder, by submission of their Bid, is deemed to have licensed the DBSA to reproduce the whole, or any portion, of their Bid for the sole purposes of enabling the DBSA to evaluate the Bid.

## **25. BID ACCEPTANCE**

All Bids received must remain open for acceptance for a minimum period of 90 (Ninety) days from the Closing Time. This period may be extended by written mutual agreement between the DBSA and the Bidder.

## **26. EVALUATION PROCESS**

26.1 The Bids will be evaluated and adjudicated as follows:

### **26.1.1 First Stage – Test for administrative Responsiveness**

The test for administrative responsiveness will include the following:

#### **Stage 1: Responsiveness**

The Tenderer should be able to provide all the relevant information required in the Supplier Information Form (SIF) which will include but not limited to;

**A. Tenderers who do not adhere to those criteria listed a PRE-QUALIFIER, will be disqualified immediately.**

<b>Responsiveness Criteria</b>		<b>Prequalifying Criteria</b>	<b>Applicable to this Tender (Y/N)</b>
<b>1</b>	Adherence to submitting Tender as a two-folder tender.  Folder 1: Functionality and returnable submission separate from Folder 2: Pricing proposal submission	<b>Pre-Qualifier</b>	Y
<b>2</b>	Attendance Register of the Compulsory Briefing Session attended by the Tenderer.	<b>Pre-Qualifier</b>	Y

**B.** Tenderers who do not adhere to the indicated response time for clarifications requested by the Employer will be deemed to be non-responsive and their submissions will not be evaluated further.

Responsiveness Criteria		Clarification Time	Applicable to this Tender (Y/N)
<b>1</b>	Standard conditions of tender as required.	72 hours	Y
<b>2</b>	Returnable documents completed and signed.	72 hours	Y
<b>3</b>	Submission of Proof of Registration with National Treasury Central Supplier Database (CSD) Summary Report or A Valid and Active Tax Compliance Status Pin issued by SARS for Tax Compliance Status Verification: N.B - Bidder must be fully registered & tax compliant to do business with the DBSA.	7 Working days	Y

Only those Bidders which satisfy all the Pre-Qualifying Criteria of the First Stage will be eligible to participate in the Tendering Process further. Bids which do not satisfy all the Pre-Qualifying Criteria of the First Stage will not be evaluated further.

#### **26.1.2 Second Stage – Functional criteria**

**26.1.1** Only those Bidders which score **[70]** points or higher (out of a possible 100) during the functional evaluation of the Second Stage will be evaluated further. Bidders are required to submit supporting documentation evidencing their compliance with each requirement, where applicable.

Bidders will be assessed on the functional criteria (Second Stage) as set out in this RFP. Only those Bidders which comply with the eligibility criteria will proceed to the Third Stage.

#### **26.1.2 Third Stage – price**

**26.1.2.1** Those Bidders which have passed the First Stage (Responsiveness Test) and Second Stage (Functional Evaluation) of the tender process will be eligible to be evaluated on the Third Stage, based on price, in accordance with the PPPFA regulations.

26.1.2.2 The recommended preferred Bidder will be the Bidder with the lowest overall price in the Third Stage of the Bid evaluation, unless the DBSA exercises its right to cancel the RFP, in line with the PPPFA Regulations.

**26.2 NB: Bidders are required to submit, as Annexure J to their Bids, any documentation which supports the responses provided in respect of the Eligibility Criteria below.**

**26.3 First Stage: Pre-Qualifying Criteria**

Only those Bidders which satisfy all the Pre-Qualifying Criteria will be eligible to participate in the Tendering Process further. Bids which do not satisfy all the Pre-Qualifying Criteria will not be evaluated further. Please refer to the table above

**Note: A tender that fails to meet any Pre-Qualifying Criteria stipulated herein in the tender documents is an unacceptable tender. Please refer to the table above**

**26.4 Second Stage: Functional Criteria**

The technical proposal will be evaluated according to the following criteria and scoring system. The technical score will be calculated out of 100 points, and only those bids that achieve a threshold of **70** points for the technical proposal will move to the next level of evaluation where a score for price and BBBEE.

Functionality	Scoring	Weighting
<p><b>1. Programme &amp; Technical Design Experience and track record</b></p> <p>Knowledge and professional experience in the areas of designing infrastructure programmes, &amp; municipal electricity distribution sector</p> <p><b>Evidence</b></p> <p>Bidders should submit at least four (04) client reference letters, on a client letterhead, indicate bidders name, contact details of clients (name, telephone and /or email), duration of the service offered (start and end dates), description of services performed illustrating their experience in the following areas:</p> <ul style="list-style-type: none"><li>experience in the design of infrastructure programmes of this nature and as outlined in this Terms of Reference, and</li></ul>	<p>Number of fully compliant reference letters with the above requirements</p> <p><b>1 or less letters = (0 points)</b></p> <p><b>2 letters = (10 points)</b></p> <p><b>3 letters = (20 points)</b></p> <p><b>4 or more letters = (30 points)</b></p>	<b>30</b>

<ul style="list-style-type: none"> <li>experience in the areas of municipal electricity distribution sector.</li> </ul>		
<p><b>2. Approach and methodology</b> Detailed explanation of the approach and methodology that will be followed to meet the requirements of this assignment. To include an understanding of the scope of work and detailed work plan</p> <p><b>Evidence</b> Provide detailed methodology (including understanding of the scope of work, work plan and deliverables)</p>	<p>Bidder must provide a detailed layout as to how to meet/develop and implement the requirements of this assignment. The methodology must be detailed and cover the following:</p> <ul style="list-style-type: none"> <li>Detailed Work Plan (Approach Plan) aligned with requirements and/or SOW = <b>(20 points)</b></li> <li>Project Plan = <b>(8 points)</b></li> <li>Implementation Plan = <b>(8 points)</b></li> </ul> <p>No explanation, no work plan or evidence provided, No understanding of the SOW = <b>(0 Points)</b></p>	<b>36</b>
<p><b>3. Skills, experience and qualifications</b> Appropriate skills, experience and qualifications of individuals relevant to the Terms of Reference. Bidder should only include information of the actual team members that will work on this assignment</p> <p><b>Evidence</b> Bidder to provide CV's and qualifications of key personnel and attach proof of professional registration.</p>		<b>34</b>
3.1 Team Lead	<p><b>Good: (8 points)</b></p> <p>A professional with 10 years or more experience in any of the following: infrastructure, energy and in leading multi-disciplinary teams on complex assignments</p> <p>A relevant B Degree</p> <p>A PMP qualification or project / programme management post qualification</p> <p>Relevant Professional Registration</p>	<b>8</b>

	<p><b>Acceptable: (6 points)</b></p> <p>A professional with 6 to 9 years experience in any of the following: infrastructure, energy and in leading multi-disciplinary teams on complex assignments</p> <p>A relevant B Degree</p> <p>A PMP qualification or project / programme management post qualification</p> <p>Relevant Professional Registration</p> <p><b>Poor: (3 Points)</b></p> <p>A professional with less than 6 years experience in any of the following: infrastructure, energy and in leading multi-disciplinary teams on complex assignments</p> <p>A relevant B Degree</p> <p>A PMP qualification or project / programme management post qualification</p> <p>Relevant Professional Registration</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• a relevant B Degree,</li> <li>• a PMP qualification or project / programme management post qualification</li> <li>• Relevant Professional registration</li> </ul>	
3.2 Technical expert/specialist	<p><b>Good: (6 points)</b></p> <p>An electrical engineer with 10 years post ECSA registration experience in the planning, design and operations of municipal electricity distribution business</p> <p>An Electrical Engineering Degree – Heavy Current</p> <p>ECSA Professional Registration</p>	6

	<p><b>Acceptable: (4 points)</b></p> <p>An electrical engineer with between 6 to 9 years post ECSA registration experience in the planning, design and operations of municipal electricity distribution business</p> <p>An Electrical Engineering Degree – Heavy Current</p> <p>ECSA Professional Registration</p> <p><b>Poor: (2 Points)</b></p> <p>An electrical engineer with between less than 6 years post ECSA registration experience in the planning, design and operations of municipal electricity distribution business</p> <p>An Electrical Engineering Degree – Heavy Current</p> <p>ECSA Professional Registration</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A relevant Electrical Engineering Degree,</li> <li>• ECSA Professional registration</li> </ul>	
3.3 Financial expert/specialist	<p><b>Good: (4 points)</b></p> <p>A financing specialist with 10 or more years relevant experience in financial instruments, specifically project finance and experience in blended finance structures and alternative funding structures and solutions</p> <p>A Financial Degree</p> <p><b>Acceptable: (2 points)</b></p> <p>A financing specialist with between 6 to 9 years relevant experience in financial instruments, specifically project finance and experience in blended finance structures and</p>	4

	<p>alternative funding structures and solutions</p> <p>A Financial Degree</p> <p><b>Poor: (1 Points)</b></p> <p>A financing specialist with less than 6 years relevant experience in financial instruments, specifically project finance and experience in blended finance structures and alternative funding structures and solutions</p> <p>A Financial Degree</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A Financial Degree</li> <li>• Relevant Professional Registration</li> </ul>	
3.4 Legal expert	<p><b>Good: (4 points)</b></p> <p>A legal person with a minimum of 10 years' experience in the policy and regulations for the electricity sector, three years' experience of which must be in the municipal sector and MFMA</p> <p>LLB Law Degree</p> <p>Registered lawyer with Law Society</p> <p><b>Acceptable: (2 points)</b></p> <p>A legal person with 6 to 9 years' experience in the policy and regulations for the electricity sector, three years' experience of which must be in the municipal sector and MFMA</p> <p>LLB Law Degree</p> <p>Registered lawyer with Law Society</p> <p><b>Poor: (1 Points)</b></p> <p>A legal person with less than 6 years' experience in the policy and regulations for the electricity sector, three years' experience of which</p>	4

	<p>must be in the municipal sector and MFMA</p> <p>LLB Law Degree</p> <p>Registered lawyer with Law Society</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A LLB Law Degree</li> <li>• Relevant Professional Registration</li> </ul>	
3.5 Project Preparation Specialist	<p><b>Good: (4 points)</b></p> <p>A professional person with 10 or more years' relevant experience in preparing feasibility studies for infrastructure projects</p> <p>A finance / engineering related degree</p> <p><b>Acceptable: (2 points)</b></p> <p>A professional person with 6 to 9 years' experience in preparing feasibility studies for infrastructure projects</p> <p>A finance / engineering related degree</p> <p><b>Poor: (1 Points)</b></p> <p>A professional person with less than 6 years' experience in preparing feasibility studies for infrastructure projects</p> <p>A finance / engineering related degree</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A finance / engineering related degree</li> <li>• Relevant Professional Registration</li> </ul>	4

3.6 Economist	<p><b>Good: (4 points)</b></p> <p>An economist with 10 or more years relevant experience in conducting economic models / studies for infrastructure projects.</p> <p>A degree in Economics</p> <p><b>Acceptable: (2 points)</b></p> <p>An economist with between 6 to 9 years relevant experience in conducting economic models / studies for infrastructure projects.</p> <p>A degree in Economics</p> <p><b>Poor: (1 Points)</b></p> <p>An economist with less than 6 years relevant experience in conducting economic models / studies for infrastructure projects.</p> <p>A degree in Economics</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A degree in Economics</li> <li>• Relevant Professional Registration</li> </ul>	4
3.7 Environment & Social Specialist	<p><b>Good: (4 points)</b></p> <p>A professional person with 10 or more years' relevant experience in providing environmental impact assessment and social impact assessments for infrastructure projects</p> <p>A degree in Environmental Science and or Social Science or related disciplines.</p> <p><b>Acceptable: (2 points)</b></p> <p>A professional person with between 6 to 9 years' relevant experience in providing environmental impact assessment and social impact</p>	4

	<p>assessments for infrastructure projects</p> <p>A degree in Environmental Science and or Social Science or related disciplines.</p> <p><b>Poor: (1 Points)</b></p> <p>A professional person with less than 6 years' relevant experience in providing environmental impact assessment and social impact assessments for infrastructure projects</p> <p>A degree in Environmental Science and or Social Science or related disciplines.</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A degree in Environmental Science and or Social Science or related disciplines.</li> <li>• Relevant Professional Registration</li> </ul>	
<b>TOTAL</b>		<b>100</b>
<b>Threshold</b>		<b>70</b>

26.5 A minimum of **70 points out of a 100** for the functional evaluation will qualify the Bid to move on to the Third Stage of evaluation, which is price and preferential point's evaluation. Bidders that do not score **70** points or higher at this stage of the evaluation will not be evaluated during the Third Stage of the evaluation.

26.6 **Third Stage: Price**

26.6.1 the Third Stage of evaluation of the Bids will be in respect of price and specific goals.

**27. Risk Analysis and Objective Criteria**

**(This must only be included in the tender document if it is applicable, ensure that the list is specific as to what your objective criteria are)**

The DBSA reserves the right to award the tender to the tenderer who scores the highest number of points overall in line with Section (2) (1) (f) of the PPPFA, unless there are **objective criteria** which will justify the award of the tender to another tenderer. The objective criteria that the DBSA may apply in this bid process includes:

- i. Any bidder that has a **cumulative order book totaling three (3) Awards with outstanding value**, will be excluded from the selection.
- ii. Where a bidder has three (3) active Awards with an outstanding value and the outstanding value is 10% or less, indicating the project is nearing completion, the bidder may be included in the selection.
- iii. Where a bidder has three (3) active Awards with an outstanding value and at least one of the projects has stalled for a period of six (6) months or more, or the client has placed the project on hold indefinitely, the bidder may be included in the selection.
- iv. The DBSA has the discretion to apply an objective criterion.

## 28. Due Diligence

DBSA shall perform a due diligence exercise on the preferred bidder to determine its risk profile. The due diligence exercise may take the following factors into account *inter alia*.

- a. **Judgements and criminal convictions**  
DBSA may consider previous civil judgements against the preferred bidder as part of its risk assessment. DBSA may also consider whether the preferred bidder or any of its directors have been convicted of a serious offence.
- b. **Pending litigation/liquidation/business rescue (distinct from Working Capital)**  
DBSA may consider any pending litigation in a court of law or administrative tribunal as part of its risk assessment.
- c. **Performance**  
DBSA will not consider the Service provider having a history of poor performance on any task orders/purchase orders or contracts, including poor performance in respect of compliance with policies or procedures regarding safety, health, quality control or environment, or having committed a serious and gross breach of contract.
- d. **Reputational harm**  
If DBSA is likely to suffer substantial reputational harm because of doing business with the preferred service provider, it may take this into account as part of its risk assessment.
- e. **Restricted/Blacklisted**  
Is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement.
- f. **Vetting**  
The DBSA reserves the right to conduct vetting on the tenderer or any of its directors.
- g. PEP Checks for both Companies and Individual directors, as well as Procure Check and or any other systems that the DBSA may choose to utilize (which may be conducted by an authorized third party) that would be done to assess all risks, including but not limited to
  - a. Financial stability of the bidder based on key ratio analysis ;
  - b. Efficiency ;
  - c. Profitability ;
  - d. Financial Risk;

- e. Liquidity ;
- f. Acid Test ;
- g. Solvency; and
- h. Commercial relationship with a politically exposed and brand risk

- v. The DBSA reserves the right to award the scope in full or part thereof, subject to budget availability.
- vi. The DBSA reserves the right to negotiate to ensure the value for money principle is not compromised.

**29.** Generally, suppliers have their own business standards and regulations. Although DBSA cannot control the actions of our suppliers, we will not tolerate any Illegal activities. These include, but are not limited to:

- Misrepresentation of any kind (e.g. origin of manufacture, specifications, intellectual property rights, etc);
- Collusion;
- Failure to disclose accurate information required during the sourcing activity (ownership, financial situation, BBBEE status, etc.);
- Corrupt activities listed above; and
- Harassment, intimidation or other aggressive actions towards DBSA's employees.

### **30. STATUS OF BID**

- 30.1 Each Bid constitutes an irrevocable offer by the Bidder to the DBSA to provide the Services required and otherwise to satisfy the requirements of the Specification as set out in this RFP.
- 30.2 A Bid must not be conditional on:
  - 30.2.1 the Board approval of the Bidder or any related governing body of the Bidder being obtained.
  - 30.2.2 the Bidder conducting due diligence or any other form of enquiry or investigation.
  - 30.2.3 the Bidder (or any other party) obtaining any regulatory approval or consent.
  - 30.2.4 the Bidder obtaining the consent or approval of any third party; or
  - 30.2.5 the Bidder stating that it wishes to discuss or negotiate any commercial terms of the contract.
- 30.3 The DBSA may, in its absolute discretion, disregard any Bid that is, or is stated to be, subject to any one or more of the conditions detailed above (or any other relevant conditions).
- 30.4 The DBSA reserves the right to accept a Bid in part or in whole or to negotiate with a Bidder in accordance with the provisions of this RFP and the applicable laws and regulations.

### **31. CLARIFICATION OF BIDS**

- 31.1 The DBSA may seek clarification from and enter into discussions with any or all of the Bidders in relation to their Bid. The DBSA may use the information obtained when clarification is sought or discussions are held in interpreting the Bid and evaluating the cost and risk of accepting the Bid. Failure to supply clarification to the satisfaction of the DBSA may render the Bid liable to disqualification.
- 31.2 The DBSA is under no obligation to seek clarification of anything in a Bid and reserves the right to disregard any clarification that the DBSA considers to be unsolicited or otherwise impermissible or irrelevant in accordance with the rules set out in this RFP.

### **32. DISCUSSION WITH BIDDERS**

- 32.1 The DBSA may elect to engage in detailed discussions with any one or more Bidder(s), with a view to maximising the benefits of this RFP as measured against the evaluation criteria and in fully understanding a Bidder's offer.
- 32.2 Where applicable, the DBSA will invite Bidders to give a presentation to the DBSA in relation to their submissions.
- 32.3 The DBSA is under no obligation to undertake discussions with, and Bidders.
- 32.4 In addition to presentations and discussions, the DBSA may request some or all Bidders to:
  - 32.4.1 conduct a site visit, if applicable;
  - 32.4.2 provide references or additional information; and/or
  - 32.4.3 make themselves available for panel interviews.

### **33. SUCCESSFUL BIDS**

- 33.1 Selection as a successful Bidder does not give rise to a contract (express or implied) between the successful Bidder and the DBSA for the supply of the Services. No legal relationship will exist between the DBSA and a successful Bidder for the supply of the Services until such time as a binding contract is executed by them.
- 33.2 The DBSA may, in its absolute discretion, decide not to enter into pre-contractual negotiations with a successful Bidder.
- 33.3 A Bidder is bound by its Bid and all other documents forming part of the Bidder's Response and, if selected as a successful Bidder, must enter into a contract on the basis of the Bid with or without further negotiation.

### **34. NO OBLIGATION TO ENTER INTO CONTRACT**

- 34.1 The DBSA is under no obligation to appoint a successful Bidder or Bidders (as the case may be), or to enter into a contract with a successful Bidder or any other person, if it is unable to identify a Bid that complies in all relevant respects with the requirements of the DBSA, or if due to changed circumstances, there is no longer a need for the Services requested, or if funds are no longer available to cover the total envisaged expenditure. For the avoidance of any doubt, in these circumstances the DBSA will be free to proceed via any alternative process.
- 34.2 The DBSA may conduct a debriefing session for all Bidders (successful and unsuccessful). Attendance at such debriefing session is optional.

### **35. BIDDER WARRANTIES**

- 35.1 By submitting a Bid, a Bidder warrants that:
  - 35.1.1 it did not rely on any express or implied statement, warranty or representation, whether oral, written, or otherwise made by or on behalf of the DBSA, its officers, employees, or advisers other than any statement, warranty or representation expressly contained in the RFP;
  - 35.1.2 it did not use the improper assistance of DBSA's employees or information unlawfully obtained from them in compiling its Bid;
  - 35.1.3 it is responsible for all costs and expenses related to the preparation and lodgement of its Bid, any subsequent negotiation, and any future process connected with or relating to the Tendering Process;
  - 35.1.4 it accepts and will comply with the terms set out in this RFP; and
  - 35.1.5 it will provide additional information in a timely manner as requested by the DBSA to clarify any matters contained in the Bid.

### **36. DBSA'S RIGHTS**

- 36.1 Notwithstanding anything else in this RFP, and without limiting its rights at law or otherwise, the DBSA reserves the right, in its absolute discretion at any time, to:
  - 36.1.1 cease to proceed with, or suspend the Tendering Process prior to the execution of a formal written contract;
  - 36.1.2 alter the structure and/or the timing of this RFP or the Tendering Process;
  - 36.1.3 vary or extend any time or date specified in this RFP
  - 36.1.4 terminate the participation of any Bidder or any other person in the Tendering Process;

- 36.1.5 require additional information or clarification from any Bidder or any other person;
- 36.1.6 provide additional information or clarification;
- 36.1.7 negotiate with any one or more Bidder;
- 36.1.8 call for new Bid;
- 36.1.9 reject any Bid received after the Closing Time; or
- 36.1.10 reject any Bid that does not comply with the requirements of this RFP.

### **37. GOVERNING LAWS**

- 37.1 This RFP and the Tendering Process are governed by the laws of the Republic of South Africa.
- 37.2 Each Bidder must comply with all relevant laws in preparing and lodging its Bid and in taking part in the Tendering Process.
- 37.3 All Bids must be completed using the English language and all costing must be in South African Rand (ZAR).

**PART E**  
**TERMS OF REFERENCE & PROJECT BRIEF**

## **I. BACKGROUND**

Municipal entities play an important role in the South African electricity distribution and supply sector. Around 180 municipalities as well as the national utility Eskom are active in the distribution and supply of electricity. The distribution business is increasingly facing economic and technical problems. This is due to highly fragmented retail markets, aging infrastructure, underfinanced municipalities, regulatory uncertainty and sometimes difficulties in governance and institutional effectiveness. Many municipal utilities are also exposed to the challenges of growing urbanization, electricity theft, poverty, and tariff cross-subsidization.

Over the past few years, South Africa's electricity distribution industry has deteriorated and has contributed negatively to economic growth. In addition to appropriately investing in new electricity infrastructure, municipalities should also make appropriate funds available for the maintenance and refurbishment of existing assets to ensure reliable service provision.

In recent years, some municipalities have experienced technical problems and power outages due to failures in existing distribution lines and networks, rather than a failure in Eskom supply.

In addition, South Africa is currently experiencing unprecedented levels of energy shortages, and this has a negative impact on the economy. Supply of energy needs to improve significantly to be able to support the economic activity and growth across the country; it needs to be robust and extensive enough to meet industrial, commercial and household needs.

Older networks are being increasingly damaged by supply disruptions, leading to more frequent distribution failures.

Some of the reasons for the current state of municipal distribution infrastructure are:

- Most of the equipment is ageing, its unreliability is increasing as is the cost of repair and it needs to be replaced.
- Most equipment is overloaded, due to unplanned-for development in its area.
- Few municipalities have adequate planned or preventative maintenance programmes.
- Few municipalities have infrastructure asset databases, many rely on their corporate memory for their maintenance strategy, few have contingency arrangements and many lack adequate stocks of suitable spare parts.
- Insufficient provisions have been made for refurbishment of networks. Practice has in many cases been to rely on the overdesign of the past, but that capacity has now been eroded.

Ringfencing of electricity infrastructure: Section 27 of the Electricity regulation Amendment Act of 28 of 2007, (i) states that municipalities should keep separate financial statements, including balance sheet of the reticulation business. This is currently not the case with most municipalities where revenue from electricity sales is used to cross-subsidize other municipal services. There is therefore no ring fencing of the energy business resulting in most municipalities which contradicts Section 27 of the Electricity regulation Amendment Act of 28 of 2007 in that most municipalities are not able to determine the electricity income generated, expenditure, profit and losses.

**The Department of Mineral Resources & Energy (DMRE) has approached DBSA to assist it with developing the ADAM programme.**

**The main ADAM Programme Components are:**

**Phase 1**

Designing the ADAM programme, completing a comprehensive market assessment of the municipal electricity distribution sector and finally, identification of a list of pilot sites where one feasibility studies can be undertaken.

**Phase 2**

Subject to securing additional funding from DMRE, Phase 2 will involve the implementation of a PMO to capacitate municipalities to develop a pipeline of bankable feasibility studies for investment and to also possibly explore other models to assist municipalities with their distribution business. This phase will also develop a blended finance facility which can then attract private sector investment into this sector.

## **II. OBJECTIVES OF THE PROPOSED PROFESSIONAL SERVICES ASSIGNMENT**

At present, most of the municipalities are not financially sustainable resulting in reduction of budgets available for the maintenance and refurbishment of existing municipal electricity distribution networks thereby contributing to the significant deterioration of these assets. Consequently, municipalities are unable to provide adequate electricity services, business sustainability and facilitating economic growth.

The key objective of the ADAM programme is thus to resolve concerns with municipal electrical distribution, infrastructure maintenance, restoration, and strengthening of electrical distribution infrastructure.

Phase 1 of the ADAM Programme will comprise two components being (i) designing the ADAM programme, and (ii) conducting bankable feasibility studies at two pilot sites which can then be positioned for blended finance solutions.

The detailed scope of work for the activities listed above is provided below.

### **III. SCOPE OF WORK**

The purpose of this Terms of Reference is to procure the services of a team of consultants / advisors (professional service provider) that will be responsible for the design of the ADAM programme and to conduct bankable feasibility studies at one pilot site. The successful Professional Service Provider team will work with the DMRE & DBSA team to design the ADAM Programme.

Component 1 – Assess and summarize all previous work done in area of ADAM

Component 2 – Conducting a market assessment of the Metros & Secondary Cities electricity distribution assets, with reference to identification of backlogs in maintenance, refurbishment and network strengthening.

Component 3 - Designing a National ADAM Programme that will support the preparation, financing and implementation of municipal distribution projects

Component 4 – Creating a financial environment to fund ADAM projects

Component 5 – Preparing a business case for ADAM Phase II

Component 6 – Preparing a bankable feasibility project which can then be funded using blended finance by crowding in private sector investment.

Component 7 – Conducting a Stakeholder Workshop

#### **COMPONENT 1 - REVIEW OF PREVIOUS WORK DONE**

Assess all previous work done in area of ADAM, including all work done by the previous EDI Holdings and the 'mini' ADAM pilot which was conducted by DMRE in 2014. This work will identify key lesson/findings which can then be used in the design of this ADAM programme.

**Deliverable:** A report summarizing key findings / lessons learnt from all previous work undertaken, including 'mini' ADAM which was implemented by DMRE in 2014.

#### **COMPONENT 2 – MARKET ASSESSMENT OF ELECTRICITY DISTRIBUTION INFRASTRUCTURE**

Detailed market study and needs assessment:

- i) Determine need and potential for ADAM programme
- ii) Assess and identify all the metros & secondary cities electricity distribution infrastructure. This should include but not limited to an inventory or all capex backlogs which could be funded through the ADAM programme
- iii) Project pipeline evaluation: identify projects for short term and medium term

**Deliverable:** Market and Need Assessment Report with fact sheets for all metros & secondary cities.

### **COMPONENT 3 - PROGRAMME DESIGN FOR PHASE II OF ADAM**

The establishment and resourcing of a national ADAM Programme that will support municipalities to identify, prepare, finance and implement projects at scale. It is envisaged that this ADAM Programme will become the “one stop solution provider” or “center of excellence” for municipal distribution projects in the country (similar to the IPP Office established as part of the REIPP programme in SA).

The proposed establishment of an ADAM Programme for Phase II will include the following:

1. Programme implementation structure
  - a) Develop an ADAM programme implementation structure
    - o Mandate and scope of the ADAM Programme
    - o Staffing and Operational Plan
    - o Describe the Programme implementation structure, outlining legal, contractual, institutional and financial arrangements between all the role players.
- Deliverable:** Report detailing implementation arrangements and implementation plan
2. Explore various models for rolling out and funding ADAM projects
  - o Within the context of the legal environment, identify different operating models for rolling out ADAM projects. This would include municipal balance sheet funding, PPPs, Public Sector Participation (PSP) Model,etc.
  - o Compare advantages and disadvantages between the municipal balance sheet, and other options
- Deliverable:** Report detailing various models including all assumptions to implement ADAM projects
3. Legal Due Diligence
  - Conduct legal due diligence, including regulation covering municipal electricity distribution, municipal finance and procurement. Identification of policy/regulatory barriers / hurdles that would create an enabling environment for ADAM
- Deliverable:** Report on Legal Diligence

### **COMPONENT 4 – CREATING AN ENABLING FINANCIAL, ENVIRONMENT & ALTERNATIVE FUNDING SOLUTIONS**

1. Standardised financial, procurement and contracting model options:
  - a) In the case of municipal balance sheet, identify contracting and financing options with private service providers and additional considerations regarding financing including (i) programme NPV and impact on overall municipal cash flows, (ii) key municipal financial ratios, (iii) debt and maintenance reserve account requirements, (iv) ring fencing of savings and revenues and (v) other key conditions for financing
  - b) Develop efficient and effective procurement approaches that can be used for the programme
2. Explore and evaluate options on how to fund the rollout of Phase 2 of ADAM Programme, with the key emphasis on ensuring financial sustainability

3. Structuring the financial solution:

- a) Explore possible sources of financing / funding, terms of such financing, credit enhancements, liquidity facilities including guarantee mechanisms, as well as modalities for deploying funding, amongst other areas.
- b) Exploring blended finance models focusing on financing sources such as DFIs, MDBs, commercial financiers among other options.

**Deliverable:** A financial report detailing all above bullet points 1,2 & 3

#### **COMPONENT 5 – BUSINESS CASE FOR ADAM PROGRAMME**

Using all the above information in Components 1,2,3 & 4, to then develop a business case for the ADAM Programme.

**Deliverable:** Business Plan

#### **COMPONENT 6 – PREPARING BANKABLE FEASIBILITY STUDIES**

- 1) Develop criteria/parameters to identify projects that would qualify for project preparation funding
- 2) Using Excel, develop a prioritization tool with the identified criteria/parameters
- 3) Using the prioritization tool, identify a pipeline of projects in the short term, medium term and long term where investment can be targeted
- 4) Based on above, present a pipeline of projects where at least one bankable feasibility studies can be undertaken in the short term – this should either be refurbishment or network strengthening projects
- 5) Feasibility Study (FS)

FS is estimated to take approximately 15 months. The following reports form part of the FS:

1. Draft Feasibility Report
2. Final Draft Feasibility Report, and
3. Final Feasibility Report.

The feasibility report should entail studies pertaining to at a minimum (but not limited to):

- Technical viability
- Market studies
- Environmental assessment
- Financial modelling and analysis
- Economic assessment
- Social impact assessment
- Institutional (including the proposed project structure
- Operation and Maintenance Forecast
- Legal Framework; and
- Risk Assessment and possible mitigation

Some of the areas for consideration in the feasibility study are:

A. TECHNICAL STUDIES

**a. System Study Scope of Work**

The scope of work for the system studies is as follows in the context of refurbishment or strengthening of the network:

- Data collections and preparation
- Baseline network model
- Network evaluation:
  - ✓ Steady state studies
  - ✓ Fault level analysis
  - ✓ Dynamic and Transient stability studies; and
  - ✓ Frequency stability studies.
- Sensitivity analysis
- Selection of technically preferred solution
- Cost estimation and
- Project viability analysis.

**b. Data collections and preparation**

The advisory team should prepare a list of information and data required for the Project system study, the time within which it will be required and the likely sources of data. The data required would include (but not be limited to) items such as:

- Annual network modifications and additions
- Recorded network loading at time of system peak and light loading conditions
- Available future electricity demand/supply projections
- Available future generation and transmission expansion plans
- All relevant reports, models and supporting material of studies including technical, environmental, economic and financial analysis carried out to date by the municipality.

**c. Baseline network model**

The municipality to provide the latest updated network models for the relevant year(s) of study (for short term, medium term) and long term. The advisory team will conduct the studies utilizing a power systems analysis software suite. The municipality should advise which software will be used for the load flow and dynamic studies, which should be compatible with the municipality's in-house software for operation.

The advisory team will reconfigure the baseline model to take into account any changes in assumptions related to the base/starting year of the studies which may require changes in the model in respect of:

- Loading levels
- Generation pattern (taking into account new generation projects)
- New transmission projects and
- Power wheeling requirements determined by the economic study.

Prepare additional network models at 5-year intervals to cover the planning horizon as stated in the studies.

**d. Existing network evaluation**

Assess the current state of the network in terms of the following

- How reliable (security and adequacy) is the network of the municipality?
- Should anything be done to the existing network to make them more reliable?
- What is the current network transfer limit?
- What is the steady-state power transfer constraint?
- What is the transient/dynamic power system constraint?

**e. Proposed network evaluation in the context of refurbishment or strengthening of the network:**

Assess the future state of the network in terms of the following;

- How reliable (security and adequacy) will the network of the municipality be?
- Should anything be done to the network to make it more reliable?
- Which areas may have steady-state power transfer constraints?
- Which areas may have transient/dynamic power system constraints?
- With the future expected/planned generation, how can the network be optimally designed to facilitate the municipality's/ national main objective?

**f. Steady state studies**

Based on the revised/reconfigured models, the advisory team should conduct steady state studies to determine the steady state limits. The steady state transfer limits will be conducted for the range of contingencies agreed with the municipality for the worst-case loading conditions and the worst-case generation patterns.

**g. Assess network wheeling capacity in the context of refurbishment or strengthening of the network:**

The TA should establish the network wheeling capacity. The TA should also determine whether additional network capacity to allow for wheeling on top of the base case load requirements will be available.

**h. Fault level studies**

Three phase fault level studies should be conducted according to the standard to determine the expected fault level rating of the impacted substations within the network.

**i. Transient stability studies**

Transient stability studies should be performed for the worst-case scenarios identified under the steady state studies. This should be done for the base year and for the 5 yearly intervals comprising the planning horizon of the study.

**j. Frequency stability studies**

Frequency studies should be conducted for the worst-case scenarios identified under the steady state studies.

**k. Selection of technically preferred solution to optimise the network**

List the infrastructure required to optimally operate the network in order of priority.

**I. Cost estimation in the context of refurbishment or strengthening of the network:**  
The advisory team should prepare estimates of the capital costs of the infrastructure comprising the required infrastructure to optimise the network. The cost estimates will be based on bills of quantities derived from the substation layouts, single line diagrams and configurations. The level of detail of the bills of quantities will be selected by the advisory team so as to be consistent with obtaining a feasibility level cost estimate.

Uncertainty in the cost estimates should be dealt with as part of the sensitivity analysis of the financial analysis. The costs should be provided at an agreed reference date. The costs should include equipment, transport, materials and installation costs. The cost estimates should be used for purposes of establishing the viability of the project.

**m. Project viability analysis**

As part of the project viability analysis, the advisory team should provide a financial analysis and a cost/benefit analysis on the project to assess the viability of the project i.e. system improvements in the context of refurbishment or strengthening of the network; from the perspective of the potential off-taker i.e. assess whether the project presents a net benefit to the end-users and municipality.

**n. Planning Criteria**

All technical limits will be as per the Grid Codes of the municipality should be adhered to.

**B. FINANCIAL ASSESSMENT**

A Value Assessment Report will assist the municipality to determine the following;

- Can the risk associated with the Project be sufficiently transferred to Private Sector who is better positioned to manage it?
- Does the project provide Value for Money?
- Is the project affordable?

Value For Money Analysis - should include (but not be limited to) an assessment of the following;

- Part 1: Determine the type of value-for-money assessment
- Part 2: Construct the Base PSC Model
- Part 3: Construct the risk-adjusted PSC Model
- Part 4: Construct the external reference model
- Part 5: Qualitative considerations
- Part 6: Sensitivity analysis

### Affordability Analysis

Affordability relates to whether the cost of the project over the whole project life can be accommodated in the government's budget, given its existing commitments.

'Affordable' refers to the ability of the public body to meet any financial commitment incurred with implementing the project from its existing or future budgetary funds. It is possible that the Project may not be affordable, although it illustrates Value for Money. Therefore, the affordability test may involve (but not limited to the following);

- Determine the budget available for the Project
- Compare the risk-adjusted external reference model with the available budget
- Advise on alternative revenue sources that can be explored by the municipality
- The Financial Model must consider the potential revenue that can be generated from the sale of by-products or alternative revenue sources in assessing the Project's affordability.

All financial models must be presented and explained in a format that is usable by the municipality with all assumptions and scenario testing. All financial models must be in Excel format, and clearly set out all assumptions made; sensitivity analysis carried out and model outputs. The financial models must be sufficiently adaptable for use by others at later stages.

The first step for carrying out the affordability test would be based on several assumptions to estimate the cost of the project by using the output specifications for the selected option. All direct and indirect costs as well as third party revenues should be included in the estimate. The affordability test would require assessing the financial implication of the project cost to the municipality. If affordability cannot be demonstrated, the project would either need to be shelved or the output specifications be modified to meet the affordability test.

### C. ECONOMIC ASSESSMENT

To develop a Cost Benefit Analysis (CBA) to comply with the requirements of the National Treasury's Budget Facility for Infrastructure (BFI). The socio-economic analysis as required by the BFI, provides information that enables the assessment of welfare changes and estimation of the Project's impact on all segments of the society via the calculation of economic performance indicators such as the Economic Net Present Value (ENPV), the Economic Rate of Return (ERR) and Cost-Effective Ratios (CER). The BFI guidelines state that only projects that are economically feasible and cost-effective will be favourably considered for funding from the fiscus. Hence the importance of a socio-economic analysis that complies with the BFI requirements.

The advisory team are required to build an economic model considering all the economic costs and benefits of the Project. The objectives of such economic model are to:

- Justify fiscal support through a credible analysis of social and economic costs and benefits of the Project

- Provide information that enables the assessment of welfare changes due to the Project and estimation of the Project's impact on all segments of the society as measured by the calculation of economic performance indicators such as the ENPV, ERR and CER
- Provide a scientific method of demonstrating economic cost and benefits of the Project through a CBA to assess their economic viability across a range of options considered
- Demonstrate the distributional impact(s) in relation to the accrual of gains or losses to different groups from the implementation of the Project. A project may have differing impacts according to age, gender, ethnic group, health, skill, or location.

The above-mentioned objectives will serve as the scope of work to be undertaken by the advisory team. In carrying out the scope of work, bidders are also required to incorporate the following:

- Assumptions: Detail the assumptions used in the CBA and the method used to quantify the impacts of each option considered
- Base case: The submission needs to establish a base case, under which no intervention is implemented to address identified challenges. This is a do-nothing scenario
- Identification, categorisation, and timing of impacts: The submission needs to identify the impacts of each option under consideration, categorise the impacts as costs or benefits; and show the timing of each impact
- Monetising costs and benefits: The submission needs to show the method used to monetise the costs and benefits. A CBA does not use financial prices, but economic prices to value impacts
- Social discount rate (SDR): Given that the impact of an intervention occurs over the lifetime of the intervention, the costs and benefits of each option must be discounted using a selected SDR to bring future values into their present-day equivalent, to allow for comparison
- Determination of the net impact: The submission must sum all the economic benefits and separately, all the net economic costs. Thereafter, the economic costs must be subtracted from the economic benefits, to determine the net benefits (positive or negative) of each option
- Decision criteria: Each option must show the economic net present value ENPV, ERR and BCR. These are used to compare options to each other.

#### D. ENVIRONMENTAL ASSESSMENT

To assess the project in terms of the DBSA's ESSG requirements. If there are still outstanding gaps, or key risk areas, it should highlight these together with the associated measures and costs required to address them.

- Strategic Environmental and Social Assessment including strategic alternative options and selection aligned to the Sustainable Development Goals (SDGs)
- Environmental Impact Assessment report as applicable (as required by country legislation) including project-based alternatives and preferred selection aligned to SDGs

- Gender mainstreaming within the project
- Environmental and Social Management Plan for construction and operational phases of the project
- Environmental and Social Management Systems for operational phases of the project.

**Deliverables:** Excel prioritization tool, One Feasibility Study

## **COMPONENT 7 - STAKEHOLDER CONSULTATION**

### **1. Stakeholder workshop**

- a) Hold a market sounding stakeholder workshop aimed at ensuring that the Programme is designed in line with municipal and private sector priorities and requirements.
- b) To ensure that all learnings are considered when designing the programme.

**Deliverable:** Stakeholder workshop & summary report

## IV. COMPETENCIES, SKILLS AND EXPERTISE

Competencies, skills and expertise applicable to all roles/specialists/experts:

- Demonstrated experience related to the electricity sector with specific experience in the distribution sector;
- Excellent written communication skills, with analytic capacity and ability to synthesize relevant collected data and findings for the preparation of high-quality reports
- Ability to analyze complex and diversified data
- Demonstrate strong coordination and facilitation skills & ability to work with a multi-cultural and diverse team.

SPECIALIST	COMPETENCIES	SKILLS & EXPERTISE	
		Qualifications	Experience
Team Lead	<ul style="list-style-type: none"> <li>• Demonstrated experience in leading a multi-disciplinary team on complex and similar assignments</li> <li>• Demonstrate project management competence</li> </ul>	<ul style="list-style-type: none"> <li>• A relevant B-degree</li> </ul>	<ul style="list-style-type: none"> <li>• A professional with a minimum of 10 years' experience in infrastructure, energy and in leading multi-disciplinary teams on complex assignments</li> <li>• A PMP qualification or project / programme management post qualification is required</li> </ul>
Technical	<ul style="list-style-type: none"> <li>• Demonstrated experience in the electricity distribution sector</li> </ul>	<ul style="list-style-type: none"> <li>• An Electrical engineering Degree – heavy current</li> </ul>	<ul style="list-style-type: none"> <li>• An electrical engineer with a minimum of 10 years relevant experience in the planning, design and operations of municipal electricity distribution business</li> <li>• ECSA Professional registration will be required with a minimum of 10 years post registration industry experience</li> </ul>
Legal	<ul style="list-style-type: none"> <li>• Demonstrated experience in policy and regulations for the electricity sector</li> <li>• Demonstrated experience working with municipalities and MFMA</li> </ul>	<ul style="list-style-type: none"> <li>• LLB Law degree</li> </ul>	<ul style="list-style-type: none"> <li>• A legal person with a minimum of 10 years of experience in the electricity sector.</li> <li>• At least three years of experience working in the municipal sector</li> <li>• Registered lawyer with Law Society</li> </ul>
Financial	<ul style="list-style-type: none"> <li>• Demonstrated experience in the design of innovative funding solutions</li> <li>• Demonstrated experience in the design of blended finance solutions</li> </ul>	<ul style="list-style-type: none"> <li>• A Finance Degree</li> </ul>	<ul style="list-style-type: none"> <li>• A financing specialist with a minimum of 10 years relevant experience in financial instruments, specifically project finance.</li> <li>• Experience in blended finance structures and alternative funding structures and solutions</li> </ul>

Project Preparation Specialist	<ul style="list-style-type: none"> <li>• Demonstrated experience in preparing bankable feasibility studies</li> </ul>	<ul style="list-style-type: none"> <li>• A relevant finance/engineering related degree</li> </ul>	<ul style="list-style-type: none"> <li>• An engineer/finance person with a minimum of 10 years relevant experience in preparing feasibility studies</li> </ul>
Economist	<ul style="list-style-type: none"> <li>• Demonstrated experience in conducting economic models / studies for infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>• A degree in Economics</li> </ul>	<ul style="list-style-type: none"> <li>• An economist with a minimum of 10 years relevant experience in conducting economic models / studies for infrastructure development</li> </ul>
Environmental & Social Safeguards Specialist	<ul style="list-style-type: none"> <li>• Demonstrated experience in conducting environmental and social assessments</li> </ul>	<ul style="list-style-type: none"> <li>• A degree in environment science and or social science or related disciplines.</li> </ul>	<ul style="list-style-type: none"> <li>• Should have at least 10 years of experience in electricity sector, especially in providing environmental impact assessment and social impact assessments</li> </ul>

## **V. REPORTING**

Reporting requirements:

1. The Consultant will be required to provide interim progress reports to be determined
2. The Consultant will report to the Project Steering Committee comprising of DMRE & DBSA
3. The Consultant will also work closely with the Project Team at the DBSA, and any other service providers that may form part of this team

## **VI. DELIVERABLES & PAYMENT**

This assignment is expected to be completed within 18 months.

The Consultant shall prepare and deliver:

- An inception report that describes the background, initial findings, approach and workplan to be carried out in the delivery of the assignment.
- Component 1 - A report summarizing key findings / lessons learnt from all previous work undertaken, including 'mini' ADAM which was implemented by DMRE in 2014.
- Component 2 - Market Asset Report with fact sheets for all metros & secondary cities.
- Component 3 - Programme Design:
  - Report Programme Implementation Structure
  - Report detailing various models to implement ADAM projects
  - Report on Legal Diligence
- Component 4 - A financial report
- Component 5 - Business Plan
- Component 6 – Excel Prioritisation Tool and preparation & completion of one bankable feasibility studies
- Component 7 – A stakeholder workshop & Summary Report
- 

In addition, the Consultant is expected to prepare a summary monthly progress report.

<b>DELIVERABLES</b>	<b>DEADLINE</b>
Detailed Inception Report	Month 1
Component 1 – Report on previous work done	Month 2
Component 2 – Market Assessment Report	Month 4
Component 3 – Programme Design	Month 4
Component 4 – Financial Report	Month 5
Component 5 – Business Case	Month 10
Component 6.1 – Prioritisation Tool	Month 6
Component 6.2 - Completion of one bankable Feasibility study	Month 18
Component 7 – Stakeholder workshop & Reporting	Month 9

**Payment milestones will be made according to deliverables (reports) completed and approved to the satisfaction of the Project Steering Committee. No part payment of deliverables will be entertained.**

- All materials and documents will be prepared in English.
- All data, documents, financial models, studies, reports and material developed during this assignment will be handed over to the DBSA.

## VII. EVALUATION CRITERIA

Bidders are requested to structure their bids/technical response according to the categories outline below.

Functionality	Scoring	Weighting
<p><b>4. Programme &amp; Technical Design Experience and track record</b>  Knowledge and professional experience in the areas of designing infrastructure programmes, &amp; municipal electricity distribution sector</p> <p><b>Evidence</b>  Bidders should submit at least four (04) client reference letters, on a client letterhead, indicate bidders name, contact details of clients (name, telephone and /or email), duration of the service offered (start and end dates), description of services performed illustrating their experience in the following areas:</p> <ul style="list-style-type: none"> <li>experience in the design of infrastructure programmes of this nature and as outlined in this Terms of Reference, and</li> <li>experience in the areas of municipal electricity distribution sector.</li> </ul>	Number of fully compliant reference letters with the above requirements  <b>1 or less letters = (0 points)</b> <b>2 letters = (10 points)</b> <b>3 letters = (20 points)</b> <b>4 or more letters = (30 points)</b>	<b>30</b>
<p><b>5. Approach and methodology</b>  Detailed explanation of the approach and methodology that will be followed to meet the requirements of this assignment. To include an understanding of the scope of work and detailed work plan</p> <p><b>Evidence</b>  Provide detailed methodology (including understanding of the scope of work, work plan and deliverables)</p>	Bidder must provide a detailed layout as to how to meet/develop and implement the requirements of this assignment. The methodology must be detailed and cover the following: <ul style="list-style-type: none"> <li>Detailed Work Plan (Approach Plan) aligned with requirements and/or SOW = <b>(20 points)</b></li> <li>Project Plan = <b>(8 points)</b></li> <li>Implementation Plan = <b>(8 points)</b></li> </ul> No explanation, no work plan or evidence provided, No understanding of the SOW = <b>(0 Points)</b>	<b>36</b>

<b>6. Skills, experience and qualifications</b> Appropriate skills, experience and qualifications of individuals relevant to the Terms of Reference. Bidder should only include information of the actual team members that will work on this assignment <b>Evidence</b> Bidder to provide CV's and qualifications of key personnel and attach proof of professional registration.		<b>34</b>
6.1 Team Lead	<p><b>Good: (8 points)</b></p> <p>A professional with 10 years or more experience in any of the following: infrastructure, energy and in leading multi-disciplinary teams on complex assignments</p> <p>A relevant B Degree</p> <p>A PMP qualification or project / programme management post qualification</p> <p>Relevant Professional Registration</p> <p><b>Acceptable: (6 points)</b></p> <p>A professional with 6 to 9 years experience in any of the following: infrastructure, energy and in leading multi-disciplinary teams on complex assignments</p> <p>A relevant B Degree</p> <p>A PMP qualification or project / programme management post qualification</p> <p>Relevant Professional Registration</p> <p><b>Poor: (3 Points)</b></p> <p>A professional with less than 6 years experience in any of the following: infrastructure, energy and in leading multi-disciplinary teams on complex assignments</p> <p>A relevant B Degree</p> <p>A PMP qualification or project / programme management post qualification</p> <p>Relevant Professional Registration</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p>	<b>8</b>

	<ul style="list-style-type: none"> <li>• a relevant B Degree,</li> <li>• a PMP qualification or project / programme management post qualification</li> <li>• Relevant Professional registration</li> </ul>	
6.2 Technical expert/specialist	<p><b>Good: (6 points)</b></p> <p>An electrical engineer with 10 years post ECSA registration experience in the planning, design and operations of municipal electricity distribution business</p> <p>An Electrical Engineering Degree – Heavy Current</p> <p>ECSA Professional Registration</p> <p><b>Acceptable: (4 points)</b></p> <p>An electrical engineer with between 6 to 9 years post ECSA registration experience in the planning, design and operations of municipal electricity distribution business</p> <p>An Electrical Engineering Degree – Heavy Current</p> <p>ECSA Professional Registration</p> <p><b>Poor: (2 Points)</b></p> <p>An electrical engineer with between less than 6 years post ECSA registration experience in the planning, design and operations of municipal electricity distribution business</p> <p>An Electrical Engineering Degree – Heavy Current</p> <p>ECSA Professional Registration</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A relevant Electrical Engineering Degree,</li> <li>• ECSA Professional registration</li> </ul>	6
6.3 Financial expert/specialist	<p><b>Good: (4 points)</b></p> <p>A financing specialist with 10 or more years relevant experience in financial instruments, specifically</p>	4

	<p>project finance and experience in blended finance structures and alternative funding structures and solutions</p> <p>A Financial Degree</p> <p><b>Acceptable: (2 points)</b></p> <p>A financing specialist with between 6 to 9 years relevant experience in financial instruments, specifically project finance and experience in blended finance structures and alternative funding structures and solutions</p> <p>A Financial Degree</p> <p><b>Poor: (1 Points)</b></p> <p>A financing specialist with less than 6 years relevant experience in financial instruments, specifically project finance and experience in blended finance structures and alternative funding structures and solutions</p> <p>A Financial Degree</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A Financial Degree</li> <li>• Relevant Professional Registration</li> </ul>	
6.4 Legal expert	<p><b>Good: (4 points)</b></p> <p>A legal person with a minimum of 10 years' experience in the policy and regulations for the electricity sector, three years' experience of which must be in the municipal sector and MFMA</p> <p>LLB Law Degree</p> <p>Registered lawyer with Law Society</p> <p><b>Acceptable: (2 points)</b></p> <p>A legal person with 6 to 9 years' experience in the policy and regulations for the electricity sector, three years' experience of which must be in the municipal sector and MFMA</p>	4

	<p>LLB Law Degree Registered lawyer with Law Society <b>Poor: (1 Points)</b> A legal person with less than 6 years' experience in the policy and regulations for the electricity sector, three years' experience of which must be in the municipal sector and MFMA</p> <p>LLB Law Degree Registered lawyer with Law Society <b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A LLB Law Degree</li> <li>• Relevant Professional Registration</li> </ul>	
6.5 Project Preparation Specialist	<p><b>Good: (4 points)</b> A professional person with 10 or more years' relevant experience in preparing feasibility studies for infrastructure projects</p> <p>A finance / engineering related degree</p> <p><b>Acceptable: (2 points)</b> A professional person with 6 to 9 years' experience in preparing feasibility studies for infrastructure projects</p> <p>A finance / engineering related degree</p> <p><b>Poor: (1 Points)</b> A professional person with less than 6 years' experience in preparing feasibility studies for infrastructure projects</p> <p>A finance / engineering related degree</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p>	4

	<ul style="list-style-type: none"> <li>• A finance / engineering related degree</li> <li>• Relevant Professional Registration</li> </ul>	
6.6 Economist	<p><b>Good: (4 points)</b></p> <p>An economist with 10 or more years relevant experience in conducting economic models / studies for infrastructure projects.</p> <p>A degree in Economics</p> <p><b>Acceptable: (2 points)</b></p> <p>An economist with between 6 to 9 years relevant experience in conducting economic models / studies for infrastructure projects.</p> <p>A degree in Economics</p> <p><b>Poor: (1 Points)</b></p> <p>An economist with less than 6 years relevant experience in conducting economic models / studies for infrastructure projects.</p> <p>A degree in Economics</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A degree in Economics</li> <li>• Relevant Professional Registration</li> </ul>	4
6.7 Environment & Social Specialist	<p><b>Good: (4 points)</b></p> <p>A professional person with 10 or more years' relevant experience in providing environmental impact assessment and social impact assessments for infrastructure projects</p> <p>A degree in Environmental Science and or Social Science or related disciplines.</p> <p><b>Acceptable: (2 points)</b></p> <p>A professional person with between 6 to 9 years' relevant experience in providing environmental impact assessment and social impact</p>	4

	<p>assessments for infrastructure projects</p> <p>A degree in Environmental Science and or Social Science or related disciplines.</p> <p><b>Poor: (1 Points)</b></p> <p>A professional person with less than 6 years' relevant experience in providing environmental impact assessment and social impact assessments for infrastructure projects</p> <p>A degree in Environmental Science and or Social Science or related disciplines.</p> <p><b>Please note that the bidders will automatically receive a 'Poor' rating if they do not have any of the following:</b></p> <ul style="list-style-type: none"> <li>• A degree in Environmental Science and or Social Science or related disciplines.</li> <li>• Relevant Professional Registration</li> </ul>	
<b>TOTAL</b>		<b>100</b>
<b>Threshold</b>		<b>70</b>

A minimum threshold for functionality of 70 (seventy) points is required. Bids that do not meet this threshold will automatically be disqualified for further evaluation. Thereafter, only the qualifying bids will be evaluated in terms of the 80/20 preference point system, where a maximum of 80 points are allocated for price and a maximum of 20 points are allocated in respect of the level of B-BBEE contribution of the bidder.

**Annexure A**

**Fees and Assumptions**

This Annexure must be in folder 2 of your submission.

Please see **Annexure A** on the separate attachment titled,

**“RFP302/2023: Annexure A: Fees and Assumptions”**

## Annexure B

SBD 4

## **BIDDER'S DISCLOSURE**

## 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 interest<sup>1</sup> 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

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.

**SBD 4**

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**

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 consortium<sup>2</sup> 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.

---

<sup>2</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.

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.

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

## Annexure C

SBD 6.1

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

#### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
  - 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 **To be completed by the organ of state**  
*(delete whichever is not applicable for this tender).*
  - a) The applicable preference point system for this tender is the **90/10** preference point system.
  - b) The applicable preference point system for this tender is the **80/20** preference point system.
  - c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
  - (a) Price; and
  - (b) Specific Goals (namely, BBBEE status level of contributor).
- 1.4 **To be completed by the organ of state:**  
The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

### 3.2.1. POINTS AWARDED FOR PRICE

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

or

90/10

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

P<sub>max</sub> = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

Table 1: Specific goals for the tender and points claimed are indicated per the table

below.

**(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)**

**Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)**

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
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		

(Note: Bidders are required to submit their BBBEE certificates or sworn affidavits (in the case of EMEs/QSEs) in order to be eligible to claim points)

## **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of  
company/firm.....

4.4. Company registration number:  
.....

4.5. **TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One-person business/sole proprietor
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

## RESTRICTED SUPPLIERS

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

Item	Question	Yes	No
4.1	<p><b>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</b>            (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	<input type="checkbox"/> Yes <input type="checkbox"/>	<input type="checkbox"/> No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	<input type="checkbox"/> Yes <input type="checkbox"/>	<input type="checkbox"/> No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	<input type="checkbox"/> Yes <input type="checkbox"/>	<input type="checkbox"/> No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	<input type="checkbox"/> Yes <input type="checkbox"/>	<input type="checkbox"/> No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

## **Annexure D**

**Bidders are required to include, as Annexure F to their Bids, certified copies of all relevant CIPC registration documents listing all members with percentages, in the case of a close corporation**

## **Annexure E**

**Bidders are required, as annexure G to their Bids, to submit certified copies of the latest share certificates of all relevant companies**

## **Annexure F**

**Bidders which submit Bids as an unincorporated joint venture, consortium or other association of persons are required to submit, as Annexure H, a breakdown of how the percentage (%) fees and work will be split between the various people or entities which constitute the Bidder.**

## **Annexure G**

**Bidders are required to include, as Annexure I to their Bids, supporting documents to their responses to the Pre-Qualifying Criteria and Evaluation Criteria.**

**Where the supporting document is the profile of a member of the Bidder's proposed team, this should be indicated.**

**Annexure H**

**[General Conditions of Contract]**

**PLEASE NOTE THAT ALL BIDDERS ARE REQUIRED TO READ THROUGH THE GENERAL CONDITIONS OF CONTRACT PRESCRIBED BY THE NATIONAL TREASURY. SUCH GENERAL CONDITIONS OF CONTRACT CAN BE ACCESSED ON THE NATIONAL TREASURY WEBSITE.**

**PLEASE NOTE FURTHER THAT ALL BIDDERS MUST ENSURE THAT THEY ARE WELL ACQUINTED WITH THE RIGHTS AND OBLIGATIONS OF ALL PARTIES INVOLVED IN DOING BUSINESS WITH GOVERNMENT.**

NOTE: All Bidders are required to confirm (***Tick applicable box***) below:

Item	YES	NO
Is the Bidder familiar with the General Conditions of Contract prescribed by the National Treasury?		

## Annexure I

### Tax Compliant Status and CSD Registration Requirements

**ALL PROSPECTIVE BIDDERS MUST HAVE A TAX COMPLIANT STATUS EITHER ON THE CENTRAL SUPPLIER DATABASE (CSD) OF THE NATIONAL TREASURY OR SARS E FILING PRIOR TO APPOINTMENT/AWARD OF THE BID.**

**REGISTRATION ON THE CSD SITE OF THE NATIONAL TREASURY IS A COMPULSORY REQUIREMENT FOR A BIDDER TO BE APPOINTED, TO CONDUCT BUSINESS WITH THE DBSA. THE ONUS IS ON THE SUCCESSFUL BIDDER TO REGISTER ON THE CSD SITE AND PROVIDE PROOF OF SUCH REGISTRATION PRIOR TO APPOINTMENT/AWARD OF THE BID.**

### CSD Registration Number:



The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption.  
Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree : 0800 20 49 33  
Email : dbsa@whistleblowing.co.za  
Free Post : Free Post KZN 665 | Musgrave | 4062  
SMS : 33490