

REQUEST FOR QUOTATION

DESCRIPTION:	For the provision of office kitchen consumables for a period of 24 months.
DURATION OF CONTRACT:	24 Months
BID REFERENCE NUMBER:	053/2022/EWSS/CONSUMABLES/RFB
BRIEFING SESSION:	N/A
CLARIFICATIONS DEADLINE:	6 December 2022
CLOSING DATE AND TIME	9 December 2022 at 13H00.
QUOTATION SUBMISSION EMAIL ADDRESS	Proposals must be emailed to tenders04@tcta.co.za with bid reference no: <u>053/2022/EWSS/CONSUMABLES/RFB</u> on the subject line on or before the closing date and time. No late submissions will be accepted.
QUOTATION VALIDITY PERIOD:	120 Business Days
ENQUIRIES:	Name: Colbert Makhubele Email Address: tenders04@tcta.co.za

BRIEF DESCRIPTION OF TCTA

Trans-Caledon Tunnel Authority (TCTA) is a state-owned entity charged with financing and implementing bulk raw water infrastructure projects. It is an agency of the National Department of Water and Sanitation (DWS), which is responsible for the country's water resources in respect of usage, equitable allocation and distribution. TCTA assists the government in its pursuit of water security for South Africa and in realising its constitutional obligation of ensuring universal access to this essential resource for all citizens.

South Africa is a water-scarce country, requiring a dedicated focus on ensuring adequate water storage and transfer capacity. To this end, TCTA designs bankable projects, raises funding in capital markets, manages debt and implements infrastructure rollouts.

BACKGROUND

TCTA is re-implementing the provision of office kitchen consumables with the occupation of the new office. The services were put on hold with the implementation of the COVID-19 restrictions and regulations with the intention of it being re-implemented after the lifting of these restrictions.

SCOPE OF WORK

DETAILED DESCRIPTION OF GOODS/SERVICES

- 1.1 Appointment of a service provider for the provision of office kitchen consumables for a period of 24 months.
- 1.2 The service provider will be responsible for the supply and delivery of office kitchen consumables as and when required and agreed with TCTA.
- 1.3 TCTA will place orders for the required goods as and when required. The order frequency is usually once per week but this may vary in line with the business need.

- 1.4 No fewer than one order will be placed per month and it is unlikely that more than 5 orders will be placed during any given calendar month.
- 1.5 The service providers shall source and deliver the ordered items in line with the order placement and delivery schedule presented in Table 1 below.

Table 1

DAY ORDER PLACED	TIME ORDER PLACED	EXPECTED DELIVERY
Monday	8:00 – 13:00	Wednesday 13:00
	14:00 – 16:30	Thursday 8:00
Tuesday	8:00 – 13:00	Thursday 13:00
	14:00 – 16:30	Friday 8:00
Wednesday	8:00 – 16:30	Monday the following week at 10:00
Thursday	8:00 – 16:30	
Friday	8:00 – 16:30	Tuesday the following week 10:00
Should any of the days fall on a public holiday/s delivery must be done on the next working day after the public holiday/s.		

- 1.6 The provision of the following office kitchen consumables, packaging volumes, frequency and indicative quantities:-

ITEM	DESCRIPTION	PACKAGING VOLUME	COSTING METHODOLOGY	FREQUENCY	MONTHLY INDICATIVE QTY
KITCHEN CONSUMABLES					
KC1	Full cream long life milk with added vitamin D UHT process	1 litre	Per unit	Monthly	100
KC2	Low fat long life milk with added vitamin D UHT process	1 litre	Per unit	Monthly	40
KC3	Brown sugar sachets / tubes 5g	2,5 kg box	Per box	Monthly	1
KC4	White sugar sachets / tubes 5g	2,5 kg box	Per box	Monthly	1
KC5	Tagged tea bags 100s per package individually wrapped/ packed	250g	Per box	Monthly	10
KC6	Rooibos tea bags 100s per package individually wrapped/ packed	250g	Per box	Monthly	10
KC7	Percolated blend of coffee and chicory sachets / tubes 200 x 2 g - 2,7g	540g	Per unit	Monthly	4
KC8	Instant 100% coffee freeze dried	200g	Per unit	Monthly	10
KC9	Instant 100% coffee freeze dried decaf	200g	Per unit	Monthly	10
KC10	Instant hot chocolate with 30% milk	1kg	Per unit	Monthly	5
KC11	Concentrated orange squash 1:3 dilution ratio	5 litre	Per unit	Monthly	10
KC12	60% fat spread margarine (e.g. Rama, Ole, Flora, etc or equivalent)	1 kg tub	Per unit	Monthly	10

KC13	Table salt satches 500 per box	1 box	per box	Quarterly	1
CLEANING MATERIALS					
CM1	Insecticide for flying and crawling insects	300ml	Per unit	Monthly	8
CM2	1 ply white serviettes 300 units	300mm x 300mm	per pack of 200	Monthly	4
CM3	Individually wrapped toothpicks	1 x 200s	per pack of 200	Monthly	4
CM4	Dish washing cloths app. 390mm x 390mm	pack of 10	per pack of 6	Monthly	5
CM5	Dish drying cloths app. 450mm x 750mm	pack of 10	pack of 10	Monthly	4
CM6	Scotch brite or equivalent	pack of 3	pack of 4	Monthly	10
CM7	Delivery cost		per order	per order	2
SPECIAL ORDERS TWICE A YEAR					
SO1	Liquid hand sanitiser minimum 70% alcohol content	350ml	per pack of 12	Monthly	10
SO2	Liquid hand sanitiser minimum 70% alcohol content	5 litre	Per unit	Monthly	5
SO3	Delivery cost		per order	per order	2
ITEM	DESCRIPTION	VOLUME	COSTING METHODOLOGY	FREQUENCY	QUARTERLY INDICATIVE QTY
CUTLERY QUARTERLY					
CT1	Teaspoons stainless steel 130mm (L) x 50mm (W) x 190mm (H)	6 pcs per pack	Units	Quarterly	10
CT2	Table spoons stainless steel 200mm (L) x 40mm (W)	6 pcs per pack	Units	Quarterly	10
CT3	Dinner Forks stainless steel 220mm (L) x 20mm (W) x 15mm (H)	6 pcs per pack	Units	Quarterly	10
CT4	Dinner Knives stainless steel 181mm (L) x 85mm (W) x 25mm (H)	6 pcs per pack	Units	Quarterly	10
CT5	Bread knives stainless steel with plastic handle 375mm (L) x 55mm (W) x 25mm (H)	Unit	Units	Quarterly	10
CROCKERY QUARTERLY					
CR1	Opal glass round dinner plates microwave safe and dishwasher safe 290mm (L) x 170mm (W) x 300mm (H)	6 units per pack	Units	Quarterly	40
CR2	White cereal bowls microwave safe and dishwasher safe 500ml	6 units per pack	Units	Quarterly	40
CR3	Drinking glasses / water glasses 375ml	24 per box	Units	Quarterly	40
CR4	Tea cups 200 ml to match CR 5 microwave safe and dishwasher safe 225ml	6 units per pack	Units	Quarterly	40
CR5	Tea cup saucers to match CR4 microwave safe and dishwasher safe	6 units per pack	Units	Quarterly	40

CR6	White coffee mugs 350 ml microwave safe and dishwasher safe	6 units per pack	Units	Quarterly	40
CR7	White coffee mug saucers to match CR5	6 units per pack	Units	Quarterly	40
CR8	1.5 litre stainless steel vacuum jug and and plastic cap	Unit	Units	Quarterly	10
CR9	Whisky glasses 275ml	6 units per pack	Units	Quarterly	40
CR10	1.3 litre glass water jug with plastic lid	6 per box	Unit	Quarterly	20
AP1	1.8 l stainless steel cordless kettle	1 off	Unit	ADHOC	32
AP2	4 slice stainless steel toaster	1 off	Unit	ADHOC	32
AP3	4 compartment wooden coffee and sugar drawer 50mm (H) x 240 (W) x 300 (L)	1 off	Unit	ADHOC	12
AP4	Delivery cost	1 off	Unit	ADHOC	1

The volumes are indicative only and will only be used to do the financial evaluation, but they do not create an obligation to TCTA to incur these transaction volumes.

COMPANY EXPERIENCE REQUIRED

N/A

PERSONNEL EXPERIENCE REQUIRED

N/A

DELIVERABLES

Office kitchen consumables in line with delivery times.

PRE-QUALIFICATION

1.1. Only one or more of the following bidders may respond:

1.1.1. *An EME that is at least 51% black owned.*

1.2. The following document/s must be provided as proof of the above-mentioned criteria:

A valid B-BBEE certificate issued by SANAS or a Sworn Affidavit will be required as proof of meeting enterprise size and black ownership status.

A bidder that does not meet the requirements for pre-qualification will be disqualified at this stage and not evaluated further.

RETURNABLES

ALL RETURNABLES ARE REQUIRED FOR PURPOSES OF EVALUATION IRRESPECTIVE OF WHETHER THEY ARE DESIGNATED MANDATORY OR NOT.

No.	Document Type	Description	Action	Status
1	SBD	Annexure A (SBD 1): Request for Bid	Complete forms	Non-Mandatory document

2	Price Compliance	Annexure B (SBD 3.1): Pricing Schedule – Firm Prices	Complete forms	Mandatory document
3	SBD	Annexure C (SBD 4): Declaration of interest	Complete forms	Non-Mandatory document
4	SBD	Annexure D (SBD 6.1): Preference points claim form in terms of the Transformation Procurement Regulations 2017	Complete forms	Non-Mandatory document
5	SBD	Annexure E (SBD 7.2): Contract Form – Purchase of Goods	Complete forms	Mandatory document
6	Price Compliance	Annexure F: RFQ Cost Template	Complete forms	Mandatory document
7	Administrative	BBBEE status level of contributor certificate (Include joint venture BBBEE certificate if applicable)	Attach copy	Mandatory document
8	Administrative	Proof of registration on the National Treasury Central Supplier Database	Attach copy	Non-Mandatory document
9	Administrative	Tax Compliance Status - SARS Tax Pin/ Tax Clearance Certificate	Attach copy	Non-Mandatory document

Any bidder who fails to submit a non-mandatory document will receive 0 where that document is linked to specific functionality criteria.

PRICE AND BBBEE

Refer to attached Annexure F: RFQ Cost template.

TCTA will evaluate all Bid Submissions in terms of the Preferential Procurement Policy Framework Act, No.5 of 2000 (PPFA).

1.3. B-BBEE

1.3.1. A bidder who fails to submit proof of B-BBEE status level of contributor or a non-compliant bidder will not be disqualified at this stage but:

1.3.1.1. May only score points out of 80 or 90 depending on which preference point system is applicable; and

1.3.1.2. Scores 0 out of 20 or 0 out of 10 depending on which preference point system is applicable.

1.3.2. A joint venture or consortium must submit a consolidated B-BBEE certificate in order to earn B-

BBEE points.

- 1.3.3. All B-BBEE certificates must be obtained from verification agencies accredited by SANAS unless the bidder is an EME or QSE in which case they must submit a validly commissioned affidavit QSEs that do not meet level 1 or 51% black ownership thresholds are obliged to show compliance with all five of the categories on the BEE scorecard therefore, a B-BBEE certificates must be obtained from verification agencies accredited by SANAS.
- 1.3.4. An EME or QSE with 100% black ownership qualifies at a Level One.
- 1.3.5. An EME or QSE with more than 51% black ownership qualifies at a Level Two.
- 1.3.6. If black ownership of an EME is below 51%, it qualifies at a Level Four.
- 1.3.7. If black ownership of a QSE is below 51%, it is required to be measured in terms of the QSE scorecard to confirm its B-BBEE Status Level.

1.4. Price

- 1.4.1. If the price offered by the highest scoring bidder is not market related, TCTA reserves the right not to award to that bidder in terms of its Procurement policies.
- 1.4.2. Price must be reflected Excluding and Including VAT.
- 1.4.3. All prices must include disbursements.
- 1.4.4. Prices must be firm and unconditional. Bids with conditional prices will not be acceptable and will be treated as such..

1.5. Preferential Points Calculation

The weighting of the Preferential points calculation is as follows:

Price	= 80
B-BBEE	= 20
Bidder's Score	/ 100

TERMS AND CONDITIONS

TCTA'S Standard Conditions of Bid shall apply to this bid. TCTA reserves the right to cancel or not to award this bid in accordance with its standard Conditions of Bid. Bidders can obtain TCTA's standard conditions of bid upon request.

ANNEXURES

A	SBD 1 – INVITATION TO BID
B	SBD 3.1 – PRICING SCHEDULE (FIRM PRICES)
C	SBD 4 – BIDDERS DISCLOSURE
D	SBD 6.1 – IN TERMS OF PPR 2017
E	SBD 7.1 – CONTRACT FORM (PURCHASE OF GOODS/WORKS)

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					<input type="checkbox"/> YES
<input type="checkbox"/> NO					
DOES THE ENTITY HAVE A BRANCH IN THE RSA?					<input type="checkbox"/> YES
<input type="checkbox"/> NO					

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐

YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES

☐ NO

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

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

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

DATE:

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
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-
- Required by:
 - At:
.....
 - Brand and model
 - Country of origin
 - Does the offer comply with the specification(s)? *YES/NO
 - If not to specification, indicate deviation(s)
 - Period required for delivery
*Delivery: Firm/not firm
 - Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

*Delete if not applicable

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 interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

- 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

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.

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 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

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

1..1.1

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

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

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable;

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

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

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an

organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

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

3. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10
$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

Where

Ps = Points scored for price of bid under consideration
 Pt = Price of bid under consideration
 Pmin = Price of lowest acceptable bid

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

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

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

5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

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

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

Any QSE		
---------	--	--

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint venture or consortium / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;

- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

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

DATE:

ADDRESS

.....

.....

CONTRACT FORM - PURCHASE OF GOODS/WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Request for Bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2.

CONTRACT FORM - PURCHASE OF GOODS/WORKS**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

(iv) NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	(v)	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.
....
2.