

REQUEST FOR PROPOSAL (RFP) [GOODS/SERVICES]

REGISTRATION NUMBER: 1944/018018/30

DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER WITH A MINIMUM CIDB GRADING OF 8SL FOR THE PLANNING, DESIGN, FABRICATION, ERECTION, COMMISSIONING, OPERATION AND MAINTENANCE OF A WET COAL BENEFICIATION PLANT AND REQUIRED BELT CONVEYOR SYSTEMS FOR AFRICAN EXPLORATION MINING AND FINANCE CORPORATION (SOC) LTD ("AEMFC") AT VLAKFONTEIN MINE FOR A PERIOD OF THIRTY-SIX (36) MONTHS.
BID NUMBER:	AE/VALK018/2023
BID ISSUE DATE	02 February 2024
BID AVAILABLE	This RFP may be downloaded directly from the National Treasury's e-Tender Publication Portal at www.etenders.gov.za , and African Exploration Mining and Finance Corporation at www.aemfc.co.za . Free of charge.
BRIEFING SESSION DATE AND TIME	<p>A compulsory pre-proposal RFP briefing will be conducted at Vlakfontein Mine, c/o N12 and R545 Kendal/Balmoral off-ramp. African Exploration Mining - Vlakfontein Mine. On 13 February 2024 at 10:00 for a period of ± 2 hours.</p> <p>The briefing session will start punctually, and information will not be repeated for the benefit of Respondents arriving late.</p> <p>[Bidders are to bring with them their own Personal Protective Equipment (PPE) at the compulsory briefing].</p> <p>Note: The onus is upon the bidders to ensure attendance.</p>
CLOSING DATE	27 February 2024
CLOSING TIME	12:00 PM Bidders must ensure that bids are delivered timeously to the correct address. As a general rule, if a bid is late or delivered to the incorrect address, it will not be accepted for consideration.
CLARIFICATION ON ENQUIRY DOCUMENTS	Bidders will notify of any clarifications required before the closing time for clarification queries, which is by 12:00 mid-day on 20 February 2024 Clarifications are to be submitted to tender@aemfc.co.za
BID VALIDITY PERIOD:	120 days from closing. Bidders are to note that they may be requested to extend the validity period of their bid, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded.
DELIVERY INSTRUCTIONS BY HAND	<p>Bid documents should be deposited in the Bid Box situated at: African Exploration Mining and Finance Corporation (SOC) Ltd Building 1, 1st Floor 74 Waterfall Drive Waterfall City Gauteng, 2090</p> <p>Access to the Bid Box is limited to the following hours: Monday to Friday: 08:00 to 17:00 Late Tenders/Bids will not be accepted.</p> <p>Bidders must ensure that bids are delivered on time to the correct address. Bids received late and to incorrect addresses shall not be accepted for consideration. All Tenders/Bids must be submitted on the official forms provided by – (not to be modified)</p>
DELIVERY INSTRUCTIONS BY COURIER	<p>If dispatched by courier, the envelope must be addressed as follows: The Compliance Secretariat, Bid AE/VLAK018/2023. and a signature obtained from that Office. African Exploration Mining and Finance Corporation (SOC) Ltd Building 1, 1st Floor 74 Waterfall Drive Waterfall City, Gauteng, 2090</p>

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RFP ANNEXURES:

ANNEXURE A: Pre- Start Checklist

ANNEXURE B: Vlakfontein Proposed Wet Coal Processing Plant

ANNEXURE C: Bill Of Quantities (BOQ) Wet Coal Processing (Excel work sheets)

ANNEXURE C1: Preliminary & General

ANNEXURE C2: Plant Construction

ANNEXURE C3: Coal Processing

ANNEXURE C4: Energy Cost

ANNEXURE C5: Summary

ANNEXURE D: Proposed Coal Processing Flow

Returnable document

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SECTION 1: SBD 1 FORM**PART A****INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF AFRICAN EXPLORATION MINING AND FINANCE CORPORATION (SOC) LTD							
BID NUMBER:	AE/VLAK018/2023	ISSUE DATE:	02 February 2024	CLOSING DATE:	27 February 2024	CLOSING TIME:	12:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER WITH A MINIMUM CIDB GRADING 8SL FOR THE PLANNING, DESIGN, FABRICATION, ERECTION, COMMISSIONING, OPERATION, AND MAINTENANCE OF A WET COAL BENEFICIATION PLANT AND REQUIRED BELT CONVEYOR SYSTEMS FOR AFRICAN EXPLORATION MINING AND FINANCE CORPORATION (SOC) LTD ("AEMFC") FOR A PERIOD OF THIRTY-SIX (36) MONTHS.						
BID RESPONSE DOCUMENTS SUBMISSION							
BID RESPONDENTS DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT African Exploration Mining and Finance Corporation (SOC) Ltd Building 1, 1 st Floor 74 Waterfall Drive Waterfall City Gauteng 2090							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	Bulelwa Sogwazile			CONTACT PERSON	Bulelwa Sogwazile		
TELEPHONE NUMBER	010 010 6100			TELEPHONE NUMBER	010 010 6100		
FACSIMILE NUMBER	N/A			FACSIMILE NUMBER	N/A		
E-MAIL ADDRESS	bulelwas@aemfc.co.za			E-MAIL ADDRESS	Tender@aemfc.co.za		
SUPPLIER INFORMATION							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONE NUMBER	CODE			NUMBER			
CELLPHONE NUMBER							
FACSIMILE NUMBER	CODE			NUMBER			
E-MAIL ADDRESS							
VAT REGISTRATION NUMBER							
SUPPLIER COMPLIANCE STATUS							
TAX COMPLIANCE SYSTEM PIN:							
CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA						
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No						
B-BBEE STATUS LEVEL	<input type="checkbox"/> Yes <input type="checkbox"/> No						

Respondent's Signature

Date & Company Stamp

Returnable document

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SWORN AFFIDAVIT [TICK APPLICABLE BOX]			
[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 ACT]			
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 QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS			
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?		<input type="checkbox"/> YES <input type="checkbox"/> NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 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 ONLINE 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION. 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
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 VIEW THE TAXPAYER'S PROFILE AND

Respondent's Signature

Date & Company Stamp

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TAX STATUS.

- 2.3 APPLICATION 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 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED

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:.....

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SECTION 2: NOTICE TO BIDDERS

1. RFP INSTRUCTIONS

- 1.1. Respondents are to sign documents [sign and date the bottom of each page] before submitting the proposal document. The person or persons signing the submission must be legally authorised by the respondent to do so. A duplicate set of documents is required. This second set must be a copy of the original proposal.
- 1.2. Respondents are to note that AEMFC is utilising a two-envelope system for the purpose of receiving this bid. Bidders are required to submit technical/functionality and Commercial and Financial proposals in two separate envelopes.
- 1.3. Proposals must be submitted in duplicate hard copies [**Commercial response1 original and 1 copy**] [**Functional response 1 original and 1 copy**] [and must be in a file or bound. **Note:** The original document must be clearly marked as an original version and must be in a file or bound. Each envelope shall state on the outside the employer's address and identification details stated in the page 1 above, as well as the bid/tenderer's name and contact address.
- 1.4. Both sets of documents are to be submitted to the address specified in **page 1 above**, and Bidders must ensure that the original and copies (where applicable) are identical in all respects as AEMFC will not accept any liability for having disqualified a bidder for failing to provide a mandatory returnable document in either the original or the copy of the RFP albeit that it was included in the other.
- 1.5. Unless otherwise expressly stated, all Proposals furnished pursuant to this RFP shall be deemed to be offers. Any exceptions to this statement must be clearly and specifically indicated.
- 1.6. Any additional conditions must be embodied in an accompanying letter. Subject only to **paragraph 9 below** (Legal Review) and, alterations additions or deletions must not be made by the Respondent to the actual RFP documents.
- 1.7. Submit alternative bid offers only if a main bid offer, strictly in accordance with all the requirements of the bid documents is also submitted. The alternative bid offer is to be submitted with the main bid offer together with a schedule that compares the requirements of the bid documents with the alternative requirements the bid proposes.

2. COMMUNICATION

- 2.1. Respondents are to note that changes to its submission will not be considered after the closing date.
- 2.2. For specific queries relating to this RFP, an RFP Clarification Request should be submitted to the name of delegated individual stated in the **SBD 1 form** before the closing time for clarification queries, which is by **12:00 mid-day on 20 February 2024** deadline for tender/bid submission. In the interest of fairness and transparency, AEMFC's response to such a query will be published on the e-tender portal and AEMFC website.
- 2.3. After the closing date of the RFP, a Respondent may only communicate with the delegated individual, at email lulamam@aemfc.co.za on any matter relating to its RFP Proposal.
- 2.4. It is prohibited for Respondents to attempt, either directly or indirectly, to canvass any officer or employee of AEMFC in respect of this RFP between the closing date and the date of the award of the business.
- 2.5. Respondents found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.
- 2.6. Bidders will be disqualified if the entity or any of its directors is listed on the register of Bid Defaulters in terms of the Prevention and Combating of Corruption Activities Act of 2004 as a person prohibited from doing business with the public sector.
- 2.7. AEMFC will publish the outcome of this RFP in the National Treasury e-tender portal and AEMFC website within 10 days after the award has been finalised. Respondents are required to check the

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National Treasury e-tender Portal and AEMFC website for the results of the tender/bid process. All unsuccessful bidders have a right to request AEMFC to furnish individual reasons for their bid not being successful. This requested must be directed to the contact person stated in the **SBD 1 form**.

- 2.8. There shall be no public opening of the Bid received, however, the list of Bids received may be published on the AEMFC website or National Treasury e-tender portal unless specifically provided for in the RFP.

3. VALIDITY PERIOD

- 3.1. Respondents are to note that they may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract.
- 3.2. AEMFC requires a validity period of **(120 days)** from closing date against this RFP, excluding the first day and including the last day.

4. BROAD-BASED ECONOMIC EMPOWERMENT (B-BBEE) & SOCIO- ECONOMIC OBLIGATIONS

- 4.1. AEMFC fully endorses and supports the Government's objective of Broad Based Black Economic Empowerment and is strongly of the opinion that all South African business enterprises have an equal obligation to redress the imbalances of the past.

5. SPECIFIC GOALS AND PREFERENCE POINTS

- 5.1. As prescribed in terms of the Preferential Procurement Policy Framework Act (PPPFA), Act 5 of 2000 and Preferential Procurement Regulations 2022, Bidders are to note that the following preference point systems:

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

When AEMFC association invites prospective Suppliers/Service Providers to submit Proposals for its Specific Goals, it requires bidders to complete **(Section 8)** [the B-BBEE Preference Point Claim Form] and submit it together with proof of their documents as stipulated in the Claim Form in order to obtain Specific Goal Points.

Note: Failure to submit a valid and certified copy B-BBEE certificate or Sworn Affidavit or any other documents specified (as evidence for Specific Goals) at the Closing Date of this RFP will result in a score of zero being allocated for Specific Goals.

6. JOINT VENTURES OR CONSORTIUMS

- 6.1. If the bidder is a Joint Venture or Consortium, a Joint Venture / Consortium agreement signed by all member entities of the Joint Venture or Consortium must be attached together with the registration document of all members entitled.
- 6.2. Respondents who would wish to respond to this RFP as a Joint Venture [JV] or consortium with B-BBEE entities, must state their intention to do so in their RFP submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If at the time of the bid submission such a JV or consortium agreement has not been concluded, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be

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awarded business by AEMFC through this RFP process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to AEMFC.

- 6.3.** Respondents are to note that for the purpose of Evaluation, a JV will be evaluated based on one consolidated B-BBEE score card (a consolidated B-BBEE Status Level verification certificate). Preference points will be awarded to a bidder for attaining the specific goals requirements as per the B-BBEE Preferential Procurement Regulations, 2022 preference point scoring.
- 6.4.** Failure to provide a consolidated BBBEE Certificate from a SANAS Accredited Service Provider will result in a score of zero.

7. CONFIDENTIALITY INFORMATION DISCLOSURE NOTICE

- 7.1.** All information related to this RFP is to be treated with strict confidence. All information related to a subsequent contract, both during and after completion thereof, will be treated with strict confidence. Should the need however arise to divulge any information related to this RFP or the subsequent contract, written approval must be obtained from AEMFC.
- 7.2.** This document may contain confidential information that is the property of African Exploration Mining and Finance Corporation (AEMFC) SOC Ltd.
- 7.3.** No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this bid, without prior written permission from AEMFC.

8. COMPLIANCE

- 8.1.** The successful Respondent [hereinafter referred to as the **[Service provider]**] shall be in full and complete compliance with any and all applicable laws and regulations.

9. DISCLAIMERS

- 9.1.** Respondents are hereby advised that AEMFC is not committed to any course of action as a result of its issuance of this RFP and/or its receipt of Proposals. In particular, please note that AEMFC reserves the right in its absolute discretion at any time to:
- 9.1.1.** modify the RFP's Goods/Services and request Respondents to re- bid on any such changes;
- 9.1.2.** reject any Proposal which does not conform to instructions and specifications which are detailed herein;
- 9.1.3.** no alternative bid offers will be considered if it does not comply with clause 1.7;
- 9.1.4.** disqualify Proposals submitted after the stated submission deadline [closing date];
- 9.1.5.** award a contract in connection with this Proposal at any time after the RFP's closing date;
- 9.1.6.** award a contract for only a portion of the proposed Goods/ Services which are reflected in the scope of this RFP;
- 9.1.7.** split the award of the contract between more than one Supplier/Service Provider should it at AEMFC's discretion be more advantageous in terms of amongst others, cost or development considerations;
- 9.1.8.** cancel the bid;
- 9.1.9.** validate any information submitted by Respondents in response to this. This would include, but is not limited to, requesting the Respondents to provide supporting evidence. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to AEMFC to do so;
- 9.1.10.** not accept any changes or purported changes by the Respondent to the bid rates after the closing

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date and/or after award of the business, unless the contract specifically provided for;

9.1.11. to award the business to the next ranked bidder, provided that he/she is prepared to provide the required Goods at the quoted price, should the preferred bidder fail to sign or commence with the contract within reasonable period after being requested to do so. Under such circumstances, the validity of the bids of the next ranked bidder(s) will be deemed to remain valid, irrespective of whether the outcome of the tender/bid has been published the outcome of the bid process on the National Treasury (NT) e-tender Portal and AEMFC website. Bidders may therefore be requested to advise whether they would still be prepared to provide the required Goods/Services at their quoted price.

9.1.12. request audited financial statements or other documentation for the purposes of a due diligence exercise.

Note: that AEMFC will not reimburse any Respondent for any preparatory costs or other work performed in connection with its Proposal, whether or not the Respondent is awarded a contract.

10. LEGAL REVIEW

10.1. A Proposal submitted by a Respondent will be subjected to review and acceptance or rejection of its proposed contractual terms and conditions by AEMFC's Legal Counsel, prior to consideration for an award of business. A material deviation from the Standard terms or conditions could result in disqualification.

11. NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD) REGISTRATION

11.1. Respondents are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. Respondents must register on the CSD prior to submitting their bids. Business may not be awarded to a Respondent who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD.

11.2. Registration can be completed online at www.csd.gov.za.

11.3. Bidders must submit proof of registration on the National Treasury's Central Supplier Database (CSD).

Note: For this purpose, the attached SBD 1 form must be completed and submitted as a mandatory returnable document by the closing date and time of the bid.

12. TAX COMPLIANCE

12.1. Respondents must be compliant when submitting a proposal to AEMFC and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991);

12.2. It is a condition of this bid that the tax matters of the successful Respondents be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the Respondents tax obligations;

12.3. The Tax Compliance status requirements are also applicable to foreign Respondents/ individuals who wish to submit bids;

12.4. Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the Central Supplier Database.

13. PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

13.1. The following terms shall bear the same meaning as contemplated in Section 1 of the Protection of Person information act, No.4 of 2013. ("POPIA"):

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consent; data subject; electronic communication; information officer; operator; person; personal information; processing; record; Regulator; responsible party; special information; as well as any terms derived from these terms.

- 13.2.** AEMFC will process all information by the Respondent in terms of the requirements contemplated in Section 4(1) of the POPIA:
Accountability; Processing limitation; Purpose specification; Further processing limitation; Information quality; Openness; Security safeguards and Data subject participation.
- 13.3.** The Parties acknowledge and agree that, in relation to personal information that will be processed pursuant to this RFP, the Responsible party is "AEMFC" and the Data subject is the "Respondent". AEMFC will process personal information only with the knowledge and authorisation of the Respondent and will treat personal information which comes to its knowledge as confidential and will not disclose it, unless so required by law or subject to the exceptions contained in the POPIA.
- 13.4.** AEMFC reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in this RFP and the Respondent is required to comply with all prescripts as detailed in the POPIA relating to all information concerning AEMFC.
- 13.5.** In responding to this bid, AEMFC acknowledges that it will obtain and have access to personal information of the Respondent. AEMFC agrees that it shall only process the information disclosed by Respondent in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with any applicable law.
- 13.6.** AEMFC further agrees that in submitting any information or documentation requested in this RFP, the Respondent is consenting to the further processing of their personal information for the purpose of, but not limited to, risk assessment, assurances, contract award, contract management, auditing, legal opinions/litigations, investigations (if applicable), document storage for the legislatively required period, destruction, de-identification and publishing of personal information by AEMFC and/or its authorised appointed third parties.
- 13.7.** Furthermore, AEMFC will not otherwise modify, amend or alter any personal data submitted by the Respondent or disclose or permit the disclosure of any personal data to any third party without the prior written consent from the Respondent. Similarly, AEMFC requires the Respondent to process any personal information disclosed by AEMFC in the bidding process in the same manner.

AEMFC urges its clients, suppliers, and general public to report any fraud or corruption to Tip Offs Anonymous

Vuvuzela Fraud and Ethics Hotline

Toll Free Number: 0800 333 118

Email: aemfc@thehotline.co.za

Toll Free Fax: 0867 261 681

Postal: PO BOX 10512, CENTURION, 0046

SMS: 30916

Online: <https://www.thehotline.co.za/report>

Mobile application: Vuvuzela Hot app- use 0800 333 118 to report Corruption

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

SECTION 3: BACKGROUND OVERVIEW AND SCOPE OF WORK (SOW) SPECIFICATION

14. INTRODUCTION

African Exploration Mining and Finance Corporation (SOC) Ltd ("AEMFC") is a state-owned Mining Company established to secure South Africa's energy supply primarily through the mining and supply of coal for the generation of electricity, as well as securing other resources that will provide energy for the future, including key minerals for beneficiation in the energy and steel value chain. Coal Beneficiation assist in improving the qualities of the coal product to meet predetermined product quality specifications. AEMFC is currently operating an opencast coal mine (Vlaktefontein Mine-Coordinates: **Latitude 26° 0'42.15"S, Longitude 28°57'47.72"E**) established in 2011 which is located near Ogies in Mpumalanga Province with its Head Office at Waterfall City in Johannesburg.

15. BACKGROUND SCOPE OF WORK (SOW) SPECIFICATION

15.1. As such, AEMFC intends to appoint a Service Provider to supply, operate and maintain a wet Processing Coal Plant and required belt conveyor systems for a period of thirty-six (36) months. The supply of the wet processing plant includes the design, construction, commissioning a new processing plant and transferring of ownership of the asset to AEMFC. The service provider is further required to operate and maintain the processing plant on behalf of AEMFC for a period of thirty-six (36) months.

15.2. Thus, the Service Provider is requested to provide a proposal based on the below Scope of work (SOW).

15.3. OVERVIEW

AEMFC is seeking to appoint a suitably Service Provider to conduct wet coal processing for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC"), it also seeks to improve its current processes for providing these [Services] to its end user community throughout its locations.

The selected Service provider(s) must share in the mission and business objectives of AEMFC. These mutual goals will be met by meeting contractual requirements and new challenges in an environment of teamwork, joint participation, flexibility, innovation and open communications. In this spirit of partnership, AEMFC and its Supplier/Service provider(s) will study the current ways they do business to enhance current practices and support processes and systems. Such a partnership will allow AEMFC to reach higher levels of quality, service and profitability. AEMFC seeks to benefit from this partnership in the following ways:

- 15.3.1.** AEMFC must receive the reduced cost of acquisition and improved service benefits resulting from the [Service Provider(s)] economies of scale and streamlined service process.
- 15.3.2.** AEMFC must achieve appropriate availability that meets user needs while reducing costs for both AEMFC and the chosen [Service Provider(s)].
- 15.3.3.** AEMFC must receive proactive improvements from the [Supplier/ Service Provider(s)] with respect to the supply/ provision of [Services].
- 15.3.4.** AEMFC end-users must be able to rely on the chosen [Service Provider(s)]. personnel for service enquiries, recommended, and substitutions.
- 15.3.5.** AEMFC must reduce costs by streamlining its acquisition of [Services].

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

15.4. SCOPE OF WORK (SOW) / SPECIFICATION

- 15.4.1.** The Supply of the wet processing plant includes the design, construction, commissioning of a new processing plant and transferring of ownership of the asset to AEMFC. The service provider is further required to operate and maintain the processing plant on behalf of AEMFC for a period of thirty-six (36) months.
- 15.4.2.** The beneficiation plant should be utilised for 18 hours a day, 7 days a week, day and night.
- 15.4.3.** The design availability of the beneficiation plant should be at a minimum of 85% over a period of 24 hours.
- 15.4.4.** The volume of work is shown on the table below which illustrates the amount of volume to be processed by the service provider on a monthly basis. The total annual volumes are shown at the end of the table below:

Duration	Min. Quantities (t)	Ave. Quantities (t)	Max. Quantities (t)
Month 1	120 000	160 000	200 000
Month 2	120 000	160 000	200 000
Month 3	120 000	160 000	200 000
Month 4	120 000	160 000	200 000
Month 5	120 000	160 000	200 000
Month 6	120 000	160 000	200 000
Month 7	120 000	160 000	200 000
Month 8	120 000	160 000	200 000
Month 9	120 000	160 000	200 000
Month 10	120 000	160 000	200 000
Month 11	120 000	160 000	200 000
Month 12	120 000	160 000	200 000
TOTAL	1 440 000	1 920 000	2 400 000

Table 1: Total Annual Volumes

- 15.4.5.** The Mine will provide Proximity Detection Devices (PDS) and two-way radio system.
- 15.4.6.** The objective of the end status is summarized as follows:

- 15.4.6.1.** Improve the product quality and consistency meet the pre-determined specifications.
- 15.4.6.2.** Improve quality control process management.
- 15.4.6.3.** Reduce the amount of in-seam parting from the product.
- 15.4.6.4.** Improved delivered ROM volumes.

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15.4.7. Service Provider to include a detailed design drawing that will integrate into the current plant set up (**see Annexure B**). The designed plant should be capable of being upgraded in the case of changes in the coal properties. Anticipated changes is coal from pillar mining (i.e potential burning coal, oil immersed coal, scrap metal).

15.4.8. Desired Coal Quality Specifications.

Kusile PS	Unit Target Qualities		Measurement Basis
Coal Qualities			
Total Moisture	%	≤8.0	As Received
Inherent Moisture	%	NA	As Received
Ash	%	≤33.6	Air Dried
Calorific Value	MJ/kg	≥19.5	Air Dried
Volatiles	%	≥18.5	Air Dried
Sulphur	%	≤1.1	Air Dried
Abrasive Index (AI)	mgFe/kg	≤450	Air Dried
Ash Fusion Temperature (AFT)	°C	≥1230	As Received
Size			
+50mm	%	≤5	As Received
-3mm (Cumulative)	%	≤25	As Received
-1mm	%	≤15	As Received

Table 2: Desired Coal Quality Specification

15.5. WET COAL PROCESSING ACTIVITIES

15.5.1. The following activities should be considered:

15.5.1.1. Site Establishment.

15.5.1.2. Provide own office space and ablution facilities.

15.5.1.3. Construct own laydown area and maintenance thereof.

15.5.1.4. Provide plant capacity to process a maximum of 2 400kt per annum; The service provider will price the Bill of Quantities per tons processed.

15.5.1.5. Discard from the wet processing plant will be handled by AEMFC

15.5.1.6. Provide your short-term planning to mine planner and mining engineer.

15.5.1.7. Ensure Compliance with Mine Health and Safety Act and other relevant Legislation.

15.5.1.8. Ensure that processing is conducted in line with the provisions of the Mineral and Petroleum Resources Development Act (MPRDA).

15.5.1.9. Have people with the relevant qualification and experience for wet coal processing plant operations and maintenance.

15.5.1.10. Be responsible for effective dust suppression and control at the processing plant.

15.5.1.11. All vehicles that are used at the mine must be fitted with Proximity Detection Devices (PDS). AEMFC will provide;

15.5.1.12. The Service provider to supply their own Diesel and short-term storage.

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15.5.1.13. The Service Provider is expected to conduct the coal processing services activities in a safe manner while at the same time achieving tonnage targets and optimising costs.

15.5.1.14. All coal processing activities and the costs thereof will be managed on a daily basis by the Service Provider and accountable to AEMFC representative Manager.

15.6. SERVICE PROVIDERS RESPONSIBILITY

15.6.1. Providing lighting at stockpiling sites and other active working areas as per mine procedures,

15.6.2. Adherence to traffic management as per mine approved traffic management rules and procedures.

15.6.3. Responsible for erection and maintenance of relevant traffic management signs as per traffic management plan and mine procedures.

15.6.4. General maintenance of safety berms and delineators in the active working areas as per mine procedures.

15.6.5. Working areas must be maintained to acceptable underfoot conditions to reduce the risk of SME related incidents such as truck overturning.

15.6.6. Maintenance and inspection of working area including the processing plant and travelling ways with the said operation and in accordance with the related COP (Code of Practice) will form part of the Service Provider's Day to day activities.

15.7. HOURS OF WORK

15.7.1. The Service Provider will be expected to render the Services 24 hours per day, as per the AEMFC Mine Calendar and schedule;

15.7.2. The operation from Monday to Sunday;

15.7.3. AEMFC has a valid Sunday labour permit and the successful Service Provider will be required to work on Sundays.

15.8. AD-HOC WORKS

15.8.1. No day works for activities as stipulated in the contract scope will be allowed. The Service Provider will only assist the mine with ad-hoc activities when all the following are in order:

15.8.1.1. The Change Management Process must be followed;

15.8.1.2. The work instruction must be signed off prior to the start of the work;

15.8.1.3. The rates as per day work schedule must be applied;

15.8.1.4. There must be a purchase order number. Payment will NOT be approved if the above is not complied with;

15.8.1.5. Performance of that work shall not relieve the Service Provider of its other obligations and the Service Provider shall promptly obtain directions from the mine representative, if any conflict in objectives arises;

15.8.1.6. The Service Provider will be responsible for measuring ad hoc work executed in an approved manner by the mine; and

15.8.1.7. The Service Provider to implement an appropriate Quality Control (QC) system, recorded in a document termed the Quality Control Plan (QCP). The QCP will describe in detail the system that the Service Provider will implement, including responsibilities, method statements and inspection checklists for all construction activities. The QCP must be submitted for review and acceptance and will be approved by the Client in writing. An approved QCP must be in place before commencing any processing activities.

15.9. TOOLS AND EQUIPMENT

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

- 15.9.1. The Service Provider must ensure that they provide all applicable tools and equipment required to perform the job;
- 15.9.2. The Service Provider must ensure compliance with all HSE (Health Safety Environment) requirements applicable to tools and equipment;
- 15.9.3. These tools and equipment will be inspected accordingly by the responsible appointed engineer or his delegate. The records of the inspections shall be made available monthly as per contractor's pack requirements and upon request by the mine representative;
- 15.9.4. The Service Provider shall provide the necessary equipment, plant and consumables as may be necessary to meet its obligations in terms of the processing operation;
- 15.9.5. The costs to acquire such equipment, plant and consumables and to maintain and replace the same, shall be at the expense of the Service Provider;
- 15.9.6. Service Provider to specify what facilities and equipment it will be bringing on-site and also specify the area measurements required to accommodate such facilities or equipment;
- 15.9.7. All equipment, including vehicles and machinery used by the Service Provider in the execution of its obligation in terms of the processing activities shall at all times be in good and proper working order and shall comply with the requirements prescribed by any applicable statutory provision or which may be required by any authority or may reasonably be required by AEMFC;
- 15.9.8. AEMFC shall be entitled to require the Service Provider, at its own cost, to remove any equipment or parts thereof and replace same within 3 (three) days or any reasonable period as mutually agreed, of any such demand which does not comply with any requirement of which AEMFC in its reasonable discretion may declare to be faulty or unsafe. This will not be to the detriment of production and the Service Provider will ensure by replacement or other acceptable means that production targets are maintained and/or recovered;
- 15.9.9. In the case that a piece of equipment is standing for longer than 3 working days, a replacement should be made available by the Service Provider. If the Service Provider cannot replace an equipment, AEMFC will implement penalties.
- 15.9.10. The Service Provider need permission from the mine engineer before any replacement or additional equipment can be deployed on site. It is the Service Provider's responsibility to update the asset register, and other related documents as and when changes occur to the asset register. The full equipment on boarding procedure need to be followed.
- 15.9.11. Any equipment removed from site for any reason whatsoever will be for the Service Provider's account in line with the mine's rules and regulations.
- 15.9.12. The Service Provider shall with its tender documents provide to AEMFC a complete list of all equipment which the Service Provider will use to carry out its obligation in terms of the processing activities; such list shall specify.

Item No	Equipment Type	Make	Model	Qty	Rated Cap	New /Use	Hours /KM's	Owned or Rented	Engine Hours / Age	Tonnage Capacity (if applicable)	Mobilisation Time
1											
2											
3											

Table 3: List of all Equipment

- 15.9.13. All applicable supporting equipment delivered on site must not have more than 8 000 hours;
- 15.9.14. Table 4 below indicates the minimum equipment requirements. However, the bidder may supply equipment of bigger capacity than the stipulated as long as the minimum capacity requirements, safety and support equipment considerations are met.

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

NO	MACHINE TYPE	QTY	FUNCTIONAL REQUIREMENTS	SAFETY REQUIREMENTS
1	Wet Coal Processing Plant and belt conveyors (Refer to Annexure B and D)	1	<p>Monthly processing capacity of 200kt</p> <p>Integrated into current screen and crushing plant</p> <p>Must be capable of being upgraded in the case of changes in coal (pillar mining)</p>	<ul style="list-style-type: none"> • startup alarm • provision for isolation and lockout • 9kg dcp fire extinguisher • calibration certificates • operating manuals • certificate of compliance for all electrical installations • dust suppression system • flame retardant conveyor belts • guards for rotating parts • compliance to MHSA requirements
2	Mobile Screen and crusher	1	<p>Throughput of 300tph</p> <p>Not more than 8 000 hours</p> <p>Maintenance plan must be provided.</p>	<ul style="list-style-type: none"> • Trimming and startup Alarms • Provision for isolation and lockout • 9kg DCP fire extinguisher • Emergency stop buttons • Emergency pull wires • Operating manuals • Flame retardant conveyor belts • Dust suppression system • Guards for rotating parts
3	LDVs	2	<p>4x4 Double Cabs</p> <p>Not more than 90 000 km on mileage</p> <p>Maintenance plan must be provided.</p>	<ul style="list-style-type: none"> • Reflective stickers • Buggy Whip • Strobe light • Tow bar • Fleet ID number stickers • 9kg DCP Fire extinguisher • Rear View cameras • Proximity Detection System • Reverse Alarm • Radio Communication • Guards for rotating parts
4	Diesel dispensing unit	1	<p>Tank Capacity of 1 000L</p>	<ul style="list-style-type: none"> • 1 x 9kg DCP Fire extinguisher • Provision for isolation and lockout • Double axel • Breather • Lockable diesel compartment • OEM approved Jockey wheel • OEM approved Safety chain • OEM approved Hand brake
5	Lighting Plant	2	<p>Maintenance plan must be provided.</p>	<ul style="list-style-type: none"> • Isolation and Lock out • 1 x 9kg DCP Fire extinguisher • Lockable diesel compartment

Table 4: Minimum Equipment Requirements

N.B This is not a dictation; the Supplier may provide equipment suitable for the set volumes.

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15.10. SERVICE PROVIDERS MACHINERY

- 15.10.1.** The Service Provider will comply with the mine standard operating procedures where they have the same type of equipment deployed on site. This will include applicable mine pre-use checklists.
- 15.10.2.** Where they have got different equipment, they will adopt the OEM production strategy with any additional requirements as required by the mine. New SOPs and pre-use checklists also need to be developed for activities / applications.
- 15.10.3.** These SOP needs to be approved by the responsible mine official.
- 15.10.4.** The Service Provider subordinate manager will submit daily report to the mine plant superintendent (2.6.1) to discuss, planned work and give proof that the required risk assessments (RA), job safety analysis is in place and that the work / tasks are assigned with adequate supervision.
- 15.10.5.** The Service Provider processing plan will be aligned with the mines planning cycles and the Service Provider subordinate manager (2.6.1) will form part of the mine planning meetings.
- 15.10.6.** The processing plan compliance will be included in the monthly Service Level Agreement (SLA) meeting to monitor compliance with the mines plan.

15.11. MATERIAL AND SPARES

The Service Provider must ensure that they provide all the materials and spares required to perform the job. The Service Provider must ensure compliance with all HSEC compliance requirements applicable for the materials and spares. The mine will inspect all materials and spares accordingly. Where chemicals are used, MSDS data sheets should be provided and listed as per the HSEC Service Provider pack requirements. Any chemicals used by the Service Provider that is not included in the Material Safety Data Sheet (MSDS) data sheet should be approved by the HSEC Manager.

15.12. PERSONNEL REQUIRED FOR CONSTRUCTION PHASE

- 15.12.1.** Site Manager (subordinate manager 2.6.1)
- 15.12.2.** Supervisor (2.9.2)
- 15.12.3.** Safety Officer (2.17.1)
- 15.12.4.** Construction team with relevant competency and trade test where applicable.
- 15.12.5.** Any person required by the bidder for effective discharge of the contract objectives (administrators etc.)

15.13. PERSONNEL REQUIRED FOR OPERATION PHASE

- 15.13.1.** Site Manager (subordinate manager 2.6.1)
- 15.13.2.** Supervisor per shift
- 15.13.3.** Plant operator
- 15.13.4.** Maintenance team for maintaining the plant. (Trade tested Artisans)

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15.13.5. Any person required by the bidder for effective discharge of the contract objectives (e.g. Plant attendants and administrator etc.)

15.14. RISK ASSESSMENT, STANDARD AND OPERATING PROCEDURES

- 15.14.1.** The Service Provider will submit a pre-emptive Baseline Risk Assessment covering activities that will be performed on site and once the Service Provider is on site the Pre-emptive Baseline Risk Assessment will be updated and changed to the Operational Baseline Risk Assessment and the risk level of the Service Provider will be determined based on the risk associated with operational and maintenance activities that will be conducted on-site.
- 15.14.2.** An Issue baseline risk assessment will be submitted by the Service Provider covering the type of activities performed on-site.
- 15.14.3.** The Service Provider will utilise the AEMFC Standard Operating Procedures (SOP's) and should supply their own SOP's for activities not covered. A list of AEMFC SOP's will be supplied to the appointed Service Provider.
- 15.14.4.** It is the responsibility of the Service Provider to ensure that all activity procedures are complied with. The Service Provider must ensure that all employees are continuously trained and fully understand all relevant procedures and standards of AEMFC.
- 15.14.5.** Safety files and documentation
- 15.14.6.** Weekly / Monthly safety meetings
- 15.14.7.** HSE requirements (medicals, induction, training, and machine operator licencing)
- 15.14.8.** Vehicles to company & mining specifications
- 15.14.9.** Service Provider Light Delivery Vehicles (LDV) must be according to the mine standard.
- 15.14.10.** Service Provider machines should be compliant to minimum mine standard. (See Annexure A "Pre-Start Checklists")
- 15.14.11.** Execute and document an Issue Base Risk Assessment and SOP's on the Service Provider machine fleet planned activities on site from a production and maintenance perspective taking fatal risks into account
- 15.14.12.** Pre-delivery inspection of the plant equipment prior to delivery to ensure the progress quality, legal compliance of the plant equipment and the mine's machine safety standard are adhered to as well as to the tendered specifications.

15.15. SERVICE PROVIDER MAINTENANCE REQUIREMENTS

- 15.15.1.** The successful Service Provider should provide its own maintenance team and equipment to maintain the plant equipment.
- 15.15.2.** Service Provider equipment onboarding to be approved by the Mine Engineer.
- 15.15.3.** On boarding required:
- 15.15.3.1.** OEM recommended maintenance strategy

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15.15.3.2. Maintenance Manual.

15.15.3.3. Parts Manual.

15.15.3.4. Operators Manual.

15.15.3.5. OEM machine brakes specifications and OEM brake test certificates or SIMRET brake test certificates conducted where required.

15.15.3.6. OEM machine/plant risk assessment.

15.15.3.7. Weekly maintenance schedule.

15.15.3.8. Pre-checklist capturing and daily defect report.

15.15.3.9. Any other relevant documentation as required by the mine onboarding standard operating procedure and readily available for inspection.

15.16. SERVICE PROVIDER MAINTENANCE AND MAJOR REPAIRS

15.16.1. The Service Provider will adopt with the mine maintenance strategy in terms of maintenance where they have the same equipment deployed on site.

15.16.2. The Service Provider maintenance supervisor will daily report to the mine engineer to discuss planned work and make adequate supervision for the tasks.

15.16.3. A list with Critical Tasks List (CTL) that can be performed on site will be reviewed and approved by the Mine Engineer for approval. The approval will be based on risk exposure and maintenance facilities available on site.

15.16.4. No major repairs (for example plant overhauls) will be permitted on-site. Work permitted on site will be stipulated in the approved CTL and approved by the Mine Engineer.

15.16.5. Should the Service Provider require clarification regarding the definition of minor and major repairs, the responsible engineer should be consulted:

15.16.5.1. For any work / tasks not detailed in the CTL the responsible engineer needs to be consulted and he can consider giving exemption and approval to conduct the work / task on site after consultation with the maintenance manager and provided that the necessary controls and supervision is put in place to conduct the work safely.

15.16.5.2. The Service Provider must ensure that the plant equipment is well maintained.

15.16.5.3. Proof of competency to be kept with training records and in the Service Provider's pack.

15.17. SERVICE PROVIDER MEDICAL

15.17.1. All Service Provider employees deployed on site will be required to undergo a medical examination and need to be declared fit for work for the type of work that the Service Provider employee will execute on site.

15.17.2. The medical examination shall be conducted at Clinic Plus in Witbank.

15.17.3. Medical certificates issued from the recognised mine clinic will be valid on the mine for a period of one year.

15.17.4. All employees with comorbidity need to be screened by the mine clinic monthly.

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- 15.17.5. Only certificates issued by the recognised mine clinic will be accepted.
- 15.17.6. A valid medical certificate, issued by the recognised mine clinic, is a prerequisite for attending the induction training.
- 15.17.7. The Service Provider will also ensure that all personnel undergo exit medicals when they leave the Service Provider employment or at the completion of the contract period.

15.18. SERVICE PROVIDER TRAINING

15.18.1. Service Provider labour training requirements

- 15.18.1.1. All Service Provider employees deployed on site will undergo safety induction training, as well as any on-the-job required inductions, aligned with the tasks to be performed on site. Mine SOP training will form part of the employee induction training.
- 15.18.1.2. Relevant personnel, production and maintenance to provide proof of OEM training.
- 15.18.1.3. Personnel trained and licensed to operate equipment safely.
- 15.18.1.4. Personnel trained to maintain equipment safely.
- 15.18.1.5. Proof of competency to be kept with training records.
- 15.18.1.6. Maintenance and repairs will be scheduled, conducted by qualified Artisans or Technicians.
- 15.18.1.7. All contract labour qualifications need to be verified through an accredited service provider before it will be accepted. This action will be by the Service Provider for his account. Plant specific training will be required as a minimum.

15.19. SERVICE PROVIDER SECURITY REQUIREMENTS

- 15.19.1. The Service Provider will be required to comply with requirement of the mine security management procedures.
 - 15.19.1.1. The Service Provider will be responsible for security installations and maintenance to safeguard his mobile offices, storage containers, Service Provider equipment and Service Provider vehicles at the Service Provider site. This will include alarms (If required), security cameras (If required), safety doors, burglar bars and locking devices. The mine will not be responsible for malicious damage to or theft of Service Provider equipment.
 - 15.19.1.2. Should the Service Provider require any additional security measures at his site; it would need to be in accordance with the mine's security procedures and standards. The Service Provider will obtain approval from the site security manager and arrange, at no additional cost to the mine, any additional security measures that he may require.
 - 15.19.1.3. All small tools and construction equipment belonging to the Service Provider must be clearly identified as such. Tools, including personal tools, are subject to inspection at the security gate on arrival and must be accompanied by a waybill on departure.
 - 15.19.1.4. All equipment, materials, supplies and tools leaving the mine shall be accompanied by a waybill.

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15.19.1.5. The Service Provider will be responsible for security infrastructure at the Service Provider site as per the mine standard.

15.19.1.6. Lockable Battery and Diesel theft prevention systems must be installed on all equipment.

15.20. SERVICES AND INFRASTRUCTURE TO BE PROVIDED BY THE SERVICE PROVIDER

15.20.1. Service Provider Portable Water

15.20.1.1. The Service Provider shall make arrangements concerning the supply of potable water and all other services. No direct payment will be made for the provision of electricity, water and other services. The cost thereof shall be deemed to be included in the rates and amounts tendered for the various items of work for which these services are required, or in the Service Provider's preliminary and general items.

15.20.2. Electrical Power to Service Provider Site

15.20.2.1. The Mine shall provide electricity to the Service Providers infrastructure

15.20.2.2. The Service Provider shall be responsible for the distribution of this electrical power supply point. The Service Provider shall also be responsible for the maintenance of all electrical reticulation from this supply point as per relevant mine COPs and SOPs.

15.20.2.3. All electrical installations will be required to be constructed in accordance with the applicable SANS standards and a certificate of compliance will be required before the power supply will be switched on. All electrical installations will require a Certificate Of Compliance (COC)

15.20.2.4. Maintenance strategy aligned with the mine maintenance strategy for electrical installations will be adopted and maintenance and repair work can only be conducted by electricians suitably qualified and authorised by the maintenance manager.

15.20.2.5. Maintenance and repairs will be scheduled, conducted by qualified artisans and included in the maintenance task list.

15.20.3. Processing water to Plant

15.20.3.1. The Mine shall provide processing water to the plant infrastructure

15.20.3.2. The Service Provider shall be responsible for the distribution of the processing water to the supply point. The Service Provider shall also be responsible for the maintenance of all water reticulation systems from this supply point as per relevant mine COPs and SOPs.

15.20.3.3. Maintenance strategy aligned with the mine maintenance strategy for water reticulation installations will be adopted and maintenance and repair work can only be conducted competent persons.

15.20.4. Service Provider Site Waste Disposal

15.20.4.1. The removal of waste as per the waste management plan or as per standard. The Service Provider must provide wheelie bins for general and hazardous waste.

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

15.20.4.2. All waste will be removed from the Service Providers site by the Service Provider.

15.20.4.3. Discard handling from the plant will be done by AEMFC.

15.20.5. Service Provider Maintenance Work Areas

15.20.5.1. Where the mine does not have workshop facilities available on site they need to consider other options to enable maintenance. Equipment to be transported off-site for major work – to be detailed in the critical task list:

15.20.5.2. Consider a dedicated area, compacted/concreted slab with the necessary oil trays and oil spill kits where the Service Provider can conduct basic repairs and maintenance, to be detailed in the critical task list.

15.20.5.3. For the last option drainage, maintenance, and environmental contamination need to be considered and costed.

15.20.6. Change House Facilities

15.20.6.1. Supplier to provide suitable and adequate change house and ablution facilities. The cost thereof shall be deemed to be included in the rates and amounts tendered for the various items of work for which these services are required, or in the Service Provider's preliminary and general items.

15.20.7. Service Provider's Mobile Offices

15.20.7.1. For the duration of this contract, the Service Provider shall provide and maintain adequate mobile offices on site.

15.20.7.2. The location, sizes, quantity and types of structures shall be subject to review and approval by the Mine Engineer prior to any construction activities taking place.

15.20.7.3. Maintenance and repairs will be scheduled, conducted by qualified artisans and included in the maintenance Critical Task List (CTL).

15.20.8. Service Provider Site Transport

15.20.8.1. The Service Provider shall be responsible for the transport of all Service Provider's labour, equipment, and Service Provider's materials to and from the Service Provider site and around the AEMFC as necessary.

15.20.8.2. Only vehicles approved and compliant with the mine safety standard will be allowed on site. These vehicles need to be included in the Service Provider maintenance plan and need to be maintained, inspected on a regular basis as detailed in the mine COPs and SOPs.

15.20.9. Service Provider On Site Compressed Air

15.20.9.1. The mine will not supply compressed air for use by the Service Provider. Where compressed air is required, the Service Provider need to provide the necessary compressors that need to be operated and maintained according to the mine standards and procedures.

15.20.9.2. Maintenance and repairs will be scheduled, and conducted by qualified artisans, pressure test done by an accredited vendor and included in the maintenance CTL.

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15.21. Key Performance

15.21.1. This contract will be subject to monthly measurement against Key Performance Indicators (KPI's) that will be formulated, discussed and agreed by all parties.

15.21.2. Performance against the contractually agreed KPI's as per a Service Level Agreement (SLA) will be a crucial. The Supplier's performance will be measured against the HSEC, Production KPI's and Maintenance KPI's on a monthly basis. These will be agreed with the Supplier.

KPI	Target
Safety Compliance	100%
Production	Tons as per monthly plan
Adherence to planned quality specifications	>90%
Adherence to maintenance schedule	>85%
Plant Availability	85% minimum
Plant Utilization	18 hours per day over 24 hour period

Table 5: Monthly Key Performance Indicator Target

15.22. Service Provider To Use Local Labour

15.22.1. The Service Provider needs to make provisions for the use of local labour. Local labour to include a mix of unskilled, semi-skilled and skilled personnel, where applicable or appropriate, and in line with the mine's Enterprise and Supplier Development (ESD) philosophy.

15.22.2. The tendering companies are encouraged to identify areas of the contract where local suppliers can provide ancillary backup services, equipment or machinery that is suitable and in good standing.

15.22.3. Any activities and operations identified will be carried out to the required mine standards and procedures.

15.23. FINANCIALS

15.23.1. The Service Provider will supply the Client with 3 years Audited financial statements;

15.23.2. Site Establishment – The site establishment and costs thereof must include all costs, e.g. site office, medical examinations, Personal Protective Equipment (PPE) clothing, security clearance etc

15.23.3. The Service Provider will give a complete cost breakdown and will clearly indicate fixed costs and variable;

15.23.4. The Service Provider will be responsible for any omissions from the final cost and no increase in pricing will be accepted after adjudication for negligence by the Service Provider;

15.23.5. The Service Provider will provide the full service as per the tender document;

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- 15.23.6.** The contract will be reviewed annually on the anniversary date for escalation. The proposed escalation must be submitted to AEMFC 60 days prior to the anniversary date for consideration. The request must be fully justified and will use recognised rates such as Producer Price Index (PPI), Seifsa, and Consumer Price Index (CPI) and will be attached to the request when submitted;
- 15.23.7.** The cost of moving equipment or machinery as the mining activities progress shall be included in the fixed rates. Escalation – The cost breakdown will be completed to state the basis of the escalation calculations;
- 15.23.8.** Contract Price – The contract price will be rate based on the schedule of rates; and
- 15.23.9.** Price Breakdown must be provided by the Service Provider on volume moved.

16. SERVICES, FACILITIES, AND INFORMATION TO BE SUPPLIED BY THE BIDDER

- 16.1.** Own (Service Provider's) resources relating to the project activities;
- 16.2.** Communication, travelling & accommodation;
- 16.3.** Contractors pack (Safety File);
- 16.4.** Personal Protective Equipment (PPE)
- 16.5.** Bidder must comply with the Mine Safety Rules and Regulations
- 16.6.** Any other materially related services.

17. SERVICES, FACILITIES, AND INFORMATION TO BE SUPPLIED BY AEMFC

- 17.1.** Access to all relevant historical information;
- 17.2.** All available documentation pertaining to the concept and/or feasibility studies conducted;
- 17.3.** Life Of Mine Plans;
- 17.4.** General Manager;
- 17.5.** Mine Manager;
- 17.6.** Mine Engineer
- 17.7.** Project Manager;
- 17.8.** SHEQ Manager;
- 17.9.** Environmental Officer;
- 17.10.** Mine will provide Security for access points, (N.B) this will be the Service Provider's responsibility to secure their own assets.

SECTION 4: PRICING SCHEDULE / BILL OF QUANTITY (BOQ) WET COAL PROCESSING

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlakfontein Mine for a period of thirty-six (36) months.

18. BOQ WET COAL PROCESSING

- 18.1.** The BOQ is attached as **Annexure C (Excel worksheets)**,
- 18.2.** Respondents are required to complete the worksheets **Annexure C1, Annexure C2, Annexure C3, Annexure C4** and including **Annexure C5** summary and submit the same with their response including the Excel worksheets.
- 18.3.** Respondents are to note that AEMFC will round final score pricing scores to the nearest 2 decimal places. Respondents are required to complete the table below:

Note: For fair comparison, all bidders must quote prices and indicate VAT portion. If the bidder is not registered for VAT, proof of application to register for VAT must be submitted

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

ANNEXURE C1: PRELIMINARY & GENERAL CONSTRUCTION PHASE

BIDDER COMPANY NAME:					
PRELIMINARY & GENERAL					
ITEM	DESCRIPTION	BILL OF QUANTITIES			AMOUNT
		UNIT	QUANTITY	RATE	
ONCE-OFF-COSTS					
Site Establishment					
1	Induction & Medicals	Sum	1	R	R
2	Transport of Machinery	Sum	1	R	R
3	Offices & Workshop Facilities	Sum	1	R	R
4	De-Establishment (at end of contract)	sum	1	R	R
Section Total					R
ITEM	DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
TIME RELATED COSTS (monthly)					
5	Site Manager	each	1	R	R
6	Supervisor(s)	sum	1	R	R
7	Safety officer	each	1	R	R
8	LDVs	each	2	R	R
9	Transport for crew members	each	1	R	R
10	Site Facilities & Running	sum	1	R	R
11	P&G Plant and equipment	sum	1	R	R
12	Others	sum	1	R	R
Section Total					R
CARRIED TO SUMMARY					R

Returnable document

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ANNEXURE C1: PRELIMINARY & GENERAL: OPERATION PHASE**BIDDER COMPANY NAME:****PRELIMINARY & GENERAL**

ITEM	DESCRIPTION	BILL OF QUANTITIES			
		UNIT	QUANTITY	RATE	AMOUNT
ONCE-OFF-COSTS					
	Site Establishment				
1	Induction & Medicals	Sum	1	R	R
2	Transport of Machinery	Sum	1	R	R
3	Offices & Workshop Facilities & ablution facilities	Billed in Construction Phase			
4	De-Establishment (at end of contract)	sum	1	R	R
Section Total					R

ITEM	DESCRIPTION	BILL OF QUANTITIES			
		UNIT	QUANTITY	RATE	AMOUNT
TIME RELATED COSTS (monthly)					
5	Site Manager	mnth	36	R	R
6	Supervisor(s)	mnth	36	R	R
7	LDVs	mnth	36	R	R
8	Mobile Crusher	mnth	36	R	R
9	Lighting plants	mnth	36	R	R
10	Transport for crew members	mnth	36	R	R
11	Site Facilities & Running	mnth	36	R	R
12	P&G Plant and equipment	mnth	36	R	R
13	Others	Mnth/SUM	36	R	R
Section Total					R
CARRIED TO SUMMARY					R

Respondent's Signature

Date & Company Stamp

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD (“AEMFC”) at Vlakfontein Mine for a period of thirty-six (36) months.

ANNEXURE C2: PLANT CONSTRUCTION

BIDDER COMPANY NAME:					
PLANT CONSTRUCTION					
ITEM	DESCRIPTION	BILL OF QUANTITIES			AMOUNT
		UNIT	QUANTITY	RATE	
Plant Construction					
13	Planning	sum	1	R	R
14	Design (includes drawings)	sum	1	R	R
15	Fabrication	sum	1	R	R
16	Erection	sum	1	R	R
17	Commissioning	sum	1	R	R
Section Total					R
CARRIED TO SUMMARY					R

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD (“AEMFC”) at Vlaktefontein Mine for a period of thirty-six (36) months.

ANNEXURE C3: COAL PROCESSING

BIDDER COMPANY NAME:					
COAL PROCESSING					
		36 MONTHS			
ITEM	DESCRIPTION	BILL OF QUANTITIES			
		UNIT	QUANTITY	RATE	AMOUNT
Coal Processing					
14	Year 1 Coal Processing	Ton	1 440 000	R	R
15	Year 2 Coal Processing	Ton	1 920 000	R	R
16	Year 3 Coal Processing	Ton	2 400 000	R	R
Section Total					R
CARRIED TO SUMMARY					R

ANNEXURE C4: ENERGY COST

BILL OF QUANTITIES						
ITEM	DESCRIPTION	CONTRACT TONS	ENERGY CAP (Kwh/t)	TOTAL	PRICE	TOTAL CONTRACT ENERGY COST
17	Electricity (Kwh/t)	5 760 000	R	R	1,85	R
Section Total						R
CARRIED TO SUMMARY						R
*Price subject to fluctuations						

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

ANNEXURE C5: SUMMARY

BIDDING COMPANY NAME			
BILL OF QUANTITIES			
ITEM NO.	SECTION	ELEMENTS	SUB TOTAL VALUE (EXCL.VAT)
1	Annexure C1	Preliminary & General	R
2	Annexure C2	Plant Construction	R
3	Annexure C3	Coal Processing	R
4	Annexure C4	Energy Cost	R
	TOTAL PRICE (exclusive of VAT)		R
	VAT 15% (If Applicable)		R
	TOTAL Inclusive of VAT (where applicable)		R
Total Price in words			

NB: Travel Rates: SARS rates will be used.

Respondent's Signature

Date & Company Stamp

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

19. NOTES ON PRICING / BOQ SCHEDULE

19.1. Respondents are to note that if the price offered by the highest scoring bidder is not market related, AEMFC will not award the contract to that Respondent. AEMFC may:

- (i) negotiate a market-related price with the Respondent scoring the highest points or cancel the RFP;
- (ii) if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points or cancel the RFP;
- (iii) if the Respondent scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the third highest points or cancel the RFP.

Note: If a market-related price is not agreed with the Respondent scoring the third highest points, AEMFC must cancel the RFP.

19.2. To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this pricing schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non-responsive.

19.3. Prices must be quoted in South African Rand inclusive VAT.

19.4. Any disbursement not specifically priced for will not be considered/accepted by AEMFC.

19.5. Respondents, if awarded the contract, are required to indicate that their prices quoted would be kept firm and fixed for a period of 12 months, subject thereafter to adjustment (i.e. after the initial period of 12 months), utilising the following Producer Price Index (PPI), Seifsa, Consumer Price Index (CPI) /indices/adjustment formula. [Not to be confused with bid validity period Section 2, clause 3]

YES	
-----	--

19.6. Rates proposed must be aligned with the Guide on Hourly Fee Rates for Consultants by the Department of Public Service and Administration (DPSA);

19.7. Where Respondent's price(s) includes imported goods/items, the rate of exchange to be used must be in South African Rands for purposes of determining whether the price is market related or not and must be the currency's rate published by the South African Reserve Bank on the date of the advertisement of the bid. Currency rate of exchange utilised_____.

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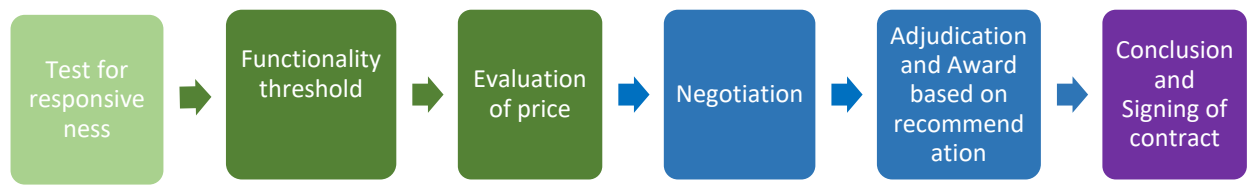
SECTION 5: GENERAL SERVICE PROVIDER OBLIGATIONS

20. SERVICE PROVIDER

- 20.1. The Service Provider(s) shall be responsible to AEMFC for the acts or omissions of persons directly or indirectly employed by them.
- 20.2. The Service Provider(s) must comply with the requirements stated in this RFP.

21. EVALUATION METHODOLOGY, CRITERIA

- 21.1. AEMFC will utilize the following methodology and criteria in selecting a preferred Service Provider.



- 21.1.1. After the closing date of the Bid Quotation, an appointed evaluation committee of AEMFC officials and/or external parties/consultants where necessary will evaluate the Bid / Tender proposals received.
- 21.1.2. The Committee will evaluate each of the bid Quote proposals received against the approved criteria as stated below:
- 21.1.2.1. **Step One:** Test for Administrative Responsiveness (compliance check on required documents), must be passed for a Respondent's proposal to progress to **Step Two** for further pre-qualification.
- 21.1.2.1.1. Whether the Bid has been lodged on time;
- 21.1.2.1.2. Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time;
- 21.1.2.1.3. Verify the validity of all returnable documents;
- 21.1.2.1.4. Verify if the Bid document has been duly signed by the authorised respondent.
- 21.1.3. **Step Two:** Test for Responsiveness to RFP for technical/functionality criteria must be met or exceeded for a Respondent's proposal to progress to **Step Three** for further evaluation. The test for technical and functional threshold will include the following (**Refer functionality (technical) evaluation criteria table below**): Minimum threshold of **85 Points**.
- 21.1.3.1. Whether any general and legislation qualification criteria set by AEMFC, have been met;
- 21.1.3.2. Whether the Bid contains a priced offer as prescribed in the pricing and delivery schedule;
- 21.1.3.3. Whether the Bid materially complies with the scope and/or specification given.
- 21.1.4. **Step Three:** Evaluation of Price to determine a preferred bidders' price will be ranked from the lowest to the highest acceptable price offered and AEMFC will award business to the lowest acceptable Bid (Highest ranked bid) unless objective criteria justify the award to another bidder.
- 21.1.5. **Step Four:** Post tender negotiations (If Applicable)
- 21.1.6. **Step Five:** Award of business and contract conclusion.

Returnable document

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22. EVALUATION CRITERIA

Applicable evaluation criteria

FUNCTIONALITY (TECHNICAL) EVALUATION CRITERIA

FUNCTIONALITY (TECHNICAL) EVALUATION CRITERIA					
NO.	EVALUATION CRITERIA	SCORING PRINCIPLE	RETURNABLE SCHEDULE	RATING	WEIGHTING SCORE
1.	Company capacity in planning, design, fabricate, erect, commissioning and operation of a wet coal Processing plant	More than 200 000 tons per month processing capacity	Bidder (own operated operations) to submit Portfolio of evidence signed by a senior manager that has authority to sign on behalf of the company confirming plant capacity.	20	20
		More than 160 000 to 200 000 tons per month processing capacity		15	
		More than 140 000 to 160 000 tons per month processing capacity	Bidder (Service Provider) to submit signed and contactable Reference Letter on the client company letter head that has authority to sign on behalf of the company confirming plant capacity.	10	
		120000 to 140 000 000 tons per month processing capacity .		5	
		Less than 120 000 tons per month processing capacity	Reference letters are to be attached for all clients listed and final points will be awarded upon confirmation of the information provided.	0	
NB. Failure to provide the required information and reference letters will lead to a bidder scoring zero on points. Experience from projects running concurrently will not be added up but will be treated as one.					
2.	Company experience in planning, design, fabricate, erect, commissioning and operation of wet processing plants	More than 5 years' experience in planning, design, fabricate, erect, commissioning and operation of wet processing plants	Bidder (own operated operations) to submit Portfolio of evidence signed by a senior manager that has authority to sign on behalf of the company confirming company experience.	15	15
		More than 3 years to 5 years' experience in planning, design, fabricate, erect, commissioning and operation of wet processing plants		10	
		1 year to 3 years' experience in planning, design, fabricate, erect, commissioning and operation of wet processing plants	Bidder (Service Provider) to submit signed and contactable Reference Letter on the client company letter head that has authority to sign on behalf of the company confirming company experience. Reference letters are to be attached for all clients listed and final points will be awarded upon confirmation of the information provided.	5	
		Less than 1-year experience in planning, design, fabricate, erect, commissioning and operation of wet processing plants		0	
N.B. Failure to provide required information and reference letters will lead to a bidder scoring zero on points. Experience from projects running concurrently will not be added up but will be treated as one.					

Returnable document

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NO.	EVALUATION CRITERIA	SCORING PRINCIPLE	RETURNABLE SCHEDULE	RATING	WEIGHTING SCORE
3.	Experience of senior core team members to be assigned to the site during construction phase. • Site Manager	More than 5 years of experience in construction of wet coal processing plants	Bidder to submit CVs with contactable references, (to be attached).	10	10
		More than 3 to 5 years of experience in construction of wet coal processing plants		5	
		1 to 3 years of experience in construction of wet coal processing plants		3	
		Less than 1 year experience in construction of wet coal processing plants		0	
4.	Experience of support core team members to be assigned to the site during construction phase. • Supervisor	More than 5 years of experience in construction of wet coal processing plants	Bidder to submit CVs with contactable references, (to be attached).	5	5
		More than 3 to 5 years of experience in construction of wet coal processing plants		3	
		1 to 3 years of experience in construction of wet coal processing plants		2	
		Less than 1 year experience in construction of wet coal processing plants		0	
5.	Experience of senior core team members to be assigned to the site during operation phase. • Site Manager	More than 5 years of experience in wet coal processing activities	Bidder to submit CVs with contactable references, (to be attached).	5	5
		More than 3 to 5 years of experience in wet coal processing activities		3	
		1 to 3 years of experience in wet coal processing activities		2	
		Less than 1 year experience in wet coal processing activities		0	
	CVs with contactable references to be attached. Failure to provide CVs with contactable references will lead to a bidder scoring zero on points				
6.	Experience of support core team members to be assigned to the site during operation phase. • Shift Supervisor	More than 5 years of experience in wet coal processing activities	Bidder to submit CVs with contactable references, (to be attached).	5	5
		More than 3 to 5 years of experience in wet coal processing activities		3	
		1 to 3 years of experience in wet coal processing activities		2	
		Less than 1 year experience in wet coal processing activities		0	
7.	Experience of support core team members to be assigned to the site during operation phase. • Maintenance Artisans	More than 5 years of experience in wet coal processing activities	Bidder to submit CVs with contactable references, (to be attached).	5	5
		More than 3 to 5 years of experience in wet coal processing activities		3	
		1 to 3 years of experience in wet coal processing activities		2	
		Less than 1 year experience in wet coal processing activities		0	
	N.B: CVs with contactable references to be attached. Failure to provide CVs with contactable references will lead to a bidder scoring zero on points.				

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

NO	EVALUATION CRITERIA	SCORING PRINCIPLE	RETURNABLE SCHEDULE	RATING	WEIGHTING SCORE
8.	Qualifications of senior core team members. Site Manager with experience in construction of wet coal processing plants	Structural Engineering Degree or equivalent with ECSA Registration	Bidder to submit certified copy of the required qualification and professional registration with ECSA as a professional Structural Engineer (to be attached)	5	5
		No qualification		0	
9.	Qualifications of support core team members. Construction Supervisor with experience in construction of wet coal processing plants	N4 or higher Certificate with a mechanical trade test	Bidder to submit certified copy of the required qualification (to be attached)	5	5
		No qualification		0	
10.	Qualifications of senior core team members during operation phase. Site Manager with experience in wet coal processing activities	Metallurgical or Chemical Engineering Diploma and/or Degree or equivalent	Bidder to submit certified copy of the required qualification (to be attached)	5	5
		No qualification		0	
11.	Qualifications of support core team members during operation phase. Plant Supervisor with experience in wet coal processing activities	Grade 12/N3 and Advanced coal preparation certificate	Bidder to submit certified copy of the required qualification (to be attached)	5	5
		Grade 12/N3 and Basic coal preparation certificate		3	
		No Grade 12/N3 and coal preparation certificate		0	
12.	Qualifications of support core team members. Maintenance Artisans with experience in wet coal processing activities	Relevant Trade Test	Bidder to submit certified copy of the required qualification (to be attached)	5	5
		No Trade Test		0	
N.B: Failure to provide all relevant certificates will lead to a bidder scoring zero on points. AEMFC reserves the right to verify the validity of the certificates submitted. Attach all relevant certificates as declared above. N.B: All certified submitted documents must be certified within a period of 6 months, from the closing bid submission date.					
Total Weighting:					90
Minimum Threshold					75
The minimum threshold for Stage One (1) is 75 for bidders to proceed to Stage Two (2)					

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD (“AEMFC”) at Vlakfontein Mine for a period of thirty-six (36) months.

22.1. EVALUATION CRITERIA: STAGE 2 EQUIPMENT SITE INSPECTION

FUNCTIONALITY (TECHNICAL) EVALUATION CRITERIA				
NO	EVALUATION CRITERIA	SCORING PRINCIPLE	RATING	WEIGHTING SCORE
1.	Completed project site inspection	Plant completed with capacity as referenced in technical evaluation returnable <ul style="list-style-type: none">Bidder to provide the plant specification manual to the evaluation team on site visit	10	10
		No plant completed with capacity as referenced in technical evaluation returnable and no plant specification manual provided on site visit	0	
N.B: Equipment to be inspected to be available for inspection at a mutually agreed place and time. Site inspection is to be restricted to the top companies that achieved a minimum of 75 points from Stage 1.				
Total Weighting:				10
Minimum Threshold for Stage 2				10
In order to proceed to the next stage, the bidder must reach a minimum threshold of 75 in Stage One (1) and 10 in Stage Two (2)				85
Total Weighting Stage 1 and 2:				100

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

24. FORMULA EVALUATION ON PRICE

24.1. AEMFC will utilise the following formula in its evaluation on Price:

$$PS = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where:

Ps = Score for the Bid under consideration

Pt = Price of Bid under consideration

$Pmin$ = Price of lowest acceptable Bid

24.2. Points for this bid /tender shall be awarded for the following:

- i. Price
- ii. Specific Goals (weighted scores **10**):

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

SECTION 6: LIST OF RETURNABLE DOCUMENTS**25. RETURNABLE DOCUMENTS REQUIRED**

- 25.1.** Returnable Documents means all the documents, Sections and Annexures, as listed in the tables below. There are three types of returnable documents as indicated below and Respondents are urged to ensure that these documents are returned with their bids based on the consequences of non-submission as indicated below:

Mandatory Returnable Documents	<i>Failure to provide all these Mandatory Returnable Documents at the Closing Date and time of this RFP <u>will</u> result in a Respondent's disqualification.</i>
Returnable Documents Used for Scoring	<i>Failure to provide all Returnable Documents used for purposes of scoring a bid, by the closing date and time of this bid will not result in a Respondent's disqualification. However, Bidders will receive an automatic score of zero for the applicable evaluation criterion.</i>
Essential Returnable Documents	<i>Failure to provide essential Returnable Documents <u>will</u> result in AEMFC affording Respondents a further opportunity to submit by a set deadline. Should a Respondent thereafter fail to submit the requested documents, this may result in a Respondent's disqualification.</i>

Note: All Returnable Sections, as indicated in the footer of the relevant pages, must be signed, stamped, and dated by the Respondent.

25.1.1. MANDATORY RETURNABLE DOCUMENTS

Respondents are required to submit with their bid submissions the following **Mandatory Returnable Documents**, and also to confirm submission of these documents by so indicating [Yes or No] in the tables below:

MANDATORY RETURNABLE DOCUMENTS	
	SUBMITTED [Yes/No]
SECTION 1: SBD1 Form	
SECTION 4: Pricing and Delivery Schedule	
SECTION 12: Certificate of Attendance of Compulsory RFP Briefing	
Minimum CIDB grading of 8SL	
Project Schedule of all activities which includes all major milestones, major elements timelines of the planning, design, supply, deliver, fabricate, install / erect, commission, testing, commissioning, and / or operate and maintain a wet processing plant at Vlaktefontein Mine.	

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

25.1.2. RETURNABLE DOCUMENTS USED FOR SCORING

In addition to the requirements of section (25.1.1) above, Respondents are further required to submit with their Proposals the following **Returnable Documents Used for Scoring** and also to confirm submission of these documents by so indicating [Yes or No] in the table below:

RETURNABLE DOCUMENTS USED FOR SCORING: TECHNICAL	
	SUBMITTED [Yes/No]
Company Capacity: <ul style="list-style-type: none"> ✚ Bidder (own operated operations) to submit Portfolio of evidence signed by a senior manager that has authority to sign on behalf of the company confirming plant capacity. ✚ Bidder (Service Provider) to submit signed and contactable Reference Letter on the client company letter head that has authority to sign on behalf of the company confirming plant capacity. ✚ Reference letters are to be attached for all clients listed and final points will be awarded upon confirmation of the information provided. 	
Company Experience: <ul style="list-style-type: none"> ✚ Bidder (own operated operations) to submit Portfolio of evidence signed by a senior manager that has authority to sign on behalf of the company confirming company experience. ✚ Bidder (Service Provider) to submit signed and contactable Reference Letter on the client company letter head that has authority to sign on behalf of the company confirming company experience. ✚ Reference letters are to be attached for all clients listed and final points will be awarded upon confirmation of the information provided. 	
Bidder to submit CVs of the following resources with contactable references: <ul style="list-style-type: none"> ✚ Site Manager ✚ Site Supervisor ✚ Maintenance Artisan 	
Bidder to submit Certified Proof of qualifications. The qualification will be verified to check authenticity.	

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

RETURNABLE DOCUMENTS USED FOR SCORING: SPECIFIC GOALS	
	SUBMITTED [Yes/No]
<p>Valid proof of Respondent's compliance to B-BBEE requirements stipulated in Section 8 of this RFP (Valid B-BBEE certificate or Sworn Affidavit)</p> <ul style="list-style-type: none"> ✚ ID Copy of Owner / Director; ✚ B-BBEE Certificate / Sworn Affidavit; ✚ CSD Report; ✚ Company Registration Documents. <p>Note: <i>Failure to submit valid and original (or a certified copy of) proof of the Respondent's compliance with the B-BBEE or Sworn Affidavit, will result in a score of zero being allocated for Specific Goals.</i></p> <p>Joint Ventures / Consortiums <i>Failure to provide a consolidated B-BBEE Certificate from a SANAS Accredited Service Provider will result in a score of zero for JVs / Consortiums</i></p>	

25.1.3. ESSENTIAL RETURNABLE DOCUMENTS

Over and the above the requirements of section (25.1.1) and (25.1.2) mentioned above, Respondents are further required to submit with their Proposals the following **Essential Returnable Documents** and also to confirm submission of these documents by so indicating [Yes or No] in the table below:

ESSENTIAL RETURNABLE DOCUMENTS	
	SUBMITTED [Yes/No]
National Treasury Registration on Central Data Base (CSD) (certificate). (A detailed report not older than one (1) month).	
Tax Clearance Certificate or electronic access PIN obtained from SARS's new Tax Compliance Status (TCS) system [Consortia / Joint Ventures must submit a separate Tax Clearance Certificate for each party]	
SECTION 6: List of Returnable Documents (continued validity of returnable documents)	
SECTION 7: SBD 4 Declaration of Interest	
SECTION 8: SBD 6.1 Preferential Procurement Regulations	
SECTION 9: SBD 9 Certificate of Independent Bid Determination	
SECTION 10: Resolution to Sign on Behalf of Company	
SECTION 11: Registration of Prospective Bidders Form	
Annual Financial Statements (AFS) – (3 years Audited Financial Statements)	

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlakfontein Mine for a period of thirty-six (36) months.

25.1.4. CONTINUED VALIDITY OF RETURNABLE DOCUMENTS

The successful Respondent will be required to ensure the validity of all returnable documents, including but not limited to its valid proof of B-BBEE status, for the duration of any contract emanating from this RFP. Should the Respondent be awarded the contract [**the Agreement**] and fail to present AEMFC with such renewals as and when they become due, AEMFC shall be entitled, in addition to any other rights and remedies that it may have in terms of the eventual Agreement, to terminate such Agreement immediately without any liability and without prejudice to any claims which AEMFC may have for damages against the Respondent.

SIGNED at _____ on this _____ day of _____ 20_____

SIGNATURE OF RESPONDENT'S AUTHORISED REPRESENTATIVE: _____

NAME: _____

DESIGNATION: _____

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

SECTION 7: SBD 4

26. ADMINISTRATIVE RETURNABLE DOCUMENTS

DECLARATION OF INTEREST

(SBD4)

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

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

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

26.2.1. Full Name of bidder or his or her representative:

26.2.2. Identity Number.....

26.2.3. Position occupied in the Company (director, trustee, shareholder²):

26.2.4. Company Registration Number.....

26.2.5. Tax Reference Number:

26.2.6. VAT Registration Number:

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

26.2.6.2. "State" means –

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

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

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlakfontein Mine for a period of thirty-six (36) months.

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

26.3.1. If so, furnish the following particulars:

- (a) Name of person / director / trustee / shareholder/ member:
.....
- (b) Name of state institution at which you or the person connected to the bidder is employed:
.....
- (c) Position occupied in the state institution:
.....
- (d) Any other particulars:
.....

26.3.1.1.If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES/NO

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

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

26.3.1.3.If no, furnish reasons for non-submission of such proof:

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

26.4. Did you or your spouse, or any of the company's directors / trustees /shareholders / members or their spouses conduct business with the state in the previous twelve months? YES/NO

26.4.1. If so, furnish particulars:

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

26.5. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

26.5.1. If so, furnish particulars.

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

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

26.6. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? YES/NO

26.6.1. If so, furnish particulars.

.....

26.7. Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES/NO

26.7.1. If so, furnish particulars:

.....

26.8. Full details of directors / trustees / members / shareholders.

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

26.9. DECLARATION

THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of bidder

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

SECTION 8: SBD 6.1

SBD 6.1

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Specific Goals.

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

28. GENERAL CONDITIONS

28.1. 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).

28.2. To be completed by organ of state

- a) The value of this bid is estimated to exceed R50 000 000 (all applicable taxes included) and therefore the 90/10 preference point system shall be applicable;

28.3. Points for this bid shall be awarded for:

- (a) Price; and
(b) Specific Goals.

28.4. The maximum points for this bid are allocated as follows:

	POINTS
PRICE	90
SPECIFIC GOALS	10
Total points for Price and SPECIFIC GOALS	100

28.5. Failure on the part of a bidder/tenderer to submit proof of documentation required in terms of this bid/tender to claim points for Specific Goals with the bid/tender, will be interpreted to mean that preference points for Specific Goals are not claimed.

28.6. The organ of state reserves the right to require of a bidder/tenderer, either before a bid/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.

29. DEFINITIONS

- (a) **"tender/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 or works, through price quotations, advertised competitive bidding processes or proposals or any other method envisaged in legislation;
- (b) **"prices"** means an amount of money tendered for goods/services/works, and includes all applicable taxes less all unconditional discounts;

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- (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);

30. FORMULAE FOR PROCUREMENT GOODS AND SERVICES

30.1. POINTS AWARDED FOR PRICE

30.1.1. THE 90/10 PREFERENCE POINTS SYSTEM:

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

90/10

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

Where

- P_s = Points scored for price of bid under consideration
- P_t = Price of bid under consideration
- P_{min} = Price of lowest acceptable bid

31. POINTS AWARDED FOR SPECIFIC GOALS

- 31.1. In terms of Regulation 4 (2); 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded for Specific Goals stated in the tender/bid. For the purposes of this tender the tenderer/bidder 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:
- 31.2. 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,
 - (c) then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system

Returnable document

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

31.3. Table 1: Specific goals for the tender/bid and points claimed are indicated per the table below. (Note to organs of state: Where either the 90/10 preference point system is applicable, corresponding points must also be indicated as such.)

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

31.4. AEMFC has identified in its Supply Chain Management Policy, **Specific Goals**, which will be used to promote transformation and empowerment. **The Specific Goal/s applicable to the tender/bid is stated in the table 1 below:**

No	The specific goals points in terms of this bid	Number of points allocated (90/10) by AEMFC	Number of points Claimed (90/10) by the bidder	Documents to be submitted for verification
1	Percentage (%) ownership by Black	Points (5)	Bidder	<ul style="list-style-type: none"> • ID Copy of Owner / Director; • B-BBEE Certificate / Sworn Affidavit; and • Company Registration Documents
	81-100%	5		
	51-80	2,5		
	31-50	2		
	<30	1,5		
	0%	0		
2	Percentage (%) ownership by women	Points (5)	Bidder	<ul style="list-style-type: none"> • ID Copy of Owner / Director; • B-BBEE Certificate / Sworn Affidavit; and • Company Registration Documents
	81-100%	5		
	51-80	2,5		
	31-50	2		
	<30	1,5		
	0%	0		

31.5. Bidders/Tenders must submit B-BBEE certificate issued by an authorised body or a B-BBEE Sworn affidavit to claim specific goals (s) points.

31.6. Proof of documentation must be attached in the form of Valid B-BBEE certificate or Sworn Affidavit that is valid for a period of twelve (12) months from date signed by the commissioner.

31.7. AEMFC can only award points provided sufficient information and required documents are correctly completed and returned with the proposals.

32. DECLARATION WITH REGARD TO COMPANY/FIRM

32.1. Name of company/firm:.....

32.2. VAT registration number:.....

32.3. Company registration number:.....

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

32.4. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

32.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

32.6. COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

32.8. 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.

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD (“AEMFC”) at Vlakfontein Mine for a period of thirty-six (36) months.

WITNESSES

1.

2.

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

DATE:

ADDRESS

.....

.....

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlakfontein Mine for a period of thirty-six (36) months.

SECTION 9: SBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids/quotes¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

SBD 9

CERTIFICATE OF INDEPENDENT QUOTATION/PROPOSAL DETERMINATION

I, the undersigned, in submitting the accompanying quote:

DESCRIPTION: Appointment of a Service Provider with a minimum CIDB Grading 8SL for the Planning, Design, Fabrication, Erection, Commissioning, Operation, and Maintenance of a Wet Coal Beneficiation Plant and Required Belt Conveyor Systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") for a period of thirty-six (36) months. AE/VLAK018/2023.

(Quote Number and Description)

in response to the invitation for the quote made by:

African Exploration Mining and Finance Corporation (SOC) Ltd

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

SBD 9

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

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Date

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

SECTION 10: RESOLUTION TO SIGN ON BEHALF OF COMPANY

33. RESOLUTION TO SIGN ON BEHALF OF COMPANY

RESOLUTION of a meeting of the Board of "Directors / Members / Partners of:

.....
(legally correct full name and registration number, if applicable, of the Enterprise)

held at (place).....

on (date).....

RESOLVED that:

- The Enterprise submits a Tender to in respect of the following:
Tender Reference Number: **AE/VLAK018/2023:**

Appointment of a Service Provider with a minimum CIDB Grading 8SL for the Planning, Design, Fabrication, Erection, Commissioning, Operation, and Maintenance of a Wet Coal Beneficiation Plant and Required Belt Conveyor Systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") for a period of thirty-six (36) months.

- *Mr/Mrs/Ms in *his/her capacity as:

.....(position)

And who will sign as follows: _____ (Signature)
and is hereby, authorised to sign the Tender and all other documents and/or correspondence in connection with and relating to the EOI, as well as to sign any Contract, and any and all documentation, resulting from the award of any project to the Enterprise mentioned above.

	NAME	CAPACITY	SIGNATURE
1.			
2.			
3.			
4.			
Note: <ul style="list-style-type: none"> *Delete which is not applicable NB: This resolution must be signed by <u>all</u> the Directors / Members / Partners of the Tendering Enterprise or majority of directors of the Tendering Enterprise. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page. 			ENTERPRISE STAMP

Description: Appointment of a service provider with a minimum CIDB grading of 8SL for the planning, design, fabrication, erection, commissioning, operation, and maintenance of a wet coal beneficiation plant and required belt conveyor systems for African Exploration Mining and Finance Corporation (SOC) LTD ("AEMFC") at Vlaktefontein Mine for a period of thirty-six (36) months.

SECTION 11: CERTIFICATE OF ATTENDANCE OF [COMPULSORY]RFP BRIEFING

CERTIFICATE OF BRIEFING SESSION ATTENDANCE

It is hereby certified that –

1.

2.

Representative(s) of [name of entity]

As the Bidder's Authorised Representative, have attended the Briefing Session in respect of the proposed [Goods/Services] to be rendered in terms of this RFP on20.....

I have satisfied myself with regards to all conditions and other factors which may affect the Bidder's bid. I have obtained all necessary information as to risks, contingencies, and other circumstances which may influence or affect the Bidder's bid.

.....
AEMFC'S REPRESENTATIVE
NAME:

.....
RESPONDENT'S REPRESENTATIVE
NAME

.....
AEMFC'S REPRESENTATIVE
SIGNATURE:

.....
RESPONDENT'S REPRESENTATIVE
SIGNATURE:

DATE

DATE:

EMAIL:.....

NOTE:

This certificate of attendance in the form set out in **Section 11** must be completed and submitted with your proposal as proof of attendance for the compulsory site meeting and/or RFP briefing. It must be filled in duplicate, one copy to be kept by AEMFC and the other copy to be kept by the bidder.

Respondents failing to attend the compulsory RFP briefing **will** be disqualified.