

REQUEST FOR PROPOSAL (RFP)

Bidders Name:

RFP Number:	iLABS/RFP2022/23:13
RFP Description:	<p>Appointment of a service provider for the design, supply, installation and commissioning of the Auditorium Ventilation and Air Conditioning (HVAC) System at iThemba LABS, Faure Western Cape, South Africa.</p> <p>It is estimated that tenderers must have a CIDB Contractor Grading of 2ME or higher</p>
Date of Issued:	13 February 2023
Compulsory Site Clarification Meeting Date: (20 February 2023)	The bidder shall be deemed to have examined conditions of the current HVAC installation and facilities during the compulsory site clarification meeting. No claims will be recognized after submission of a tender on the grounds of a lack of knowledge of the foregoing.
Compulsory Site Visit Location:	<p>iThemba LABS Cape Town Old Faure Road Faure 20 February 2023, starts from 10:00 am (no late bidders will be allowed to enter the premises after 10:15 am).</p> <p>All bidders will sign attendance register at the iThemba Labs Reception area.</p>
Closing Date:	28 February 2023
Submission of RFPs	scm@tlabs.ac.za (Proposals / quotations must be sent via email only)
For More Information (Technical):	<p>Dr. L Strydom / Mr. P Beukes Tel: 021 843 1000 Email: Le Roux Strydom: ilr.strydom@ilabs.nrf.ac.za</p>

	Philip Beukes: pr.beukes@ilabs.nrf.ac.za
For More Information (Supply Chain Management):	Mr. Lusindiso Buje: scm@tlabs.ac.za
Date Goods/Service Required:	To be confirm with successful bidder at the Project kick-off meeting
Validity from Closure Date:	90 Days
Preferential Procurement System Applicable:	<p>80:20</p> <p>This RFP is subject to the Preferential Procurement Policy Framework Act 2000 and its 2022 Regulations; the General Conditions of Contract (GCC); Special Conditions of Contract (SCC), and any other applicable legislation</p>

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INTRODUCTION TO THE NRF

The National Research Foundation (“NRF”) is a juristic person established in terms of the National Research Foundation Act, Act 23 of 1998, and a Schedule 3A Public Entity in terms of the Public Finance Management Act. The NRF is the government’s national agency responsible for promoting and supporting research and human capital development through funding researchers, provision of the National Research Platforms, and science outreach platforms/programs to the broader community. The NRF provides these services in all fields of science and technology, including natural science, engineering, social science, and humanities. The NRF delivers its mandate through its internal business units which are both functional and geographical diverse. All contracts flowing from bidding only apply to iThemba LABS Cape Town.

1 INTRODUCTION TO THE NRF BUSINESS UNIT RESPONSIBLE FOR THIS BID

iThemba LABS (Laboratory for Accelerator-Based Sciences) is a multi-disciplinary research laboratory based at two sites in the Western Cape and Gauteng respectively, these provide facilities for:

- Basic and Applied Nuclear Physics Research using Particle Beams
- Research Radiation Biophysics
- The supply of Accelerator-produced Radioactive Isotopes for Nuclear Medicine and Research

The Accelerator Operations and Technical Support Department is responsible for this RFP.

2 INVITATION FOR PROPOSAL

iThemba LABS seeks to appoint a reputable Service Provider as required by National Treasury Regulations (NTRs) and Public Financial Management Act (PFMA) through an open and competitive process so that it can realise the benefits of the strategic sourcing which includes, amongst others:

- Reducing the cost of effort and administration
- Minimising price inconsistencies
- Reducing inadequate contract management and service delivery

This Request for Proposal is intended to allow the successful bidder to specify and present their skills, expertise and price for the above-mentioned services to iThemba LABS. Final acceptance of any proposal is not guaranteed, this being the exclusive right of iThemba LABS.

The purpose of this RFP:

Appointment of a service provider for the design, supply, installation and commissioning of the Auditorium Ventilation and Air Conditioning (HVAC) System at iThemba LABS, Faure Western Cape, South Africa.

With the right to cancellation due to non – performance.

3 OBJECTIVES OF ITHEMBA LABS

The long-term Key Strategic Objectives of iThemba LABS are well aligned with five of the six Strategic Outcomes of the National Research Foundation (NRF) as follows:

- iThemba LABS develops and provides to its users Leading-edge Research and Infrastructure Platforms aimed at responding to the needs of the SA research community in sub-atomic science and technology, radio-biology, radio-chemistry and environmental sciences, as well as other disciplines that can benefit from ion beam analysis techniques.
- iThemba LABS to contribute to an Internationally Competitive and Transformative Research System through in-house and collaborative research projects and through growing the production of globally competitive research outputs our training capacity is enhanced, leading to improvement in both quality and quantity of Human Capacity Development (HCD).
- iThemba LABS further contributes to the NSI by growing and enhancing our Radionuclide Production portfolio and service offering for the health and related benefits of the SA community whilst improving cost recovery opportunities.
- iThemba LABS constantly strives to deliver transparent HR/Business/Finance processes (including Health and Safety) in line with the NRF policies in support of the operations and to facilitate Strategic Decision Making
- iThemba LABS offers an extensive range of training programmes, mainly focused on post-graduate training where our research facilities are being utilized.
- iThemba LABS engages in a variety of science outreach programmes aimed at establishing a Scientifically Literate and Engaged Society

4 REGISTRATION ON THE CENTRAL SUPPLIER DATABASE (CSD)

The bidder must be registered on the National Treasury's Central Supplier Database at the closing date in order to do business with an organ of state or for the NRF to award a bid or contract. Registration on the CSD (www.csd.gov.za) provides a bidder with an opportunity to do business with all state organisations including provincial and municipal levels. National Treasury Contact Details: 012 406 9222 or email csd.support@treasury.gov.za

SECTION 1: Process Description & Administrative Requirements.

1.1 Mandatory and Administrative Requirements

- a) All documentation to be included:

PART 1: Technical Proposal: RFP No.: iLABS/RFP2022/23:13

PART 2: B-BBEE and other Mandatory Documentation:

- b) Detailed proposal and any additional information must accompany this signed Request for Proposal (RFP).
- c) Pricing must be filled in on this document and can be supported by a separate proposal.
- d) Prices supplied must be fully inclusive of all costs; value added tax, delivery charges and other taxes.
- e) Prices must be in South African currency.
- f) Price summary supplied in this document is firm prices.
- g) Bidders not submitting mandatory returnable evaluation documents will not be considered for technical evaluation and will be disqualified automatically.

ADMINISTRATIVE DOCUMENTS (M = Mandatory and O=Optional)		
Please Tick Applicable		
Valid B – BBEE Certificate / Sworn Affidavit	O	YES/NO
CSD (Central Supplier Database) Proof of Registration (www.csd.gov.za)	M	YES/NO
Complete and sign Bidder's Disclosure (SBD 4)	M	YES/NO
CIBD Grade 2ME (proof must be submitted)	M	YES/NO
Complete and sign Preference Points Form in terms of the Preferential Procurement Regulations 2022 (SBD 6.1)	M	YES/NO
EVALUATION DOCUMENTS (Yes/No Evaluation)		
Note: Compulsory to submit all returnable documents (Where Applicable)		
A Portfolio of works covering similar HVAC Design and Installation Projects (Restricted to a minimum of 5 projects) – The Projects/Service must include the Value, Duration and Completion Date of the contract, within the last three years.	M	YES/NO
Curriculum Vitae of Professionally Registered Mechanical Engineer or Technologist with a minimum of 10 years of relevant experience.	M	YES/NO
Curriculum Vitae of Mechanical Draughtsman with a minimum of 3 years of relevant experience.	M	YES/NO
Submission of Company Profile for AHU Manufacturer (Certificate must be submitted).	M	YES/NO
Submission of Company Profile for HVAC/AHU Equipment Installer.	M	YES/NO
Submission of Sub-Contractor details (if applicable)	M	YES/NO

1.2 Proposal Submission

Proposal must reach iThemba LABS before the closing hour on the date shown below, and must be enclosed in a sealed envelope which must have inscribed on the outside:

RFP No : **iLABS/RFP2021/22:13**

Description of Services:

Appointment of a service provider for the design, supply, installation and commissioning of the Auditorium Ventilation and Air Conditioning (HVAC) System at iThemba LABS, Faure Western Cape, South Africa.

Closing Date and Time: **28 February 2023**

1.3 Delivery Instructions for Bids

1.3.1 Submit via Email to scm@tlabs.ac.za

1.3.2 Please note that this RFP closes punctually at 11:00 am on **28 February 2023**. No late bids will be accepted.

1.3.3 If responses are not delivered as stipulated herein, such responses will not be considered and will be treated as "UNRESPONSIVE." This included bids that are delivered late.

1.3.4 No facsimile responses will be considered, unless otherwise stated herein.

1.3.5 The responses to this RFP will be opened as soon as practicable after the expiry of the time advertised for receiving them.

1.3.6 iThemba LABS shall not, at the opening of responses, disclose to any other company any confidential details pertaining to the Proposals / information received i.e. pricing, delivery, etc. The names and locations of the Respondents will be divulged to other respondents upon request.

1.3.7 iThemba LABS business hours are between 08h00 and 16h30.

1.3.8 Each proposal shall be valid for a minimum period of ninety (90) days calculated from the closing date.

1.3.9 Proposals submitted by companies must be signed by a person or persons duly authorised. If the documents are completed and signed by the Director/Owner/Partner, the resolution is not needed, but if the documents are completed and signed by any other person, then the resolution is required - as per mandatory requirement.

1.4 Awarding of Request for Proposal and Appointment of Bidder

1.4.1 The contract will be awarded to the bidder who scores the highest total number of points during the evaluation process, except where the law permits otherwise.

1.4.2 iThemba LABS will award the contract to qualified bidder(s) whose proposal is determined to be the most advantageous to iThemba LABS, taking into consideration the Technical (Functional) Solution, Price and B-BBEE.

1.5 Evaluation Process

1.5.1 Evaluation of proposals:

All proposals will be evaluated by an evaluation team and SCM for administrative compliance, Technical/Mandatory Requirements (if applicable), Price and B-BBEE. Based on the results of the evaluation process and upon successful negotiations, iThemba LABS will approve the awarding of the contract to successful bidder.

1.5.2 Evaluation process will be followed:

- The first phase includes evaluation of administrative requirements and technical criteria.
- The second phase includes the evaluation of price and B-BBEE status.
Pricing Proposals will only be considered after the technical phase has been adjudicated and accepted.
- Preference points system:

The 80/20 preference point system will be used where 80 points will be dedicated to price and 20 points to B-BBEE status. **If all bids received are more than R 1 Million, the proposal will be cancelled and re-issued.**

1.6 Pricing Proposal:

1.6.1 Pricing proposal must be cross-referenced to the sections in the Technical Proposal.

1.6.2 Price needs to be provided in South African Rand (incl. VAT), with details on price elements that are subject to escalation and exchange rate fluctuations clearly indicated. Companies to indicate if not VAT registered where applicable

1.7 Appointment of Bidder

1.7.1 Appointment as a successful bidder shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement iThemba LABS reserves the right to appoint an alternative supplier.

1.7.2 Awarding of contracts will be announced on iThemba LABS website and regret letters will be sent to unsuccessful bidders.

1.8 Communication

1.8.1 Bidders are warned that a Proposal will be liable to disqualification should any attempt be made by a Respondent either directly or indirectly to canvass any officer or employee of iThemba LABS in respect of this RFP between the closing date and the date of the award of the business.

1.8.2 For specific queries relating to this RFP, Respondents must contact SCM Office in writing. In the interest of fairness and transparency iThemba LABS response to such a query will then be made available to the other Respondents who have attended the compulsory site clarification meeting.

1.8.3 After the closing date of the RFP, a Respondent may communicate with iThemba LABS Supply Chain Management Section, at scm@tlabs.ac.za on any matter relating to its RFP proposal.

1.8.4 Respondents found to be in collusion with one another will be automatically disqualified and blacklisted from doing business with iThemba LABS in future.

SECTION 2: BACKGROUND

2.1 BACKGROUND

iThemba LABS seeks to appoint a Service Provider to replace the Heating Ventilation and Air Conditioning (HVAC) system of an Auditorium and two adjacent work rooms in the main office building of iThemba LABS to meet the performance criteria as specified in this document. Works to include Design Development, Documentation, Procurement, Installation and Commissioning of civil and structural works, electrical works and mechanical works for the upgrading of the HVAC system or new installation.

SECTION 3: SPECIFICATIONS

3.1 DETAILED SCOPE OF WORK / SPECIFICATIONS

EXISTING INFRASTRUCTURE

iThemba LABS utilises an Auditorium/Lecture Hall which is situated in the Administration Building (Block J) of our premises in Faure, Western Cape as depicted below. The room volume measures approximately 700 m³ and air is currently being supplied to the room from an existing Air Handling Unit (AHU) which also supplies a number of other areas in Block J. The AHU is supplied with chilled water from a central facility.

A total of six (6) 250 mm diameter ventilation diffusers are installed in the Auditorium ceiling. The average measured velocity measured at the diffusers is 0.7815 m/s which equates to a total air supply of 0.23 m³/s or 828 m³/h. The approximate Air Changes Per Hour (ACH) in the Auditorium is currently 1.2 which is deemed insufficient for the continued use of the facility.



Two additional work rooms located adjacent to the auditorium, namely J2 and J6 as depicted above are not linked to the current HVAC system nor network of ductwork. The approximate volume of room J2 is 160 m³ and that of J6 is 200 m³.

2. REQUIRED HVAC SPECIFICATIONS

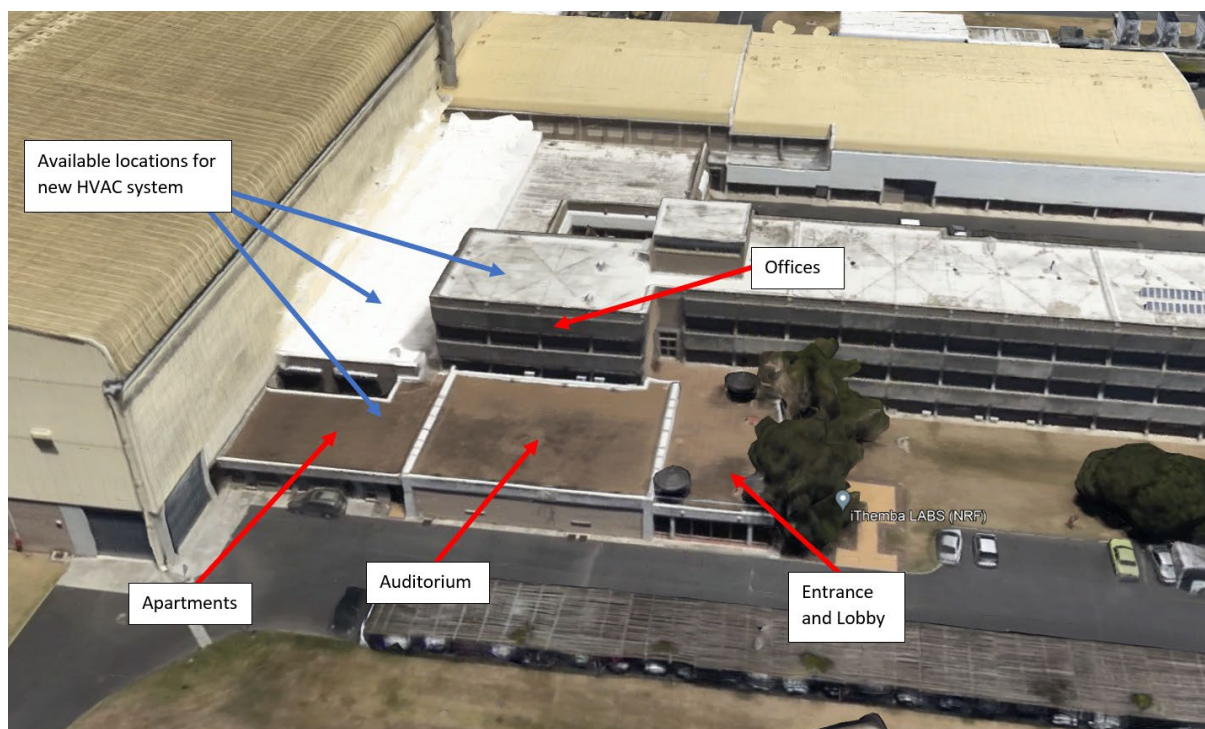
The objective of this RFQ is to enlist the services of a suitable service provider for the design, supply, installation and commissioning of a new stand-alone HVAC system dedicated to the Auditorium including rooms J2 and J6 in order to achieve the following conditions inside the rooms as per SANS 10400 Part O:

Room	Volume	Air Changes Per Hour (ACH)	Minimum Airflow	Air Temperature	Controllable Temperature Range	Relative Humidity
Auditorium	700 m3	Minimum of 10	0.7 m/s	21° C (± 2°C)	18 – 25 °C	40%-60%
J2	160 m3	Minimum of 6				
J6	200 m3	Minimum of 6				

The scope and specifications are intended to cover the requirements and standards to be followed when selecting and specifying equipment and the functional system as a whole. Excluded are the details of design and implementation (civil, mechanical and electrical) which are recognized as being the exclusive responsibility of the service provider.

The air supply to the auditorium should be isolated from the existing Air Handling Unit and diverted to the new HVAC system. The works shall include all modifications required to the existing ducting to supply and extract air to the auditorium and rooms J2 and J6 from the new HVAC system.

Some proposed locations for the new HVAC system are shown in the picture below, to be located on the concrete roof of the adjacent buildings such that noise intrusion into the nearby offices and apartments will be minimised.



Bidders shall familiarize themselves with the requirements of the site and area where the installation and upgrades shall be implemented including the plans and specifications related to each of these areas. The bidder shall be deemed to have examined conditions of the current HVAC installation and facilities during the compulsory site clarification meeting. No claim will be recognized after submission of a tender on the grounds of a lack of knowledge of the foregoing.

The successful bidder will be requested to supply their full design drawings, design specifications, bills of quantities as well as the manufacturer and installers details prior to commencement with the installation. They will be responsible for stripping out and removal of existing features where necessary to implement upgrades or a new installation, including all mechanical, electrical and civil works related to the project.

3. SERVICE PROVIDER CAPABILITY AND EXPERIENCE

Bidder

The Bidder to provide details of having successfully completed a minimum of Five (5) similar HVAC design and installation projects in the last three (3) years. Preference will be given to bidders who can provide signed certificates of completion (including project schedules) of recent projects, indicating the value, duration and completion date of the contract. (Proof to be submitted)

Design Engineer/Technologist

The Mechanical Engineer / Technologist responsible for the design of the HVAC system to be professionally registered with the Engineering Council of South Africa (ECSA) as a Professional Mechanical Engineer (Pr. Eng) or Professional Mechanical Engineering Technologist (Pr. Tech) with a minimum of ten (10) years of design experience of HVAC systems. The Engineer/Technologist to have successfully completed a minimum of three (3) projects of similar scope within the last three (3) years. (Proof to be submitted)

Mechanical Draughtsman

The Mechanical Draughtsman to have a minimum of five (3) years of mechanical draughting experience of HVAC systems. (Proof to be submitted)

Construction Industry Development Board (CIDB) Registration

Registration with the Construction Industry Development Board (CIDB) as Grade 1 ME (ME - Mechanical Engineering) is compulsory. (Proof to be submitted)

AHU Manufacturer

Company profile of AHU manufacturer to be submitted with proposal, manufacturer to be in business for a minimum of 5 years. (Proof to be submitted)

HVAC/AHU Equipment Installer

Company profile of the AHU installer to be submitted with proposal together with a list of 5 projects completed within the past 36 months with a minimum of 5 years of experience. (Proof to be submitted)

4. SUB-CONTRACTING

If part of the work will be sub-contracted, company profiles of each sub-contractor to be submitted with this proposal.

The successful bidder may not subcontract the whole of the works and must retain overall design responsibility for the new HVAC system and responsibility for the works and successful commissioning and handover of the system.

PRICING SCHEDULE

Description	Quantity	Price Per Unit (Incl. VAT)	Total (Incl. VAT)
Complete Health and Safety File for relevant work			
<u>Mechanical works:</u> Design, supply, installation and commission of new HVAC plant and ducting as described in this specification document, including ducting to J2 & J6 and modification of existing ducting where required for isolation of existing AHU.			
<u>Electrical works:</u> All electrical works required for the electrical power supply to the new HVAC system, including local controls for plant & equipment and instrumentation to monitor and control temperature in each room.			
<u>Civil/Structural works:</u> All civil and structural works required for the new HVAC installation			
All required inspections and test as per Occupational Health and Safety Act, No. 85 of 1993 and SANS 10400 Part O.			
All design drawings, equipment specifications, maintenance schedules and operating manuals.			
TOTAL VAT INCLUSIVE			R

SPECIAL CONDITIONS

- 1) Responses received from the prospective service providers do not give rise to any contractual obligation to iThemba LABS.
- 2) iThemba LABS reserves its own right to utilize or not utilize any of the information provided by the prospective service providers.
- 3) iThemba LABS reserves the right to request further information should they deem necessary to do so.
- 4) iThemba LABS may decide to call presentations to interrogate the proposals submitted by any prospective service providers.

SERVICE PERFORMANCE LEVELS (MANDATORY)

Service being Measured	Penalty where minimum levels are breached
Timely delivery	As stipulated on GCC 22.1 and contractually agreed

GENERAL CONDITIONS OF CONTRACT FOR PERFORMANCE MANAGEMENT

GCC22	22. Penalties
	22.1. Subject to GCC Clause 25, if the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. The purchaser may also consider termination of the contract pursuant to GCC Clause 23.

Please visit <https://www.nrf.ac.za/procurement/General-Conditions-of-Contract> for the detailed GCC's which forms part of the binding contract which will be issued to the awarded bidder.

STANDARD BIDDING DOCUMENT (SBD) 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,

employed by the state?

YES/NO

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 **DECLARATION**

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

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

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

- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.
I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

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

STANDARD BIDDING DOCUMENT (SBD) 6.1

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

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

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc}
 80/20 & \text{or} & 90/10 \\
 \\
 \textcolor{blue}{Ps} = 80 \left(1 - \frac{\textcolor{blue}{Pt} - P_{min}}{P_{min}} \right) & \text{or} & \textcolor{blue}{Ps} = 90 \left(1 - \frac{\textcolor{blue}{Pt} - P_{min}}{P_{min}} \right)
 \end{array}$$

Where

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} 80/20 & \text{or} & 90/10 \\ P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

system.)

The specific goals allocated points in terms of this tender (B-BBEE Status Level of Contributor)	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
1	10	20		
2	9	18		
3	6	14		
4	5	12		
5	4	8		
6	3	6		
7	2	4		
8	1	2		
Non-compliant contributor	0	0		

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

1. Contract Management

1.1. The NRF manages this contract fairly and objectively in accordance to the terms and conditions set out in this document.

2. Contract Manager

2.1. The NRF appoints a contract manager and notifies the other party in writing of the name and contact details of the appointed contract manager.

3. Contract Communication

3.1. The NRF communicates all communications in writing as well as through email.

3.2. The NRF maintains all contract documentation, correspondence, etc. in a defined contract file open for inspection.

3.3. The NRF states the contract number with secondary reference numbers i.e. purchase numbers on all communication, documentation such as purchase orders issued, etc. The NRF will consider any communication without the contract number on as not being legal communication between the parties and not enacted on by either party as a protection against fraud.

4. Communicating “As and When” in terms of the specific contract clauses

4.1. Where prices and/or availability need to be confirmed, a request for an updated detail quotation/information is issued and the Project Leader must complete Request for Order. The detailed quotation together with the signed request for order form must be submitted to Supply Chain Management Office for processing;

4.2. Where specific procurement items as specified in the contract are required, the NRF issues a purchase order stating the contract number for the requirement.

4.3. Such purchase order has the following detail (where this is not provided, the purchase order is not a valid communication in terms of this contract):

4.3.1. Purchase Order Number

4.3.2. Contract Number

4.3.3. Quantity

4.3.4. Description of the required procurement. Where detailed, reference must be made to the relevant technical document attached;

4.3.5. Catalogue number if applicable;

4.3.6. Unit price per this contract;

4.3.7. Delivery Date;

4.3.8. Business unit code; and

	<p>4.3.9. The specific delivery site.</p> <p>5. Communicating where incidental services are required as listed in this document</p> <p>5.1. Incidental services are specified in the incidental services clause</p> <p>5.2. Incidental services are priced in accordance with the incidental clause where such prices have not been set in the SBD form.</p> <p>6. Communicating where spare parts are required as listed in this document</p> <p>6.1. The spare parts services are specified in the spare parts clause</p> <p>7. Performance Management</p> <p>7.1. The NRF measures performance throughout the contract life.</p> <p>7.2. The NRF has regular performance review with the contractor.</p> <p>7.3. Where severe non-performance occurs will terminate the contract earlier in consultation with the contractor.</p>
CONTRACTED BIDDER	
	<p>8. Managing the Contract</p> <p>8.1. The contracted party manages this contract fairly and objectively in accordance to the terms and conditions set out in this document.</p> <p>8.2. The Service Provider will supervise and exercise proper control over its personnel and shall not hold the iThemba LABS liable for any loss or injury caused to the said personnel. The Service Provider will seek to resolve any problems relating to its personnel in line with the laws of the country (e.g. Labour Laws).</p> <p>9. Contract Manager</p> <p>9.1. The contracted party appoints a contract manager and notifies the NRF in writing of the name and contact details of the appointed contract manager.</p> <p>10. Communication</p> <p>10.1. The contracted party communicates in writing and through email.</p> <p>10.2. The contracted party always state the contract number on communication, documentation such as correspondence, purchase orders issued, etc. and will not act upon any communication without the contract number or must verify such communication with the NRF prior to acting upon it.</p> <p>11. Managing Stages (if applicable), Delivery Scheduling (if applicable), Milestones (if applicable)</p>

	<p>11.1. Where different stages apply, the contracted party communicates in writing the commencement of the stage to the NRF.</p> <p>12. Health and Safety Requirements</p> <p>12.1. In terms of the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations), the contracted supplier is responsible for the health and safety of its employees and those other people affected by the operations of the supplier.</p> <p>12.2. The contracted supplier ensures all work performed and/or equipment used on site complies with the Occupational Health and Safety Act (OHS Act No 85 of 1993 and its Regulations).</p> <p>12.3. To this end, the contracted supplier shall make available to NRF the valid letter of good conduct and shall ensure that its validity does not expire while executing this bid.</p> <p>12.4. Prior to commencement of any work the contractor needs to complete an Indemnity form, the iThemba LABS Contractual obligations form and will be required to attend a Contractors Health and Safety induction prior to commencement of any works.</p>
<p>BID SUBMISSION CERTIFICATE FORM</p>	
	<p>I hereby undertake to supply all or any of the goods, works, and services described in this procurement invitation to the NRF in accordance with the requirements and specifications stipulated in this Bid Invitation document at the price/s quoted.</p>
	<p>My offer remains binding upon me and open for acceptance by the NRF during the validity period indicated and calculated from the closing time of Bid Invitation.</p>
	<p>The following documents are deemed to form and be read and construed as part of this offer / bid even where integrated in this document:</p> <ul style="list-style-type: none"> • Invitation to Bid • Specification(s) set out in this Bid Invitation inclusive of any annexures thereto • Bidder's responses to this invitation as attached to this document • Pricing Schedule(s) including detailed schedules attached • CSD / Tax clearance letter • Bidder's Disclosure (SBD4); • SBD 6.1 in terms of the Preferential Procurement Regulations 2022 • Conditions of contract as set out in this document (GCC)
	<p>I confirm that I have satisfied myself as to the correctness and validity of my offer / bid in response to this Bid Invitation; that the price(s) and rate(s) quoted cover all the goods, works and services specified in the Bid Invitation; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding</p>

price(s) and rate(s) and calculations will be at my own risk.	
I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me in terms of this Bid Invitation as the principal liable for the due fulfilment of the subsequent contract if awarded to me.	
I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other Bid.	
I certify that the information furnished in these declarations (SBD4 and SBD6.1) is correct and I accept that the NRF may reject the Bid or act against me should these declarations prove to be false.	
I confirm that I am duly authorised to sign this offer/ bid response.	
NAME (PRINT)	
CAPACITY	
SIGNATURE	