



REQUEST FOR PROPOSAL (RFP) FOR THE LEASE OF PRASA OWNED PROPERTIES IN THE SOUTH GAUTENG REGION FOR COMMERCIAL PURPOSES	 <b>prasa</b> <small>PASSENGER RAIL AGENCY OF SOUTH AFRICA</small>
CRES/RFP/06/2024	

Annexure 1

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**FORM A: INVITATION TO BID**

**PART A**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY) – PRASA</b>					
BID NUMBER:	<b>CRES/RFP/06/2024</b>	CLOSING DATE:	<b>20 SEPTEMBER 2024</b>	CLOSING TIME:	<b>12:00 NOON</b>
DESCRIPTION	<b>REQUEST FOR PROPOSAL (RFP) FOR THE LEASE OF PRASA OWNED PROPERTIES IN THE SOUTH GAUTENG REGION FOR COMMERCIAL PURPOSES</b>				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

<b>UMJANTSHI HOUSE, GROUND FLOOR</b>				
<b>30 WOLMARANS STREET</b>				
<b>BRAAMFONTEIN,</b>				
<b>JOHANNESBURG, 2001, GAUTENG</b>				
<b>SUPPLIER INFORMATION</b>				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
	TCS PIN:		OR	CSD No:

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ANSWER PART B:3 BELOW ]
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			

With effect from **Thursday, 27 June 2024** the tender documents can be downloaded on National Treasury e-tender website [www.etenders.gov.za](http://www.etenders.gov.za) and Prasa website [www.prasa.com](http://www.prasa.com) from 02 July 2024.

1. A Non-compulsory tender briefing meeting with representatives of the Employer will take place at

#### Briefing Session

**DATE:** Tuesday 16 July 2024

**VENUE:** MICROSOFT TEAMS

**MEETING ID:** 357 141 456 999      Passcode: tD3y5H

**TIME:** 11:00 – 12:00 noon

2. Arrangements can be made to make bids available before closing date provided that the prospective bidder has attended the compulsory briefing meeting (Not applicable).

**Bid No:** CRES/RFP/06/2024

**Description:** REQUEST FOR PROPOSALS (RFP'S) FOR THE LEASE AND/OR DEVELOPMENT OF PRASA PROPERTIES SITUATED IN THE SOUTHERN GAUTENG REGION

I/We declare that I/We have read the above-mentioned notice and that it is understood by me/us.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ (day) of \_\_\_\_\_ (month) 20\_\_\_\_\_.

**REQUEST FOR PROPOSALS (RFP'S) FOR THE LEASE AND/OR DEVELOPMENT OF PRASA PROPERTIES SITUATED IN THE SOUTHERN GAUTENG REGION**

**CRES/RFP/06/2024**



**BIDDER :** \_\_\_\_\_ **Signature** \_\_\_\_\_

**FORM 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).
- 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.

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, 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 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](http://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.

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

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

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

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**FORM C: TENDER FORM (FINANCIAL OFFER)**

CURRENT TENDER DETAILS	
Request number:	BID NUMBER: CRES/RFP/06/2024
Request for Tender:	REQUEST FOR PROPOSAL (RFP) FOR THE LEASE OF PRASA OWNED PROPERTIES IN THE SOUTH GAUTENG REGION FOR COMMERCIAL PURPOSES

I / We \_\_\_\_\_  
 (Insert Name of Bidding Entity) of


\_\_\_\_\_  
 \_\_\_\_\_  
 (Full address)  
 Conducting business under the style or title of:

Represented by: \_\_\_\_\_  
 \_\_\_\_\_ in my capacity  
 as:

\_\_\_\_\_  
 being duly authorised thereto by a Resolution of the Board of Directors / Certificate of Partners, Members or Participants, as the case may be, dated \_\_\_\_\_, a certified copy of which is annexed hereto, hereby offer PRASA CRES (hereinafter called “the Financial Offer”) at the estimates quoted in Volume 2 or, the sum of  
 R\_\_\_\_\_

\_\_\_\_\_  
 (Rental Offer per annum - amount in words),  
 (All applicable taxes included), including the Financial Offer of as a revenue share split (Rental Offer)  
 to PRASA in terms of section 15.2.3 of the Master RFP Document.

**N.B.** (i) In the event of any discrepancy, the amount in words will take precedence over the amount in figures.

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The following list of persons are hereby authorised to negotiate on behalf of the abovementioned entity, should PRASA decide to enter into Post Tender Negotiations with shortlisted bidder(s).

FULL NAME(S)	CAPACITY	SIGNATURE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____


I/We hereby offer to supply the abovementioned Services at the prices quoted in *Volume 2 Financial Offer* in accordance with the terms set forth in the documents listed in the accompanying schedule of RFP documents.

I / We accept that should PRASA accept my / our tender and issue me / us with the notice of acceptance, this tender and, if any, its covering letter and any subsequent exchange of correspondence together with the PRASA acceptance thereof, such acceptance shall be subject to a written contract to be concluded between the PRASA and me / us.

I / We undertake to produce acceptable documentary proof of the necessary coverage for Workmen’s Compensation, Securities and Insurance within **30 (thirty)** working days of notification of awarding of the contract, and to sign a formal contract if called upon by the PRASA to do so within **7 (seven)** working days of notification by the PRASA that the contract documents are ready for signature.

I / We undertake to complete the whole of the WORKS within \_\_\_\_\_  
(in words) from the date of notification to me / us of acceptance of the tender, subject to completion in stages if and as laid down in the project specification and to such extensions of time as may be granted. Failing completion of the WORKS or any stage of the WORKS within the period(s) stipulated or by such extended date(s) as may be allowed by the PRASA I / we shall pay to the PRASA in terms of the Conventional Penalties Act 15 of 1962, the penalty for which provision is made in the project specification. The ordering of any alterations, extras, additions or omissions shall not in any way prejudice the PRASA claim for such penalty.

Application for relief from the obligation to pay a penalty will be considered by the PRASA, but shall be granted only if I / we can prove to the reasonable satisfaction of the PRASA that the penalty is

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out of proportion to the prejudice suffered by the PRASA by reason of the act or omission in respect of which the penalty was stipulated.

I / We declare that this tender holds good until \_\_\_\_\_(a minimum period of **180 days from closing date is required**).

I / We further agree that if, after I / we have been notified of the acceptance of my / our tender, I / we fail to enter into a formal contract if called upon to do so, or fail to furnish satisfactory security for the due and proper completion of the WORKS, the PRASA may, without prejudice to any other legal remedy which it may have, recover from me / us any expense to which it may have been put in calling for tenders afresh and / or having to accept any less favourable tender.

I / We undertake, in the event of my / our tender being accepted, to deposit with the PRASA as security for the due and proper completion of the WORKS, a Performance Bond issued by a South African registered Bank to the value of **ten (10) per cent** of the contract price (VAT inclusive). Not Applicable)

I/ We declare that, being a company / partnership / close corporation / joint venture, I / we have duly completed the annexe hereto and certified it as correct.


The several documents involved are to be taken as complementary to each other. In the event of any conflict between the content of any of the documents listed in the schedule of tender documents (other than the project specification) and the project specification, the latter shall prevail. In the event of any conflict between the letter that accompanies the tender or other relevant correspondence and the contents of the documents listed in the schedule of tender documents (including the project specification) such letter or correspondence shall prevail.

I/we agree that non-compliance with any of the material terms of this RFP, including those mentioned above, will constitute a material breach of contract and provide PRASA with cause for cancellation.

THUS DONE and SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_

DULY AUTHORISED SIGNATORY(IES) WITNESSES

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1. _____	1. _____
2. _____	2. _____
3. _____	3. _____

## FORM D: PROPOSAL DECLARATION

I/We, the undersigned:

- (a) submit proposal to lease from PRASA the property as per the advertisement
- (b) agree that I/we will be bound by the specification and rental stated as contained in this proposal document,
- (c) confirm that this proposal may only be accepted by PRASA by way of a duly authorised letter of acceptance and upon concluding the lease agreement
- (d) declare that that we have completed, initialled and signed each page contained in this document.
- (e) declare that all amendments to this proposal document have been initialled by the relevant authorized person.
- (g) acknowledge that the information furnished is true and correct;
- (h) the signatory to the RFP document is duly authorized;
- (i) documentary proof regarding any items of the proposal issue will, when required, be submitted to the satisfaction of PRASA.

Signed at ..... this ..... day of .....20.....

Name of Authorized Person: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Name of Proposer: \_\_\_\_\_ Date: \_\_\_\_\_

Witness 1

Witness2

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name in block letters

\_\_\_\_\_  
Name in block letters

Date\_\_\_\_\_

Date\_\_\_\_\_



**FORM E: DECLARATION OF INTEREST**

**3. DECLARATION OF INTEREST**

3.1 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 RFP (includes a price quotation, advertised competitive RFP, limited RFP or proposal). In view of possible allegations of favouritism, should the resulting RFP, 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 Prospective tenants or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest, where-

- the Prospective tenants is employed by the state; and/or
- the legal person on whose behalf the RFP document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the RFP(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 RFP.

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

3.3 Full Name of Prospective tenants or his or her representative:

.....

3.4 Identity Number: .....

3.5 Position occupied in the Company (director, shareholder etc):

.....

3.6 Company Registration Number: .....

3.7 Tax Reference Number: .....

3.8 VAT Registration Number: .....

\* "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);

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- (b) any municipality or municipal entity;
- (c) Provincial legislature;
- (d) National Assembly or the national Council of provinces; or
- (e) Parliament.

Are you or any person connected with the Prospective tenants presently employed by the state?

**YES / NO**

If so, furnish the following particulars:

Name of person / director / shareholder/ member: .....

Name of state institution to which the person is connected:

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

Did you or your spouse, or any of the company's directors shareholders / members or their spouses conduct business with the state in the previous twelve months?

**YES / NO**

**- DECLARATION**

I, THE UNDERSIGNED

(NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 3.1 TO 3.8 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME IN TERMS OF PRASA'S GENERAL CONDITIONS OF TENDER AS STIPULATED IN THE RFP SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
SIGNATURE

.....  
DATE

.....

.....

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**FORM F: SECURITY SCREENING FORM**

I/We the under-signed in my/our capacity as indicated below hereby declare that I/we do not have previous conviction/s or civil Judgment/s registered against my/our name/s. I further confirm that there is no criminal or civil proceeding pending or being instituted against me or the Institution. I also declare that there are no Criminal Investigations pending against me or the Institution.

**SECTION 1**

\*to be completed by the Bidder (Compulsory)

<b>Name of Company/Trust/Partnership</b>	<b>Registration number of Company/Trust No</b>
<b>Physical Address</b>	<b>Vat Registration Number</b>
<b>Name of Auditing Firm</b>	<b>Previous Name/s of Company</b>
<b>Contact no. (Land line)</b>	
<b>Name of Holding Company if any</b>	<b>Tender Number</b>
<b>Tax Number/PIN Number</b>	
	<b>Banking Details</b>
	Bank Name:
	Acc Number:
	Acc Holder:
	Branch Name:
	Branch Code:


**SECTION 2**

<b>Directors'/Trustees'/Partners' or Principals' Details</b>				
<b>Name &amp; Surname</b>	<b>Identity Number</b>	<b>Date of Appointment</b>	<b>Shares</b>	
1.				
2.				
3.				
4.				

\*If the company has more than five directors/principals a list of all shareholders must be appended as Annexure "A"

**SECTION 3** Only applicable for the Security Providers

<b>Name of Company/Trust/Partnership</b>	<b>PSIRA Registration Number</b>

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Please attach a letter of GOOD STANDING from PSIRA

#### SECTION 4

Declaration of all Judgments (Directors & Company) and Outstanding Debt					
Director / Company		Reason for Judgment	Date of Judgment	Nature of Debt	Amount
1.					
2.					
3.					

**\*If more than five incidents are listed, attach a list as annexure "C"**

#### SECTION 5

I / We the under-mentioned in my / our capacity as indicated hereby declare that I am / we are not insolvent nor have been liquidated or any steps in this regard have been taken or are pending against me / us. I /We further declare that I/We have not been part of an entity which was liquidated in the last 5 years.				
Full Name(s)		ID Number	Capacity	Signature
1.				
2.				
3.				

#### SECTION 6

DECLARATION AND ACKNOWLEDGEMENT OF CONSENT
--

I ..... Declare that the information provided above is true and correct. I also consent that a security screening be conducted on the company/trust or partnership and directors.

Contact Person:.....

Tel no. ....

\_\_\_\_\_  
BIDDER'S DULY AUTHORISED SIGNATORY

\_\_\_\_\_  
Date

## FORM G: ACKNOWLEDGMENT

I / We, as duly authorised to sign on behalf of the Tenderer, hereby certify that the information provided is true and correct. If information is found to be incorrect, PRASA may in addition to other remedies; blacklist the supplier in question, circulate and publicise the nature of the contravention to all potential users of the supplier (both in the public and private sectors).

THUS DONE and SIGNED at _____ on this _____ day of _____			
DULY AUTHORISED SIGNATORY(IES)		WITNESSES	
1.	_____	1.	_____
2.	_____	2.	_____
3.	_____	3.	_____

**SBD4**

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state?

**YES/NO**

<sup>1</sup> 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.

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:  
 .....  
 .....

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

2.3.1 If so, furnish particulars:  
 .....  
 .....

**3 DECLARATION**

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found

not to be true and complete in every respect;

- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 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.

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

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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



**SBD 6.1**

**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, 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**

- a) Either the **90/10 or 80/20 preference point system** will be applicable in this bid. The lowest/highest acceptable tender will be used to determine the accurate system once bids are received.

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

- (a) Commercial Offer; and
- (b) Specific Goals.

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

The maximum points for this tender are allocated as follows:

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Preferential Procurement Policy 2023: Specific Goals Choices	Number of points(90/10 system)	Number of points(80/20 system)	Returnables Documents
Minimum Level 2 BBBEE	5	10	<ul style="list-style-type: none"> <li>• BBBEE Certificate</li> </ul>
51% Black Owned	3	5	<ul style="list-style-type: none"> <li>• CIPC Document</li> <li>• BBBEE Certificate</li> <li>• Sworn Affidavit</li> </ul>
Black Youth Owned	2	5	<ul style="list-style-type: none"> <li>• CIPC Documents</li> <li>• BBBEE Certificate</li> <li>• Certified Copy of ID</li> </ul>
Non-compliant contributor	0	0	No evidence/ Submission

- 1.5 Failure on the part of a bidder to submit proof or documentation required in terms of this bid to claim points for specific goals with the bid, 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 bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the 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 DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.1. POINTS AWARDED FOR PRICE (“COMMERCIAL OFFER”)

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

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

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

For adjudication purposes, the Highest Acceptable Tender/Bid will be assessed as follows:

- The highest Net Present Value (NPV) calculated based on the rental streams over the proposed lease period (30 years baseline) discounted at 10%.
- Consideration will be given to bid yielding the highest Return on Investment (ROI) and highest Internal rate of Return (IRR) based on PRASAs input cost (land/building value) and proposed rental streams escalated over the proposed lease period (30 years baseline).
- Points scored will be rounded off to decimal places.
- In the event of equal points scored, the RFP will be awarded to the Prospective tenant scoring the highest points on the technical criteria.

### 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

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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	Number of points allocated (90/10 system)	Number of points allocated (80/20 system)	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)
Minimum Level 2 BBEE	5	10		
51% Black Owned	3	5		
Black Youth Owned	3	5		
Total	10	20		