



BID NO: RFP 12/21

APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, UPGRADE, CONFIGURATION AND OPERATION (36 MONTHS) OF ACCREDITED SHARED CHEMICAL AND CLEANING DETERGENT PRODUCTION FACILITIES IN THE KWA-ZULU NATAL PROVINCE

CLOSING DATE: 22 NOVEMBER 2021 at 11:00 am

Issued by:

Ithala Development Finance Corporation Limited
29 Canal Quay Road (for GPS 29 Signal Road),
Point Waterfront
Durban

Procurement Enquires:

Supply Chain Management Unit
Email: tenders@ithala.co.za
Tel: 031 907 8911

Name of Bidder:

For any complaints regarding our supply chain management abuses please contact Larissa Warren at 031 907 8610 or email Complaints@ithala.co.za alternatively you can lodge an anonymous complaint at our toll-free hotline number 0800 0048 23

REQUEST FOR PROPOSAL

**ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED, 29 CANAL QUAY ROAD, POINT, DURBAN
(FOR GPRS 29 SIGNAL ROAD)** (Hereinafter referred to as ("Ithala"))

BID NUMBER:	RFP 12/21				
CLOSING DATE:	22 NOVEMBER 2021				
TIME:	11:00am				
DESCRIPTION:	APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, UPGRADE, CONFIGURATION AND OPERATION (36 MONTHS) OF ACCREDITED SHARED CHEMICAL AND DETERGENT PRODUCTION FACILITIES IN THE KWA-ZULU NATAL PROVINCE				
COMPULSORY BRIEFING: For Ugu and King Cetshwayo Districts	Yes	X	No		
COMPULSORY BRIEFING: KwaMashu	Yes			X	Virtually Briefing - non compulsory attendance

SITE ONE: KWAMASHU - Virtually non compulsory

DATE:	05 November 2021 at 12:00pm
VENUE:	Non-compulsory online briefing session, bidders are requested to email tenders@ithala.co.za by no later than 03 November 2021 to register their interest.

SITE TWO: UGU DISTRICT MUNICIPALITY – compulsory site briefing

DATE:	8 November 2021 at 12:00pm
VENUE:	Gamalakhe Traders Village 492 Ray Nkonyeni Road Gamalakhe Township 4249

SITE THREE: KING CETSHWAYO DISTRICT MUNICIPALITY – compulsory site briefing

DATE:	09 November 2021 at 12:00pm
VENUE:	H 1074 Esikhawini 3887

TABLE OF CONTENTS

C.1	Tender Notice And Invitation To Tender	5
C.2	Introduction	9
C.3	Conditions Of Bid And Contract	10
C.4	Certificate Of Authority To Sign A Bid	17
C.5	Certificate Of Attendance At Compulsory Briefing Session	21
C.6	Procurement Timelines	22
C.7	Terms Of Reference	23
C.8	Proposed Fees	29
Consolidated Pricing Based On Bandwith For Any New Sites To Be Added To The Contract Error! Bookmark not defined.		
C.9	Evaluation Process & Criteria	32
C.10	Tax Clearance Requirements	36
C.11	Declaration Of Interest Sbd4	37
C.12	Declaration Of Bidder's Past Supply Chain Management Practices	40
C.13	Certificate Of Independent Bid Determination	42
C.14	Preference Points Claim Form In Terms Of The Preferential Procurement Regulations 2017	44
C.15	Deviations From The Request For Proposal	49
C.16	Bid Summary And Details	50

C.1 TENDER NOTICE AND INVITATION TO TENDER

APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, UPGRADE, CONFIGURATION AND OPERATIONS OF ACCREDITED SHARED CHEMICAL AND DETERGENT PRODUCTION FACILITIES IN THE KWA-ZULU NATAL PROVINCE

The physical address for collection of tender documents is:

To minimise interaction and prevent the further spreading of the COVID -19 pandemic, which was declared a national state of disaster, the documents can be obtained from National Treasury **e-tender portal and Ithala website.**

Submission of Bids:

One original and one soft (USB) copy of the bid document must be submitted,

The proposals shall be submitted in sealed envelopes delivered at Ithala Trade Centre, 29 Canal Quay Road (for GPS use 29 Signal Road), Point, Durban and should be deposited in the box located at the reception. The closing time for receipt of tenders is **on 22 November 2021 @11h00.**

Telegraphic, telephonic, telex, facsimile, e-mail, and late tenders will not be accepted. It is important to note that all bids lodged will be examined to determine compliance with the bidding requirements and conditions. Bids with obvious deviation from the requirements, will be eliminated.

Technical and administrative queries relating to these documents may be addressed in writing only quoting the Bid No. for attention: Supply Chain Management Unit by email to tenders@ithala.co.za

Tenders may only be submitted on the original tender documentation that is issued by Ithala written in black ink.

Ithala does not bind itself to accept the lowest or any bid and consider any bid for appointment.

All bidders must furnish the following particulars and include it in their submission (returnable documents)

Name of bidder: _____

Trading name _____

Company registration number _____

VAT registration number _____

Workman's compensation number _____

Tax Clearance Certificate
/CSD Report submitted _____

Postal address: _____

Street address: _____

Telephone number: Code Number _____

Cellular number: _____

Facsimile number: Code Number _____

e-Mail address: _____

In case of a consortium/joint venture, full details on consortium/joint venture members:

Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
_____	_____	_____	_____

Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
_____	_____	_____	_____
Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
_____	_____	_____	_____

Name of contracting entity in case of a consortium/joint venture

Entity name: _____

Postal address: _____

Street address: _____

Contact details of responsible person who will act on behalf of the entity/consortium/joint venture for this bid

Name and Surname _____

Telephone number: Code Number _____

Cellular number: _____

Facsimile number: Code Number _____

e-Mail address: _____

Contact details of alternative responsible person who will act on behalf of the person above should he/she not be available

Name and Surname _____

Telephone number: Code Number _____

Cellular number: _____

Facsimile number: Code Number _____

e-Mail address: _____

Confirmation

Are you the accredited representative in South Africa for the services offered by you: YES /NO

Declaration

I/We have examined the information provided in this bid documents and offer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. I/We confirm the availability of the proposed team members. We confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date.

Are you duly authorised to commit the bidder: YES / NO

SIGNATURE:of person authorised to sign the tender)

C.2 INTRODUCTION

Ithala is a Development Finance Corporation operating within the confines of the KZN Ithala Development Finance Corporation Act, No 5 of 2013.

Our VISION is “To be the catalyst for growth, economic development and empowerment” and our MISSION is “To drive economic development and empowerment whilst remaining financially sustainable”.

We enable, develop, promote and implement innovative investment and transformation solutions to advance sustainable Black Economic Empowerment.

The objectives of Ithala are to promote, support and facilitate social and economic development in the Province of Kwa-Zulu Natal (KZN) by:

1. Mobilising financial resources and providing financial and supportive services to persons domiciled, ordinary resident, or carrying on business within the KZN Province
2. Planning, executing, financing and monitoring the implementation of development projects and programmes in the province of KZN
3. Promoting, assisting and encouraging the development of the Province’s human resources and its social, economic, financial and physical infrastructure
4. Promoting, encouraging and facilitating private sector investment in the Province and the participation of the private sector and community organisations in development projects and programmes and in contributing to economic growth and development generally
5. Acting as the Government’s agent for performing any development related tasks and responsibilities that the government considers may be more effectively performed by a corporate entity

Our primary mandate is implemented by our two operating divisions and a subsidiary with an external market focus, namely:

1. Properties
2. Business Finance
3. Ithala SOC Limited

The quality, price and service that we provide our customers can only be as good as what we receive from our service providers.

We strive for continuous improvement in our critical business areas and seek to establish relationships with suppliers that are equally passionate in their quest for better quality, price and service. By exceeding our requirements and expectations, you will not only ensure that you maintain the current business; you will be positioning yourself for future business within Ithala.

PROCUREMENT PHILOSOPHY

It is the policy of Ithala, when purchasing goods and obtaining services, to follow a course of optimum value and efficiency by adopting best purchasing practices in supply chain management, ensuring that open and fair competition has prevailed, with due regard being had to the importance of:

- a) The promotion, development and support of businesses from disadvantaged communities (small, medium, micro enterprises, as well as established businesses within those communities) in terms of its BBBEE Policy.
- b) The promotion of national and regional local suppliers and agents before considering overseas suppliers; and
- c) The development, promotion and support for the moral values that underpin the above, in terms of Ithala’s Business Ethics and Guidelines which requires that all commercial conduct be based on ethical and moral values and sound business practice. This value system governs all commercial behaviour within Ithala.

C3 CONDITIONS OF BID AND CONTRACT

	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
1.	GUIDELINE ON COMPLETION				
1.1	Bidders must indicate compliance or non-compliance on a paragraph-by-paragraph basis. Indicate compliance with the relevant bid requirements by marking the YES box and non-compliance by marking the NO box. If the contents of the paragraph only need to be noted, please mark the NOTED box. The bidder must clearly state if a deviation from these requirements are offered and the reason, therefore. If an explanatory note is provided, the paragraph reference must be attached as an appendix to the bid submission. Bids not completed in the manner prescribed may be considered incomplete and rejected. Should bidders fail to indicate agreement/compliance or otherwise, Ithala will assume that the bidder is not in compliance or agreement with the statement(s) as specified in this bid.				
2.	CONTRACT AGREEMENT				
2.1	The Ithala Service Level Agreement will be the only contract signed by both parties and will form the basis of this contract. Ithala's standard terms and conditions will not be negotiated.				
3.	ADDITIONAL INFORMATION REQUIREMENTS				
3.1	During evaluation of the bids, additional information may be requested in writing from bidders. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to the bid being disregarded.				
4.	CONFIDENTIALITY				
4.1	The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid.				
4.2	All bidders are bound by a confidentially agreement preventing the unauthorised disclosure of any information regarding Ithala or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation, or products to other clients without written approval of the accounting authority or the delegate.				

5.	INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT	Yes	No	Noted	If no, indicate deviation
5.1	Copyright of all documentation relating to this assignment belongs to Ithala. The successful bidders may not disclose any information, documentation, or products to other clients without the written approval of the accounting authority or the delegate.				
5.2	All the intellectual property rights arising from the execution of this Agreement shall vest in Ithala and the service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.				
5.3	In the event that the service provider would like to use any information or data generated in terms of the Services, the prior written permission must be obtained from Ithala.				
5.4	Ithala shall own all materials produced by the service provider during the course of, or as part of the Services including without limitation, deliverables, computer programmes (source code and object code), programming aids and tools, documentation, reports, data, designs, concepts, know-how and other information whether capable of being copyrighted or not ("IP") which IP Ithala shall be entitled to freely cede and assign to parties nominated by Ithala.				
6	PAYMENTS				
6.1	Ithala will pay the service provider for the actual services rendered in line with the contract.				
6.2	The service provider shall from time to time during the duration of the contract, invoice Ithala for the services rendered. No payment will be made to the service provider unless an invoice complying with section 20 of VAT Act No 89 of 1991 has been submitted to Ithala.				
6.3	Payment shall be made into the bidder's bank account or per cheque payment normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this bid is awarded).				
7	NON-COMPLIANCE WITH DELIVERY TERMS				
7.1	As soon as it becomes known to the service provider that he will not be able to deliver the goods/services within the delivery period and/or against the quoted price and/or as specified, Ithala must be given immediate written notice to this effect. Ithala reserves the right to implement remedies as provided for in the service level agreement to be entered into with service provider.				

8	WARRANTIES	Yes	No	Noted	If no, indicate deviation
8.1	The service provider warranties that: It is able to conclude this Agreement to the satisfaction of Ithala.				
8.2	Although the service provider will be entitled to provide services to persons other than Ithala, the service provider shall not without the prior written consent of Ithala, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide the Services.				
9.	PARTIES NOT AFFECTED BY WAIVER OR BREACHES				
9.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this Agreement by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof				
9.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this Agreement shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this Agreement.				
10	SUBMITTING BIDS				
10.1	Supply Chain Management (SCM)				
10.2	An original and soft (usb) copy must be delivered to: ITHALA TRADE CENTRE 29 Canal Quay Road Point Waterfront, Durban At foyer in the Bid box Closing date: 22 November 2021 at 11h00am				
11	LATE BIDS				
11.1	Late submissions will not be accepted. A submission will be considered late if it arrived one second after 11:00 or any time thereafter. The bid (tender) box shall be locked at exactly 11:00 and bids arriving late will not be accepted under any circumstances. Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.				
12.	SITE INSPECTION AND BID CLARIFICATIONS				
12.1	A compulsory site inspection and virtual briefing will be held at the following venues:				

	<p>05 November 2021 at 12:00pm – virtually briefing – non compulsory</p> <p>08 November 2021 at 12:00pm – compulsory site briefing Gamalakhe Traders Village 492 Ray Nkonyeni Road Gamalakhe Township 4249</p> <p>09 November 2021 at 12:00pm – compulsory site briefing H 1074 Esikhawini 3887</p>				
13.	FORMAT OF BIDS	Yes	No	Noted	If no, indicate deviation
13.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.				
14.1	PART 1: INVITATION TO BID (FORM C1)				
14.2	PART 2: RFP SUMMARY AND DETAILS (FORM C5 & C16)				
14.3	PART 3: COMPLIANCE TO SPECIAL CONDITIONS OF BID AND NOTING OF EVALUATION CRITERIA (FORM C3)				
	Bidders must complete C3. Indicating compliance/non-compliance or noted. In case of non-compliance details and referencing to the specific paragraph is required.				
14.4	PART 4: SARS TAX CLEARANCE CERTIFICATE (FORM C10)				
	The bidder must be compliance with SARS and such information will be verified with Central Supplier Database (CSD). In case of a consortium/ joint venture, or where sub-contractors are utilised, each consortium/ joint venture member and/or sub-contractor (individual) must be in compliance with SARS and the information will be verified on Central Supplier Database (CSD).				
14.5	<p><u>PART 5: (FORM C4, C11, C12 AND C13)</u></p> <p>Certificate of Authority to Sign a Bid</p> <p>Declaration of Interest</p>				

	Declaration of Bidder's Past SCM Practices & Certificate Of Independent Bid Determination				
14.5.1	Bidders must complete and submit the Declaration forms. A bidder must complete the relevant part of the document and it must indicate who is delegated to communicate or deal with Ithala. Any other irrelevant sections to the tendering entity must be marked 'N/A'.				
14.5.2	Bidders must submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA)				
14.5.3	For a consortium or joint venture: A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity , provided that the entity submits their B-BBEE status level certificate. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity , provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid				
14.6	PART 6: JOINT VENTURE/CONSORTIUM AGREEMENT (FORM C4)	Yes	No	Noted	If no, indicate deviation
14.6.1	A copy of the joint venture/consortium agreement must be included.				
14.7	PART 7: TECHNICAL PROPOSAL/FUNCTIONALITY PROPOSAL (FORM C9)				
14.7.1	Bidders must, at least:				
14.7.1.1	Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. They should identify any possible problems that might hinder delivery and indicate how they will avoid or overcome such problems.				
14.7.2	The bidder must confirm, by providing letters of reference including contact details, for the previous, current or ongoing projects of similar nature. This will be verified by Ithala.				
14.7.3	The proposal of the bidders should be detailed to the bidders understanding of the scope of work and outline the proposed methodology approach and plan.				
14.8	PART 8: DEVIATIONS FROM REQUEST FOR BID (FORM C15)				

14.8.1	Please indicate deviations or modifications to this Request for Bid on form C15				
14.8.2	If no deviations are required, please mark the form “Nil” and sign				
14.9	PART 9: PRICING SCHEDULE (FORM C8)				
14.9.1	Any budget amount that may be indicated in this document shall be deemed to be a guide only and bidders are expected to submit a costing that is fair and reasonable.				
14.9.2	A proposed pricing schedule with one of the specified elements (fees and reimbursable costs) omitted from the costing, may be considered non-responsive.				
14.10	PART 10: PROCUREMENT TIMELINES (FORM C6)	Yes	No	Noted	If no, indicate deviation
14.10.1	This part of a bid documents informs bidders when the bid process is expected to be finalised. It may not necessarily be followed.				
14.10.2	Terms of reference (TOR) are the requirements by Ithala. When a proposal is submitted, a bidder must be certain that TOR are understood and has the capacity to offer a specified service.				
14.11	PART 11: ANNEXURES				
14.11.1	Bidder must insert all their additional annexures in part 11. This can include professional registrations, insurances etc.				
14.12	VAT				
14.12.1	Ithala is a VAT Vendor. Prices quoted must include VAT (where applicable).				
14.12.2	Ithala reserves the right to request the preferred bidder to register for VAT if the award is anticipated to be more than R1m for 12 consecutive months as the VAT Act requires. Kindly ensure the percentage/amount for VAT is included in your bid pricing at the bidding stage should you not be registered for VAT and your bid price equals to or exceeds R1m for 12 consecutive months				
15	NEGOTIATION				
15.1	Ithala has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.				
15.2	Ithala shall not be obliged to accept the lowest or any financial offer or proposal. Furthermore, Ithala reserve the right not to award the tender to highest ranking bidder in terms of PPPFA.				

15.3	All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties.				
16	DOMICILIUM				
16.1	The parties hereto choose <i>domicilium citandi et executandi</i> for all purposes of and in connection with the final contract as follows:				
	Ithala Development Finance Corporation Limited Ithala Trade Centre 29 Canal Quay Road (for GPS 29 Signal Road) Point Waterfront Durban				
17	COST OF BID PREPARATION	Yes	No	Noted	If no, indicate deviation
17.1	Bidders shall prepare and submit a bid at their own expense.				
18.	SITE INSPECTIONS				
18.1	Ithala reserves the right to do site inspections of bidders to establish suitability of properties, vehicles, etc. to perform services effectively and efficiently				
19	BID VALIDITY PERIOD				
19.1	Bid will be valid for a period of 90 days				
19.2	Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.				
19.3	If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period.				
20	ISSUE ADDENDA				
20.1	If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until seven days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify those tendering entities appearing on the attendance list				
20.2	Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list				

20.3	Acknowledge receipt of addenda to the tender documents, which the employer may issue.				
21	SUBMITTING OF FRAUDULENT DOCUMENTS				
21.1	Ithala will 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.				
21.2	Ithala will list bidders/ directors in the list of restricted suppliers and they will not conduct any business with an organ of state.				

C.4 CERTIFICATE OF AUTHORITY TO SIGN A BID

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

(I) COMPANY	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(V) SOLE PROPRIETOR	(VI) JOINT VENTURES

i. CERTIFICATE FOR COMPANY

I,, chairperson of the Board of Directors of, hereby confirm that by resolution of the Board (copy attached) taken on 20....., Mr/Ms, acting in the capacity of, was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

Chairman:

As Witnesses:

Date:

ii. CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as.....

..... Hereby authorise Mr/Ms..... acting in the capacity of

....., to sign all documents in connection with the tender for

Contract No: and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.

iii. CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as,
 hereby authorize Mr/Ms.
 acting in the capacity of, to sign all documents in
 connection with the tender for Contract No and any contract resulting from it on our
 behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.

iv. CERTIFICATE FOR SOLE PROPRIETOR

I,, hereby confirm that I am the sole owner of the business trading

as.....

Signature of Sole owner:

As Witnesses:

1.....

2.....

Date:

v. **CERTIFICATE OF AUTHORITY FOR JOINT VENTURES**

This Returnable Schedule is to be completed by **EACH member** of a joint venture submitting a tender.

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms....., authorised signatory of the Company.....acting in the capacity of lead JV partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf as a joint venture.

NAME OF JV ORGANIZATION.....

ADDRESS:

.....

.....

DULY AUTHORISED SIGNATORY NAME

DESIGNATION:

SIGNATURE

DATE:.....

C.5 CERTIFICATE OF ATTENDANCE AT COMPULSORY BRIEFING SESSION

This is to certify that (Company Name)
of (address)
..... was represented by the person(s)
named below at the compulsory meeting held for all bidders at: -

Date	Time	Site
08 November 2021	12:00pm	Gamalakhe (Reconfiguration, Maintenance and Operation
09 November 2021	12:00 pm	Esikhawini (Reconfiguration, Maintenance and Operation Operation)
Attendance for both briefing sessions 2 and 3 is compulsory, you will be disqualified for not complying with this requirement.		

I / We acknowledge that the purpose of the meeting was to acquaint myself / ourselves with the requirements and / or matters incidental to doing the work specified in the tender documents in order for me / us to take account of everything necessary when compiling our rates and prices included in the tender.

Bidder’s representative attending the meeting:

Name: Signature:

Capacity:

Confirmed by the Ithala’s representative: Gamalakhe

Name: Signature:

Capacity:

Confirmed by the Ithala’s representative: Esikhawini

Name: Signature:

Capacity:

C.6 PROCUREMENT TIMELINES

PROCUREMENT TIMELINE	DATE	TIME
RFP Release Date	28 October 2021	09h00
Compulsory briefing session	5, 8 and 09 November2021	12h00
Written questions of clarification – closing date	12 November 2021	16h00
Written response to all clarifications	17 November2021	16h00
Service Provider Proposals Due	22 November 2021	11h00
Completion of Bid Evaluations	04 January 2021	16h00
Anticipated letter of Award	06 January 2021*	16h00
Commencement Date	10 January 2021*	09h00

***Indicative dates**

C.7 TERMS OF REFERENCE

1. PURPOSE

The purpose of this request for proposal (RFP) is to solicit proposals for the design, upgrade, configuration and operation (36 months) of an accredited shared chemical and detergent production facilities in the Kwa-Zulu Natal province. These facilities will be established at Ugu and King Cetshwayo Districts Municipalities.

These facilities, with the inclusion of KwaMashu facility which has already been established, will also be maintained and operated for period of 36 months

2. BACKGROUND

The Department of Economic Development, Tourism and Environmental Affairs (EDTEA) through its implementing agent Ithala, has interest in establishing a facility that can produce chemical and detergent products. The currently identified sites are at Esikhawini and Gamalakhe townships. The pilot project was successful implemented in KwaMashu and is used to initiate a Province wide roll-out. The new proposed facilities sites are Gamalakhe (design, configure and operate the existing facility) and construction of 18 X 16 sqm building for Esikhawini manufacturing facilities in a semi-industrial site. The identified sites have not been configured for chemical handling and for detergent production hence the service provider should provide a detailed upgrade and configuration plan that will ensure that the facility to complies with SABS standards, Municipal legislation and all other applicable health and safety compliance requirements

3. DESIGN PARAMETERS

Firstly, the design work will involve upgrading the current facilities at Gamalakhe and construction of facility at Esikhawini to meet the required industry compliant standards and requirements for configuration into fully fledged chemicals and cleaning detergents production facility to be utilised by various scheduled SMMEs. The upgrade and configuration shall involve the planning, studies, investigations and assessments in consultation with the Project Steering Committee. Secondly, the designs shall include optimising the process layout and flow of the facilities to achieve optimal efficiencies in production time, floor space, access to storage as well as the dispatching of goods; this process must take into consideration industry best practice, the relevant unit standard, as well as all applicable health and safety compliance requirements.

The successful service provider shall deliver the project in the following stages:

3.1 STAGE 1 - INCEPTION REPORT:

The inception stage of this project will involve determining, with the input of the Project Steering Committee, the scope of the construction contract required to meet the level of services needed and to be within the budgetary constraints of this project. Any further investigations and/or further testing should be identified at this stage. The service provider shall be required to present at least two design concepts to choose from for each facility.

3.2 STAGE 2 - CONCEPT AND VIABILITY (PRELIMINARY DESIGNS):

The service provider shall collect all data relevant to the required upgrades, identify and investigate options for effective performance and produce concept designs in keeping with this scope of work and the required level of

services, standard and norms. A design report on the information collected, the preliminary design, cost estimates and an implementation programme must be presented for approval by the project steering committee. The design must accommodate four design reviews.

3.3 STAGE 3 - DESIGN DEVELOPMENT (DETAIL DESIGN):

The professional team leader shall undertake detailed design of the new precinct and associated requirements, plan the construction of the project, produce drawings, specifications and resolve issues for clarity and recommend project execution. The professional team leader shall liaise with the project steering committee during the preparation of documents to determine any other specific requirements that the committee may have in this regard. Two options of preliminary designs must be submitted to PSC for review and approval.

3.4 STAGE 4 - DOCUMENTATION AND PROCUREMENT:

The key project personnel shall be invited to a meeting prior to the finalization of the documentation. All resolutions of the meeting shall be incorporated into the final contract documents. Detailed design drawings, shall be finalized, incorporating any comments of the project steering committee. Once finalized, two sets of paper prints must be submitted to the IDFC for signature for each facility. One set will be kept by the IDFC and the other returned to the service provider. All other prints issued henceforth shall carry the words "Initial version signed on (date)" at the signature location in the title block. The professional team leader shall prepare any further plans, designs and drawings (over and above the construction drawings), which may be necessary for the execution of the works. The professional team leader shall be responsible for providing the Employer with the required number of copies of plans and contractual documents for work execution purposes (both hard copy and on USB). The professional team leader shall, during design and reconfiguration period bring to the attention of the IDFC all queries, and clarifications resolve during this period.

3.5 STAGE 5 - CONTRACT ADMINISTRATION AND INSPECTION:

Obtain offers for the execution of the works and advise the IDFC regarding the award of the building contract. Prepare construction documentation and arrange for the signing thereof. Administer and perform the duties assigned to the professional in the building contract. Provide the client with as-built drawings, certificates, relevant technical data and guarantees from suppliers on completion of the works.

3.6 STAGE 6 - CLOSE OUT FOR DESIGN, UPGRADE AND RECONFIGURATION:

The professional team leader shall submit as-built plans to Ithala in electronic format preferably, AutoCAD, otherwise pdf format as well as two complete set of paper prints. Design must take consideration of all services such as ventilation systems, HVAC, Electrical, Lighting, Fire, production equipment, IT Infrastructure, and any other required equipment. These must be environmental friendly and accommodate smart building technology where possible.

3.7 STAGE 7 – OPERATION AND MAINTENANCE OF THE FACILITIES (GAMALAKHE, ESIKHAWINI AND KWAMASHU)

- **Adherence to Manufacturing and Laboratory Procedure Manual** - The operator will be required to adhere to manufacturing and laboratory procedure manuals in respect of Quality Management,

Environmental Health and Safety, Hazardous Material Handling and Storage, Manufacturing, Formulation conversions and Booking management.

- **Capacitating the facility with resources and raw material** - the service provider will be required to capacitate the facility with the resources and raw material. This will be done to assist SMMEs who want to buy small portions as most suppliers only sell in big volumes. This will also include the management of raw materials in the facilities.
- **Recruitment and on boarding of SMME to incubation process** -the facilities will be used by SMMEs. The service provider will need to recruit and on board SMMEs into the incubation programme in coordination with the client and continue with the incubation programme for SMMEs already recruited into the programme.
- **Training of SMMEs - Recruited SMMEs will have to be trained in the following;**
 1. **Detergents Manufacturing** - this is technical training on how to mix raw materials to come up with a finished product. The trainings to be conducted by qualified analytical chemists,
 2. **Financial Management** – to ensure that they can manage their finances,
 3. **Pricing** – important to know how to price products correct so that the SMME does not make losses,
 4. **Packaging and labelling** – to ensure that they use the correct packaging for their product as well as using correct labels. This is critical when their products are tested by SABS. The label is one of the determining factors whether the product passes or fails,
 5. **Marketing and Sales** – It is important for SMMEs to know which platforms to use to market their products effectively. They are also trained on how to sell their products,
 6. **Quality Assurance** – to teach the SMMEs on the importance of following processes and procedures to ensure that the quality of their products is consistent.

Note: IDFC has a mandate to ensure all local contractors and service providers are provided an opportunity to perform works and services where they have the necessary skills or it can be developed. The successful bidder will be requested to work with the local contractors and service providers and only where the required skills are not available should contractors from outside the area be brought in albeit with the use of local labour.

3. PROJECT OBJECTIVES

I. General Objective

- II. The premises are at 492 Ray Nkonyeni Road in Gamalakhe and H1074 in Esikhawini are readily available for redesign, reconfiguration and suitable to be used for the shared facilities. In our assessment, reconstruction, renovations and or fitments are required which makes this site the most cost effective currently.

- III. The overall objective is to acquire a turnkey solution with the alterations, enhancements and construction carried out on the building as well as supply and configuration requirement of the necessary equipment and raw materials so that the site will be ready to operate.
- IV. Furthermore, the establishment of a supporting satellite laboratories to the facilities is included in the requirements. The shared manufacturing facilities project will be most effective and successful should it be corroborated by testing services, quality assurance as well as technical support that would be offered through the laboratories.

Ultimately the key objective is to develop detergents manufacturers in the province that will be sustainable and ready and able to fairly compete in the open market. This will be attained by offering both the provincial shared manufacturing facilities laboratories.

V. Technical Objectives

- **Detailed process layout** - Layout to respond to SANS 22716 and provide details of raw material flow and storage, general SHE compliance. These to include a diagram of how the process's unit operations may theoretically be positioned in the facility
- **Process description** - Provide a detailed process flow depicting each key unit operation as necessary to fulfil the requirement of producing majority of listed products at 1000L production capacity. Provide high level detail of production considerations of each product and raw material requirements.
- **Equipment description and technical specification** – Propose a list of all equipment required in the production of the listed products, provide a technical detail of equipment material requirements to enable procurement of durable and compliant equipment.
- **Construction considerations** - To achieve SANS 22716, the facility design has to provide guidance on waste management and disposal, effluent drainage and treatment, floor, walls, window specifications, necessary piping and
- **Production consideration** - Consumables and raw materials definition with minimum quality specification. Guidance/intervention storage considerations and handling.

VI. Operation Objectives

- **Ensuring the Adherence to Manufacturing and Laboratory Procedure Manual**
- Capacitating the facility with resources and raw material
- Recruitment and on boarding of SMME to incubation process
- Training and capacitating the SMMEs on the technical know how.

7. ADDITIONAL CONSIDERATIONS

The service provider will have to take the following additional into consideration:

- Costing must include comprehensive project management including provision of certificates of compliance at the end of the project e.g. fire, electrical, SABS, SANAS etc.
- Directional and display signage design and plan;
- All equipment and storage requirements for the facility to fully function
- Air-conditioning, ICT cabling and hardware, Environmental control, fire detection and fire suppression systems, installation of extinguishers, CCTV with alarm system and security beams (interior and exterior) and bio-metrics for all entrances and exits
- Procurement of 36-month SLA for internet connectivity (WAN), armed response and monitoring of alarms system, maintenance agreement for fire-detection and suppression systems
- Trolley jacks and trolleys to move materials and load stock in and around the facility
- All manufacturing equipment to be procured with 36-month maintenance and service plan (including training for users)
- For all construction related work on the project: detailed bills of quantities/ schedule of rates should be drawn up in accordance with standard system of measurement building work – 1999 edition
- For all other goods and services, detailed specifications must be drawn up and submitted to potential supplier's/service providers to submit proposals
- The project team for establishment phase at a minimum must contain the following certified professionals:

RESOURCE	PROFESSIONAL REGISTRATION	FULL TIME/PART TIME	PROFESSIONAL INDEMNITY
Project Manager	South African Council for Project and Construction Management Profession	Full Time	Yes
Architect	South African Council for the Architectural Profession	Part Time	Yes
Quantity Surveyor	South African Council for the Quantity Surveying Profession.	Part time	Yes
Structural Engineer	Engineering Council of South Africa	Part time	Yes

Electrical Engineer	Engineering Council of South Africa	Part time	Yes
Mechanical Engineer	Engineering Council of South Africa	Part Time	Yes
Health and Safety Agent	South African Council for Project and Construction Management Profession.	Full time	Yes
Advisory Consultant	Experience in the detergent manufacturing environment	Part time	N/A

Kindly provide detailed CV's and copies of professional registration as well as valid professional indemnity cover for each professional discipline to the value of R4 000 000.00 and above.

- The team for the 36-month operational period at a minimum must include the following resources:

Resource	KwaMashu	Gamalakhe	Esikhawini
Facility Centre Manager	1 Resource to manage all 3 sites		
Laboratory Manager	1 Resource to manage all 3 sites		
Finance Manager	1 Resource to manage all 3 sites		
Marketing Officer	1 Resource for all 3 sites		
Laboratory Assistant	X 1	X 1	X 1
Production Officer	X 1	X 1	X 1
Receptionist	X 1	X 1	X 1
Cleaner/General Assistant	X 1	X 1	X 1

Kindly provide a detailed CV and qualification of all resources.

- All quotes to be approved within the approved project scope and budget

The awarded service provider will be required to produce proof of market related prices for all procurement carried out, where possible at least three (03) quotations must be obtained. Local contractors and suppliers must be given an opportunity participate in any procurement activities where possible.

C.8 PROPOSED FEES

Pricing Schedule Final Summary

NAME OF BIDDER:

Description	Estimated cost to complete	Professional Fees (percentage)	Professional Fees (Rand value)
	1	2	3
GAMALAKHE			
DESIGN LAYOUT			
CONSTRUCTION AND CONFIGURATION OF THE FACILITY			
PROCUREMENT AND INSTALLATION OF PRODUCTION EQUIPMENT			
PROCUREMENT AND INSTALLATION OF LABORATORY EQUIPMENT			
COST FOR ADDITIONAL ITEMS LISTED ON PAGE 26			
DISBURSEMENTS (LIMITED TO 10% PER CLAIM)	N/A		
SUB TOTAL			

ESIKHAWINI			
DESIGN LAYOUT			
CONSTRUCTION AND CONFIGURATION OF THE FACILITY			
PROCUREMENT AND INSTALLATION OF PRODUCTION EQUIPMENT			
PROCUREMENT AND INSTALLATION OF LABRATORY EQUIPMENT			
COST FOR ADDITIONAL ITEMS LISTED ON PAGE 26			
DISBURSEMENTS (LIMITED TO 10% PER CLAIM)	N/A		
SUB TOTAL			
TOTAL			

Notes:

1. Kindly indicated the estimated cost to construct or procure
2. Kindly indicate percentage of estimate costs (professional fees)
3. Kindly indicate Rand value of estimated costs (professional fees)

Itlala reserves the right to negotiate all costs in compliance with approved budget

Tenderers signature.....

PROPOSED FEES FOR MAINTENANCE AND OPERATION

Description	Year 1: Amount	Year 2: Amount	Year 3: Amount
Maintenance and operation of the KwaMashu facility for a period of 3 years			

Maintenance and operation of the Gamalakhe facility for a period of 3 years			
Maintenance and operation of the Esikhawini facility for a period of 3 years			
TOTAL			

CONFIGURATION AND OPERATION

TOTAL FOR CONFIGURATION AND OPERATION	
VAT 15%	
TOTAL INCL. VAT	

Tenderers signature.....

C.9 EVALUATION PROCESS & CRITERIA

This phase consists of Mandatory administrative compliance evaluation of all proposals.

		Compliance			
		Yes	No	Noted	If no, indicate deviation
1.	EVALUATION PROCESS				
1.1	<u>STAGE ONE: ADMINISTRATION COMPLIANCE</u>				
1.1.1	<p>All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, will be eliminated from further adjudication.</p> <p>Mandatory</p> <p>Bids will only be compliant if bidder has submitted the following documents:</p> <ul style="list-style-type: none"> The bidder must register as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/ in compliance with paragraph 4.2 of National Treasury instruction note 4a of 2016/2017 The bidder must be in good standing with SARS and such information will be verified through Central Supply Database (CSD) or using SARS efilling pin in National Treasury compliance with instruction note 9 of 2017/2018 prior to the award of the bid; SBD 4- A completed and duly signed declaration of interest. Should a conflict of interest be declared or identified, the bid would be declared non-responsive. NB Bidder must ensure all pages are complete of all questions answered, you are indicate not applicable (N/A) where appropriate. SBD 8- A completed and duly signed declaration of bidders past supply chain management practices. Should the bidder be found to have abused the supply chain management, the bid would be non-responsive SBD 9- A completed and signed certificate of independent bid determination. Should the bidder be found to have any form of bid-rigging, the bid would be non-responsive The proposing entities are bona fide entities, registered in accordance with the laws of SA. Bidders are requested to provide details of at least three (03) projects where they have implemented and/or managed a shared detergent manufacturing facility. Please provide the following details: <ul style="list-style-type: none"> - Name of Facility 				

	<ul style="list-style-type: none"> - Location of facility - Type of products manufactured - Production volume per month - Client contact person <ul style="list-style-type: none"> • Health and Safety Agent registered with SACPCMP • Engineering Council South Africa (ECSA) registration for: <ul style="list-style-type: none"> - Mechanical Engineer - Structural Engineer - Electrical Engineer • Quantity Surveyor registered with South African Council for the Quantity Surveying Profession. • Architect registration with South African Council for the Architectural Profession 				
1.2	<u>STAGE TWO: FUNCTIONALITY REQUIREMENTS</u>				
1.2.1	Responsive bids will be evaluated according to the criteria indicated in C.9.				
1.3	<u>STAGE THREE: PRICE AND B-BBEE EVALUATION</u>				
1.3.1	Price and B-BBEE evaluation will performed on bidders who qualified for Stage 1 and 2 above.				
1.4	ADJUDICATION OF BID				
1.4.1	The Bid Adjudication Committee will consider the recommendations and make the final award.				
1.4.2	The bid shall be awarded at the sole and absolute discretion of Ithala. Ithala hereby represents that it is not obliged to award this bid to any bidder. Ithala is entitled to retract this bid at any time as from the date of issue. Ithala is not obliged to award this bid to the bidder that quotes the lowest.				
1.4.3	A bidder shall be disqualified from bidding if any attempt is made either directly to solicit and/or canvass any information from any employee or agent of Ithala regarding this bid from the date the offer is submitted until the date of award of the bid.				
1.5	Awarding of contract				
1.5.1	Ithala reserves the right to award this bid in full or part				

C.9. FUNCTIONALITY EVALUATION CRITERIA

CRITERION	SUB CRITERION	Weight	Scores	Evidence
Project Plan	Project Plan: the bidder is required to demonstrate their ability to complete the project within 150 days after the finalising the award of the bid	20	-	Project plan clearly indicating all the activities and timeframe (in days) post the award of the bid, the project plan should include stages 1 – 6 as indicated in page 22 – 23 in the bid document.
	Less than 150 days including all the minimum project milestones listed in the project plan submitted as evidence.		20	
	Between 150 and 180 days including all the minimum project milestones listed in the project plan submitted as evidence.		10	
	Between 180 and 210 days including all the minimum project milestones listed in the project plan submitted as evidence.		5	
	More than 210 days – No points will be allocated should the project plan exceed 210 days irrespective if any of the other minimum information is submitted as evidence		0	
Proposal	Proposal: the bidder is required to demonstrate their ability to deliver on the scope of works as outlined in 3.7 of the RFP document <ul style="list-style-type: none"> •Adherence to Manufacturing and Laboratory Procedure Manual •Capacitating the facility with resources and raw material •Recruitment and on boarding of SMME to incubation process •Training and capacitating the SMMEs on the technical know how 	15	15	Detailed proposal on maintenance and operation of the facilities
	Failure to meet this requirement		0	
Technical Design	Bidder to produce and submit evidence (plans and photos) of previous projects undertaken and successfully completed	20	-	Bidder to produce and submit evidence (plans and photos) of previous projects undertaken and successfully completed N.B. No points can be allocated if there is no submission highlighting the above deliverables at a minimum
	Three or more projects completed		20	
	Less than three projects		0	

Company Experience and current/ previous projects	The bidder is required to demonstrate their relevant experience in the provision of turnkey services relating to production/manufacturing facilities which includes design and build work, which is of a similar nature to that of the IDFC's requirement as stated in this bid document.	20	-	<p>Client reference letters or Project close out reports</p> <p>Only relevant references for work done in terms of scope and size for design and build projects in excess of R5 million</p>
	Relevant references must be for work done in terms of scope and size of the project (design and build projects in excess of R5 million)		20	
	More than three references for projects in excess of R5 million)		15	
	Three (3) projects in excess of R5 million)		0	
	Less than three (3) projects			
Company Resources	Company resources, qualification, and professional registration	20	-	<p>Minimum requirements (based in years of experience)</p> <ul style="list-style-type: none"> • Project Manager registered with the South African Council for Project and Construction Management Profession and has at least 5 years' relevant experience • Architect registered with the South African Council for the Architectural Profession and has at least 5 years' relevant experience • Quantity Surveyor registered with the South African Council for the Quantity Surveying Profession and has at least 3 years' relevant experience • Advisory Consultant Master's Degree with at least 10 years' experience in a detergent manufacturing/production environment <p>Operations:</p> <ul style="list-style-type: none"> • Facility Centre Manager – master's degree and minimum 15 years of detergent manufacturing/production environment • Laboratory Manager – BSc Master's Degree or equivalent with 15 years' experience of a
	Exceed Minimum requirements		20	
	Meet minimum requirements		15	
	Do not meet the minimum requirements		0	

				<p>shared manufacturing facility (laboratory)</p> <ul style="list-style-type: none"> • Finance Manager - BCom degree with a minimum of 5 years' experience in a senior finance position <p>N.B. No points will be awarded should the bidder not meet any of the above requirements at a minimum</p>
SMME Empowerment	As SMME empowerment is one of the key functions of Ithala, bidders are requested to provide evidence of any initiatives/ programs that will be introduced should they be awarded the bid.	5	-	<p>Kindly provides as evidence what initiatives/programs will be introduced in the development of SMME's should they be award this bid</p> <p>Groups identified for development include, SMME's with ownership as follows:</p> <ul style="list-style-type: none"> • 51% or more black ownership or • 51% or more-woman ownership or • 51% or more-youth ownership or • 51% or more-disabled ownership <p>N.B. Points will only be awarded for programs specific to the delivery of the project, these include utilizing local SMME's in the implementation or support of the project. This may also include specific training that may develop the identified SMME skills specific to delivery or support of this project.</p>
	Evidence submitted of initiatives/programs that will be introduced in the development of SMME's should the bidder be awarded the bid with empowerment of 1 or more of the identified groups for empowerment		5	
	No evidence submitted or lack of required information		0	
Total		100		
<p>Bidders are required to obtain a minimum of 70 points to be considered for stage 3 of the evaluation process, Ithala Development Finance Corporation reserves the right to validate all documentation submitted as evidence.</p>				

C.10 TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT

- The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his/her tax obligations.
- In bids where Consortia/Joint Ventures/Sub-contractors/Partners are involved, each party must be in compliance with SARS and such information will be verified through central supplier database (CSD).

Any legal person, including persons employed by the state¹, 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.

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

- 2.1 Full Name of bidder or his or her representative:
- 2.2 Identity Number:
- 2.3 Position occupied in the Company (director, trustee, shareholder²):
- 2.4 Company Registration Number:
- 2.5 Tax Reference Number:
- 2.6 VAT Registration Number:

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.

- ¹“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;
 - l provincial legislature;
 - (d) National Assembly or the national Council of provinces; or
 - l 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.

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

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
Name of state institution at which you or the person connected to the bidder is employed :
Position occupied in the state institution:

Any other particulars:
.....
.....
.....

2.7.2 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

2.7.2.1 If yes, did you attached 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.

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

2.8 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

2.8.1 If so, furnish particulars:
.....
.....
.....

2.9 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
2.9.1If so, furnish particulars.

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

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

2.10.1 If so, furnish particulars.
.....
.....
.....

2.11 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**

2.11.1 If so, furnish particulars:
.....
.....
.....

Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number Persal Number

DECLARATION

I, 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

**C.12 DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES
(TO BE COMPLETED BY BIDDER.)**

- 1 This Section must form part of all bids invited.
- 2 It serves as a declaration to be used by Ithala Development Finance and Corporation Limited in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused Ithala Development Finance and Corporation Limited 's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury/Ithala Development Finance and Corporation Limited's database as companies or persons prohibited from doing business with the public sector?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
1.1	If so, furnish particulars:.....		
4.2	Is the bidder or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:.....		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:.....		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Item	Question	Yes	No
4.4.1	If so, furnish particulars:.....		

CERTIFICATION
 I, THE UNDERSIGNED

(FULLNAME).....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT. I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

C.13 CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ 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 per 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:

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(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;

¹ Includes quotations, advertised competitive bids, limited bids and proposals
² Bid 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

42

- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - I provides the same goods and services as the bidder and/or is in the same line of business as the bidder
- 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)
 - I methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - I 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.
- 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.
- 11.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

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.

C.14 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- 80/20 system for requirements with a Rand value equal to or above R30 000 and up to R50million (all applicable taxes included); and
 - 90/10 system for requirements with a Rand value above R50m (all applicable taxes included).
- 1.2 The value of this bid is estimated to below R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
- (a) Price; and
 - (b) B-BBEE Status Level of Contribution.
- 1.3.1 The maximum points for this bid are allocated as follows:

	POINTS
1.3.1.1 PRICE
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION
Total points for Price and B-BBEE must not exceed	100

- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser

2. DEFINITIONS

- 2..1 “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;
- 2.3 “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 “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 services, works or goods, through price quotations, advertised

competitive bidding processes or proposals;

- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less,
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or Bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.

- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

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

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

80/20

or 90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

- 7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)
- (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)
- 8.1.1 If yes, indicate:
 - (i) what percentage of the contract will be subcontracted?%
 - (ii) the name of the sub-contractor?
 - (iii) the B-BBEE status level of the sub-contractor?
 - (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

- 9.1 Name of company/firm :
- 9.2 VAT registration number :
- 9.3 Company registration number :
- 9.4 TYPE OF COMPANY/ FIRM
 - ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]
- 9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.
[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

9.8 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 contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

WITNESSES:

1.

2.

.....
SIGNATURE(S) OF BIDDER(S)

DATE:.....

C.15 DEVIATIONS FROM THE REQUEST FOR PROPOSAL

Should the bidder desire to make any departures from, or modifications to this Request for Proposal or to qualify its bid in any way, it shall clearly set out its proposals hereunder or alternatively state them in a covering letter attached to its bid and referred to hereunder, failing which the bidder shall be deemed to be unqualified and conform exactly with the requirements of this Request for Proposal.

If no departures or modifications are desired, the Schedule hereunder is to be marked “NIL” and signed by the bidder.

Unless otherwise specified specifically and stipulated in writing, the Contract constitutes the sole memorial of the Contract between the parties and any terms and conditions forming part of the bidder’s Bid or other documentation shall not form part of the Contract and shall be of no force or effect.

PAGE NUMBER	CLAUSE NUMBER	DEVIATION

SIGNATURE OF BIDDER

DATE

C.16 BID SUMMARY AND DETAILS

We the undersigned submit this bid in accordance with the conditions contained in the referenced RFP document and attach the documents required:

No.	Description in detail	Documents Attached
A. Commercial Documents		(Yes/ No/ N.A.)
1.	Deviations from Request for Proposal	
2.	Cover letter	
3.	Entire Bid Document	
4.	CC or Company Registration Documents or copy of ID if sole propriety	
5.	Registered as a vendor on CSD	
6.	In good standing with SARS and such information will be verified through Central Supply Database (CSD);	
7.	BBBEE Certificate/Affidavit	
8.	Declaration of Interest, Declaration of past SCM Practices Certificate of Independent Bid Determination	
9.	Joint Venture Agreement where applicable	
B. Technical Documents		
10.	ECSA registration for engineers	
11.	Project Plan	
12.	Client reference letters/ Project close out report/completion letter/testimonial	
13.	Bidder to produce proof of previous projects	
14.	CVs of project resources (including qualifications and certifications)	
15.	Evidence submitted of initiatives/programs that will be introduced in the development of SMME's	

Name

Date

Signature