

## REQUEST FOR QUOTATION (RFQ)

Registration Number 1944/018018/30

<b>DESCRIPTION</b>	<b>Appointment of a suitable service provider to conduct skills audit, develop a comprehensive skills development plan, develop job profiles and competency framework for African Exploration Mining and Finance Corporation Soc Ltd (AEMFC) for a period of Three (03) Months.</b>
<b>DOC NUMBER:</b>	<b>6000007779</b>
<b>ISSUE DATE</b>	<b>02 February 2024</b>
<b>BRIEFING SESSION</b>	<b>N/A</b>
<b>BRIEFING SESSION DATE</b>	<b>N/A</b>
<b>BRIEFING SESSION TIME</b>	<b>N/A</b>
<b>CLARIFICATION ENQUIRY EMAIL</b>	<b><a href="mailto:rfg.enquiry@aemfc.co.za">rfg.enquiry@aemfc.co.za</a></b>
<b>CLOSING DATE ON CLARIFICATION ENQUIRY</b>	<b>N/A</b>
<b>CLOSING DATE</b>	<b>09 February 2024</b>
<b>CLOSING TIME</b>	<b><u>12:00PM</u></b>
<b>RFQ VALIDITY PERIOD:</b>	<b>Sixty [60] "Business Days" from the closing date of this RFQ.</b>
<b>DELIVERY INSTRUCTIONS BY EMAIL</b>	<p>Written Quotations (inclusive VAT) are to be submitted to the email address:  <b>Email: <a href="mailto:quotations@aemfc.co.za">quotations@aemfc.co.za</a></b></p> <p><b>Note: Late proposal Bids and those submitted to other email addresses <u>WILL</u> be "DISQUALIFIED".</b></p> <p>Bidders must ensure that bids are submitted to the above email address on time to the correct email address.</p>
<b>BID ESTIMATED VALUE</b>	<b>The value of this bid is estimated to be below R50 000 000 (all applicable taxes included).</b>
<b>NOTE TO BIDDERS:</b>	<b><i>Bidders are required to ensure that electronic bid submissions are done at least a day before the closing date to prevent issues that they may encounter due to their internet speed, bandwidth, or the size of the number of uploads they are submitting. AEMFC will not be held liable for any challenges experienced by bidders as a result of the technical challenges. Please do not wait for the last hour to submit.</i></b>
<b>NOTE IMPORTANT</b>	<b>Suppliers of Goods and /or Services to AEMFC cannot be undertaken without receipt of a VALID Purchase Order Number. Verbal, telephonic instructions from an employee of AEMFC is a violation of AEMC's Procurement Policy and Procedures. Commencement of such an act will result in an unlawful transaction with the repercussion of non-payment to the supplier.</b>

**SECTION 1: SBD1 FORM****PART A****INVITATION TO BID****YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF AFRICAN EXPLORATION MINING AND FINANCE CORPORATION (SOC) LTD**

BID NUMBER:	<b>6000007779</b>	ISSUE DATE:	02 February 204	CLOSING DATE:	09 February 204	CLOSING TIME:	12:00PM
DESCRIPTION	<b>Appointment of a suitable service provider to conduct skills audit, develop a comprehensive skills development plan, develop job profiles and competency framework for African Exploration Mining and Finance Corporation Soc Ltd (AEMFC) for a period of Three (03) Months.</b>						

**BID RESPONSE DOCUMENTS SUBMISSION MUST BE SUBMITTED ELECTRONICALLY TO THE FOLLOWING**EMAIL [quotations@aemfc.co.za](mailto:quotations@aemfc.co.za)

<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>		<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>	
CONTACT PERSON	<b>Knowledge Malingane</b>	CONTACT PERSON	<b>Knowledge Malingane</b>
TELEPHONE NUMBER	<b>010 010 6100</b>	TELEPHONE NUMBER	<b>010 010 6100</b>
FACSIMILE NUMBER	<b>N/A</b>	FACSIMILE NUMBER	<b>N/A</b>
E-MAIL ADDRESS	<a href="mailto:knowledgem@aemfc.co.za">knowledgem@aemfc.co.za</a>	E-MAIL ADDRESS	<a href="mailto:rfq.enquiry@aemfc.co.za">rfq.enquiry@aemfc.co.za</a>

**SUPPLIER INFORMATION**

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]	
	<input type="checkbox"/> Yes	<input type="checkbox"/> No		<input type="checkbox"/> Yes	<input type="checkbox"/> No

**[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT MUST BE SUBMITTED FOR PURPOSES OF COMPLIANCE WITH THE B-BBEE ACT]**

1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSURE PROOF]	2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER QUESTIONNAIRE BELOW ]
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**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

 YES  NO

Respondent's Signature

Date &amp; Company Stamp

DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO

**IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.**

## **PART B TERMS AND CONDITIONS FOR BIDDING**

### **1. TAX COMPLIANCE REQUIREMENTS**

- 1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 1.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

(Proof of authority must be submitted e.g. company resolution)

DATE: .....

**SECTION 2: NOTICE TO BIDDERS****1    RESPONSE TO RFQ**

- 1.1 Responses to this RFQ **[Quotations]** must not include documents or reference relating to any other quotation or proposal. Any additional conditions must be embodied in an accompanying letter.
- 1.2 Bid proposal must be delivered by the stipulated date and time to the correct email address.
- 1.3 All Bids must be submitted on the official forms provided or in the manner prescribed in the Bid document.
- 1.4 The 80/20 Preferential Point System will be applied wherein 80 Points is for Price and 20 points is for Specific Goals.
- 1.5 Points scored for Specific Goals will be added to the points scored for Price and the total will be rounded off to the nearest two (2) decimal places.
- 1.6 Bidders are required to submit responsive Bids by completing all pricing and item information in line with the entire scope of work /goods/services.
- 1.7 AEMFC reserves the right to negotiate with the bidders prior or post-award.
- 1.8 AEMFC may allocate zero/nil points for specific goals where proof is not submitted with the RFQ.
- 1.9 The Bid must be valid for a period of 60 business days from the closing date and time.

**2    COMMUNICATION**

- 2.1 Specific queries relating to this RFQ before the closing date of the RFQ should be submitted to the email address [rfq.enquiry@aemfc.co.za](mailto:rfq.enquiry@aemfc.co.za). In the interest of fairness and transparency, AEMFC's response to such a query will then be made available to other bidders.
- 2.2 It is prohibited for Respondents to attempt, either directly or indirectly, to canvass any officer or employee of AEMFC in respect of this RFQ between the closing date and the date of the award of the business.

- 2.3 Respondents found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.
- 2.4 All unsuccessful bidders have a right to request AEMFC to furnish individual reasons for their bid not being successful. This request must be directed to the contact person stated in the SBD 1 form.

### **3 CHANGES TO QUOTATIONS**

- 3.1 Changes by the tenderer/bidder will not be considered after the closing date and time.

### **4 BINDING OFFER**

- 4.1 Any Quotation furnished pursuant to this Request shall be deemed to be an offer. Any exceptions to this statement must be clearly and specifically indicated.

### **5 DISCLAIMERS**

- 5.1 AEMFC reserves the right to:
  - 5.2 modify the RFQ's goods / service(s) and request Respondents to re-bid on any changes;
    - a) reject any Quotation which does not conform to instructions and specifications which are detailed herein;
    - b) disqualify Quotations submitted after the stated submission deadline;
    - c) not necessarily accept the lowest priced Quotation or an alternative bid;
    - d) place an order in connection with this Quotation at any time after the RFQ's closing date;
    - e) award only a portion of the proposed goods / services which are reflected in the scope of this RFQ;
    - f) split the award of the order/s between more than one Supplier/Service Provider should it at AEMFC's discretion be more advantageous in terms of, amongst others, cost or developmental considerations;
    - g) cancel the quotation process;
    - h) validate any information submitted by Respondents in response to this bid. This would include, but is not limited to, requesting the Respondents to provide supporting evidence. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to AEMFC to do so;
    - i) request audited financial statements or other documentation for the purposes of a due diligence exercise;
    - j) not accept any changes or purported changes by the Tenderer/Bidder to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provides for it;
    - k) to cancel the Purchase Order (PO)/ Contract and place the Tenderer/Bidder on its Database of Restricted Suppliers for a period not exceeding 10 years, on the basis that a contract was awarded on the strength of incorrect information furnished by the Tenderer/Bidder or on any other basis recognised in law;

I) award the business to the next ranked bidder, provided that the tenderer/bidder is still prepared to provide the required Goods/Services at the quoted price, should the preferred bidder fail to sign or commence with the contract within a reasonable period after being requested to do so. Under such circumstances, the validity of the bids of the next ranked tenderer(s)/bidder(s) will be deemed to remain valid, irrespective of whether the next ranked tenderer(s)/bidder(s) were issued with a letter of regret. Tenderers/Bidders may therefore be requested to advise whether they would still be prepared to provide the required Goods/Services at their quoted price, even after they have been issued with a letter of regret.

## **6      LEGAL COMPLIANCE**

6.1 The successful Respondent shall be in full and complete compliance with any and all applicable national and local laws and regulations.

## **7      NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD)**

7.1 Tenderers/Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. AEMFC is required to ensure that price quotations are invited and accepted from prospective bidders listed on the CSD. Tenderers/Bidders must register on the CSD prior to submitting their Bids as Business may not be awarded to a Tenderer/ Bidder who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD. The CSD can be accessed at <https://secure.csd.gov.za/>

**For this purpose, the attached SBD 1 Form (Section 1) must be completed and submitted as a mandatory returnable document by the closing date and time of the bid.**

## **8      TAX COMPLIANCE**

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

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

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

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

8.5 Tenderers/Bidders are required to submit their unique pin number issued by SARS to enable the organ of state to verify the taxpayer's profile and tax status.

**9 VALIDITY**

- 9.1 AEMFC requires a validity period of sixty (60) Business Days from the closing date of this RFQ, excluding the first day and including the last day.
- 9.2 Bidders are to note that they may be requested to extend the validity period of their bid, on the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded.

**10****SECTION 3: NOTICE TO BIDDERS****11 SCOPE OF WORK/SPECIFICATION**

- 11.1 African Exploration Mining and Finance Corporation (SOC) Ltd ("AEMFC") is a state-owned Mining Company established to secure South Africa's energy supply primarily through the mining and supply of coal for the generation of electricity, as well as securing other resources that will provide energy for the future, including key minerals for beneficiation in the energy and steel value chain. As a growing company, AEMFC is currently operating an opencast coal mine (Vlakfontein Mine- Coordinates: Latitude 26° 0'42.15"S, Longitude 28°57'47.72"E) established in 2011 which is located near Ogies in Mpumalanga Province with its Head Office at Waterfall City in Johannesburg.
- 11.2 In terms of the Broad-Based Black Economic Empowerment Act, 2003, Act No. 53 of 2003 and the DTI Codes of Good Practice issued under Section 9(1) of the same act that are applicable to all types of business entities in the Republic of South Africa, African Exploration Mining and Finance Corporation (AEMFC) as a Public Entity, also referred to as a State-Owned Company (SOC) is measurable under the said Codes of Practice.
- 11.3 To this end AEMFC requires the services of a B-BBEE Verification Service Provider for the performance of an evaluation, verification, and rating of its Black Economic Empowerment Profile/Status.

**10.2. SCOPE OF WORK (SOW)**

The skills audit project will involve about employees of AEMFC which includes the Head Office and Vlakfontein Mine.

The successful service provider is expected to perform the following functions as the minimum deliverables and to adequately address all the listed objectives according to phases.

The appointed service provider will therefore conduct a comprehensive skills audit on all existing positions within AEMFC.

## 12 OBJECTIVE

The specific objectives of the skills audit will include the following:

- Identify the skills and knowledge that AEMFC requires and currently has in accordance with mining industry.
- Provide an overview of the scarce and critical skills needs that will enable AEMFC to deliver on its strategic objectives and goals.
- Identify the skills gaps and recommend targeted training and skills development interventions for every employee.
- Develop skills profiles for all existing occupations.
- Provide accurate information to develop Workplace Skills Plan for 2024/25 financial year.
- Conduct assessment of all occupations AEMFC and link them with Job Profiles.
- Generate, present, and consolidate skills audit report and recommendations.

## 13 DURATION

**The project will be for a period of 3 months from signing of the contract with the successful service provider.** The successful service provider is expected to perform the following functions as the minimum deliverables and to adequately address all the listed objectives according to phases:

### Phase 1

- Provide analysis report on the Skills, competencies and qualifications required to effectively implement the AEMFC strategy.
- Develop a competency framework that will fit AEMFC business needs.
- Conduct assessment of all occupations and provide accurate information to develop Workplace Skills Plan.
- Develop Job Profiles benchmarking with the mining industry.

### Phase 2

- Interview all employees or gather information from all employees in relation to their skills, attributes, qualifications, and experience.
- Provide analysis report on the Skills and competence gaps between the skills requirements and current employee skills sets.
- Recommend targeted intervention including training and skills development for every employee.
- Conduct skills transfer to HR on Skills Audit Process.
- Generate, present, and consolidate skills audit report and recommendations.

**Presentation**

- The top three shortlisted bidders that passes the first stage of evaluation will be required to do a presentation based on all services required, namely:
- The skills audit presentation shall provide guidance for a well compact competency framework that stipulates standardized skills mix, related knowledge and attributes to specific employee set of tasks and a generally accepted standard of performance of which in turn shall assist the AEMFC to perform effectively.
- Explanation of methodology that will be applied.
- Demonstrable ability to conduct large scale skills audit by presenting at reference from employers where they conducted Skills Audit for a mining organization with more than 233 employees.
- Due to the diverse nature of employees, the service provider will be required to make provision for those employees who may have language barriers. IsiZulu and English are the primary languages used in Head office and Vlakfontein Mine.
- An understanding of Human Resource Management, Planning and Development in the public and private sector.
- An understanding of public sector related legislative and accountability framework.
- The appointed Service Provider must be accredited by Mining Qualifications Authority (MQA).

## SECTION 4

### 14 EVALUATION METHODOLOGY, CRITERIA AND RETURNABLE DOCUMENTS

14.1 The evaluation of Quotations is to determine whether the Tenderer/ Bidder can deliver the Goods/ Services and will be evaluated accordingly.

14.2 AEMFC will utilize the following methodology and criteria in selecting a Service Provider.



#### 14.3 STAGE 1

Test for Administrative Responsiveness. The test for administrative responsiveness will include the following:

Administrative responsiveness check	
• Whether the RFQ has been lodged on time	
• Whether all Returnable Documents were completed and returned by the closing date and time	
• Verify the validity of all Returnable Documents	

The test for Administrative Responsiveness (**Stage One**) must be passed for a Tender/Bid to progress further pre-qualification.

#### 14.4 STAGE 2

Test for substantive responsiveness to this RFQ will include the following:

Check for substantive responsiveness	YES / NO
• Whether the Tender / Bid contains a fully completed Price Schedule	
• Whether the Tender/Bid materially complies with the scope and/or specification given	

Test for substantive responsiveness (**Stage Two**) must be passed for a Tender/Bid to Stage three for further evaluation.

**12. EVALUATION CRITERIA**

conducted similar job in the past 3 years.

**7.1 FUNCTIONALITY- PHASE 1**

SCORE SHEETS					
NO	EVALUATION CRITERIA	SCORING PRINCIPLE	RETURNABLE SCHEDULE	RATING	WEIGHTING SCORE
1.	Company Profile	10 and more years' experience of previous similar work submitted aligned with AEMFC SOW. Clients are within the Mining Industry	Bidder must submit a company profile clearly showing extensive work experience conducting skills audit, competency assessments, competency framework developing job profiles in a mining company.	30	30
		6 years' experience of previous similar work submitted aligned with AEMFC SOW. Clients are within the Mining Industry		20	
		5 years' experience of previous similar work submitted aligned with AEMFC SOW. Clients are not within the Mining Industry		10	
		4 years' experience of previous similar work submitted aligned with AEMFC SOW. Clients are not within the Mining Industry		05	
		Less than 4 years' experience of previous similar work submitted aligned with AEMFC SOW		0	
<b>N.B: Failure to provide company profile will lead to bidders scoring zero.</b>					
2.	Experience and qualifications of lead facilitator.	More than Ten (10) years' experience as Team Leader and relevant qualification within Mining Industry	submit 3 X 2-paged CVs of their lead facilitators clearly showing only, biographical details, relevant university qualification, Accreditation certificate from Mining Qualification Authority (MQA)	20	
		Less than Ten (10) years' experience as Team Leader and relevant qualification within Mining Industry		15	
		Less than four (4) years of experience as Team Leader and relevant qualification not with the Mining Industry points		10	
		No experience and / or qualification		05	
<b>N.B: Please attach detailed Curriculum Vitae ("CV") lead facilitator of the Failure to provide a detailed CV will lead to bidder scoring zero.</b>					
3.	Team leader must have experience in conducting a comprehensive skills audit spectrum. That will include assessing both hard skills (technical abilities) and soft skills, interpersonal, communications and leadership. The skills audit experience in covering technical	More than Ten (10) years' experience as Team Leader and relevant qualification within Mining Industry	submit 3 X 2-paged CVs of their lead facilitators clearly showing only, biographical details, relevant university qualification, Accreditation certificate from Mining Qualification Authority (MQA)	20	20
		Less than Ten (10) years' experience as Team Leader and relevant qualification within Mining Industry		15	
		Less than four (4) years of experience as Team Leader and relevant qualification not with the Mining Industry points		10	
		No experience and / or qualification		05	

	expertise, adaptability, teamwork, problem-solving, time management and other related activities. Tailoring the audit to individual or AEMFC needs to ensure a well-rounded assessment					
	<b>N.B: Please attach detailed Curriculum Vitae ("CV") lead facilitator of the Failure to provide a detailed CV will lead to bidder scoring zero.</b>					
5.	<b>Company Experience</b>	More than 5 valid reference letters attached mining industry.	The bidder must provide reference letters demonstrating relevant experience in conducting skills audit in the mining industry.	20	<b>20</b>	
		5 valid reference letters attached mining industry.		15		
		Less than 5 valid reference letters attached mining industry.		10		
		3 valid reference letters attached mining industry.		05		
	<b>N.B: Reference letters of similar appointments at other clients must be submitted. Letters must be on the clients' letterhead, signed and include a contactable telephone number.</b>					
	<b>Total points</b>				100	
	<b>Minimum Threshold</b>				70	

**Only bidders who achieve a threshold of 70 points in functional evaluation will be evaluated on Price and B-BBEE**

#### 14.5 **STAGE 3**

Evaluation and Final Weighted Scoring

Price Criteria (Weighted Score) 80

<b>Evaluation Criteria</b>	
•	Commercial Offer (Price)

Price Evaluation: The evaluation of Price will be done based on the following formula below:

**80/20**

$$Ps = 80 \left( 1 - \frac{Pt - P \min}{P \ min} \right)$$

Where

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

#### 14.6 **SPECIFIC GOALS (Preference Point System)**

a) Weighted Score **20 points**

14.7 AEMFC has identified in its Supply Chain Management Policy, Specific Goals, which will be used to promote transformation and empowerment.

14.8 In this RFQ, AEMFC will utilise the B-BBEE status level of contributor as the specific goal. This selected preference point system will allocate 20 points to Tenderers/Bidders for attaining the B-BBEE status level of contribution in accordance with the table indicated in Section 7 : Preference Points Claim Form.

14.9 As evidence, Tenderers must submit with their Tender, their valid BBBEE certificate or sworn affidavit as points will be based on the level of the Tenderers BBBEE level as per their BBBEE Certificate issued by an agency approved by SANAS

#### 14.10 **STAGE 4: Post Tender/Bid Negotiations (If Applicable)**

AEMFC reserves the right to enter into post-negotiations should it deem necessary to do so.

14.11 The evaluation of Quotations is to determine whether the Tender/ Bidder is capable of delivering the Goods/ Services and will be evaluated accordingly.

#### 14.12 **Returnable DOCUMENTS**

Returnable Documents means all the documents, Sections and Annexures, as listed in the tables below. There are three types of returnable documents as indicated below and Respondents are

urged to ensure that these documents are returned with their bids based on the consequences of non-submission as indicated below:

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

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

**a) Mandatory Returnable Documents**

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

<b>Mandatory Returnable Documents</b>	<b>Submitted [Yes or No]</b>
SECTION 1: SBD1 Form	
SECTION 5: Quotation Form and Pricing Schedule	

**b) Returnable Documents Used for Scoring**

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

<b>RETURNABLE DOCUMENTS USED FOR SCORING</b>	<b>SUBMITTED [Yes or No]</b>
Valid proof of Respondent's compliance to B-BBEE requirements stipulated in Section 7 of this RFQ (Valid B-BBEE certificate or Sworn Affidavit)	

**c) Essential Returnable Documents:**

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

<b>ESSENTIAL RETURNABLE DOCUMENTS &amp; SCHEDULES</b>	<b>SUBMITTED [Yes or No]</b>
National Treasury Registration on <b>Central Data Base (CSD)</b> (certificate). (a detailed report not older than one month).	
Tax Clearance Certificate or electronic access PIN obtained from SARS's new Tax Compliance Status (TCS) system [Consortia / Joint Ventures must submit a separate Tax Clearance Certificate for each party]	

SECTION 4: Evaluation Methodology, Criteria and Returnable Documents	
SECTION 6: RFQ Declaration and Breach of Law Form(SBD4)	
SECTION 7: B-BBEE Preference Claim Form	

**SETION 5**  
**QUOTATION FORM**

I/We \_\_\_\_\_

hereby offer to supply the goods/services at the prices quoted in the Price Schedule below / Company Letter Head.

I/We accept that unless AEMFC should otherwise decide and so inform me/us, this Quotation [and, if any, its covering letter and any subsequent exchange of correspondence], together with AEMFC's acceptance thereof shall constitute a binding contract between AEMFC and me/us.

I/We further agree that if, after I/we have been notified of the acceptance of my/our Quotation, I/we fail to deliver the said goods/service/s within the delivery lead-time quoted, AEMFC may, without prejudice to any other legal remedy which it may have, cancel the order. AEMFC may call for Quotations afresh.

**15 PRICE SCHEDULE**

Item No	Description of Item	Quantity	Month 1	Month 2	Month 3	TOTAL PRICE OF ITEM [ZAR]
1	Comprehensive Skills Audit Report	3 Months				
2	Competency Assessment Report only for certain positions.	3 Months				
3	Competency Framework	3 Months				
4	Job Profile	60 positions				
5	Develop Skills Development Plan	3 Months				
<b>Total Price, exclusive of VAT:</b>						
<b>VAT 15% (if applicable)</b>						
<b>Disbursement</b>						
Travelling we will use SARS rates currently pegged at R4.64 per kilometre.						
<b>Total Inclusive of VAT (where applicable)</b>						
<b>Total Price In Words</b>						

**Note: The audit project will be conducted at the AEMFC Vlakfontein mine located near Ogies in Mpumalanga Province and Head Office Waterfall Midrand Gauteng Province, therefore there will be travelling.**

**Delivery Lead-Time from date of purchase order: 4 weeks**

*Respondents are to note that AEMFC will round off final pricing scores to the nearest 2 (two) decimal places.*

### 15.1 **NOTES ON PRICING**

- a) All Prices must be quoted in South African Rand, inclusive of VAT.
- b) Prices quoted must be held valid for a period of Sixty (60) days from closing date of the RFQ
- c) To facilitate like-for-like comparison Tenderers/Bidders must submit pricing strictly in accordance with this price schedule and not utilise a different format. Deviation from this pricing schedule may result in a bid being disqualified.
- d) Tenderers/ Bidders are to note that if the price offered by the highest scoring bidder is not market related, AEMFC may not award the contract to that Respondent. AEMFC may-
  - (i) negotiate a market-related price with the Tenderer/Bidder scoring the highest points or cancel the RFQ;
  - (ii) if that Tenderer/Bidder does not agree to a market-related price, negotiate a market-related price with the Tenderer/Bidder scoring the second highest points or cancel the RFQ;
  - (iii) if the Tenderer/Bidder scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Tenderer/Bidder scoring the third highest points or cancel the RFQ.

If a market-related price is not agreed with the Tenderer/Bidder scoring the third highest points, AEMFC must cancel the RFQ.

- e) Any disbursement not specifically priced for will not be considered/accepted by AEMFC.
- f) Please note that should you have offered a discounted price(s), AEMFC will only consider such price discount(s) in the final evaluation stage if offered on an unconditional basis.

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

Toll Free Number: 0800 333 118

Email: [aemfc@whistleblowing.co.za](mailto:aemfc@whistleblowing.co.za)

- Toll-Free Fax: 0800 212 689
- Postal: FREEPOST KZN665, MUSGRAVE, 4062
- SMS: 33490
- Online: [www.whistleblowing.co.za](http://www.whistleblowing.co.za)

**National Anti-Corruption Hot Line - 0800 701 701**

**SECTION 6: SBD 4****14. ADMINISTRATIVE RETURNABLE DOCUMENTS****DECLARATION OF INTEREST****(SBD4)**

**14.1.** Any legal person, including persons employed by the state<sup>1</sup>, 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.

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

**14.2.1.** Full Name of bidder or his or her representative: .....

**14.2.2.** Identity Number.....

**14.2.3.** Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....

**14.2.4.** Company Registration Number.....

**14.2.5.** Tax Reference Number: .....

**14.2.6.** VAT Registration Number: .....

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

**14.2.6.2. "State" means –**

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

<sup>2</sup>"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.

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

**14.3.1. If so, furnish the following particulars:**

(a) Name of person / director / trustee / shareholder/ member:  
.....

(b) Name of state institution at which you or the person connected to the bidder is employed:  
.....

(c) Position occupied in the state institution:  
.....

(d) Any other particulars:  
.....

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

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

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

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

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

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

**14.4.1. If so, furnish particulars:**

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

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

**14.5.1. If so, furnish particulars.**

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

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

**If so, furnish particulars.**

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

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

**YES/NO**

**14.7.1. If so, furnish particulars:**

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

**14.8. Full details of directors / trustees / members / shareholders.**

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

**14.9. DECLARATION**

THE UNDERSIGNED (NAME).....

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

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

## SECTION 7

### B-BBEE PREFERENCE POINTS CLAIM FORM.

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

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.**

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#### 1. GENERAL CONDITIONS

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

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

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

1.3 Points for this tender/bid shall be awarded for:

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

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

	POINTS
PRICE	80
SPECIFIC GOALS	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

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

#### 2. DEFINITIONS

- (a) **“tender/bid”** means a written offer determined by an organ of state in response to an invitation to provide goods/services through price quotations, competitive bidding or any other method envisaged in legislation;
- (b) **“Price”** includes all applicable taxes less all unconditional discounts.
- (c) **“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.
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating

contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) “**the Act**” means the preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 3.1 POINTS AWARDED FOR PRICE

#### 3.2 THE 80/20 PREFERENCE POINT SYSTEMS

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

#### 80/20

$$Ps = 80 \left( 1 - \frac{Pt - P_{\min}}{P_{\min}} \right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR SPECIFIC GOALS

In terms of Regulation 4 (2); 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded for Specific Goals stated in the tender/bid. For the purposes of this tender the tenderer/bidder will be allocated points based on the goals stated in table 1 below as may be supported by proof/documentation stated in the conditions of this tender:

In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

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

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

**The Specific Goal applicable to the tender/bid is: B-BBEE Status Level**

No	The specific goals points in terms of this bid	Number of points allocated (80/20 system) by AEMFC	Number of points claimed (80/20) by the bidder	Documents to be submitted for verification
1	Percentage (%) ownership by Black People	Points (10)	Bidder	<ul style="list-style-type: none"> <li>• ID Copy of Owner / Director;</li> <li>• B-BBEE Certificate / Sworn Affidavit; and</li> <li>• Company Registration Documents</li> <li>• CSD Report</li> </ul>
	81-100%	10		
	51-80	8		
	31-50	4		
	<30	2		
	0%	0		
2	RDP Goals (EMEs or QSEs)	Points (10)	Bidder	<ul style="list-style-type: none"> <li>• ID Copy of Owner / Director;</li> <li>• BBEE Certificate / Sworn Affidavit; and</li> <li>• Company Registration Documents</li> <li>• CSD Report</li> </ul>
	EMEs / QSEs (Entities that are 100% Black Owned)	10		
	EMEs / QSEs (Entities that are 51% Black Owned)	5		

## 5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1 Name of company/firm:.....

5.2 VAT registration number:.....

5.3 Company registration number:.....

### 5.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

## 5.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

## 5.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

5.8 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-BBEE status level of contribution indicated in paragraphs 4.1 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 4.1 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have-
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) if the successful bidder subcontracted a portion of the bid to another person without disclosing it, AEMFC reserves the right to penalise the bidder up to 10 percent of the value of the contract;
  - (e) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (f) forward the matter for criminal prosecution.

**WITNESSES**

1. ....
2. ....

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

DATE: .....

ADDRESS .....

.....