



REQUEST FOR QUOTATION

Terms of Reference

APPOINTMENT OF A CLIMATE CHANGE & PROTECTED AREA RESOURCE MOBILISATION SPECIALIST

RFQ NO.

RFQ-035-22

REQUEST FOR QUOTATION

You are hereby invited to submit a price quotation for:
APPOINTMENT OF CLIMATE CHANGE & PROTECTED AREA RESOURCE MOBILISATION SPECIALIST

RFQ NUMBER:	RFQ-035-22
ADVERTISEMENT DATE:	25 July 2022
CLOSING DATE:	05 August 2022
CLOSING TIME:	12:00
BID DOCUMENT DELIVERY ADDRESS:	scmquotations@sanparks.org (Please note that any submissions made to any other email other than the designated email will not be accepted)
BID VALIDITY PERIOD:	90 days (commencing from the RFQ Closing Date)
TECHNICAL RELATED QUERIES	Kristal Maze
SCM RELATED QUERIES	Mpho Masia

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

Bidders shall submit proposal responses in accordance with the prescribed manner of submissions as specified above. Bids received after the time stipulated shall not be considered.

Where applicable, the successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

Bidders are not allowed to contact any other SANParks staff in the context of this RFQ other than the indicated officials under SBD 1 or as indicated above.

NB: No proposal shall be accepted by SANPARKS if submitted in any manner other than as prescribed above.

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NATIONAL PARKS					
BID NUMBER:	RFQ-035-22	CLOSING DATE:	05 August 2022	CLOSING TIME:	12:00
DESCRIPTION	APPOINTMENT OF CLIMATE CHANGE & PROTECTED AREA RESOURCE MOBILISATION SPECIALIST				
BID RESPONSE DOCUMENTS MUST BE SENT TO THE DESIGNATED EMAIL ADDRESS					
scmquotations@sanparks.org					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mpho Masia		CONTACT PERSON	Kristal Maze	
TELEPHONE NUMBER	012 426 5083		TELEPHONE NUMBER	041 508 5411	
E-MAIL ADDRESS	Mpho.masia@sanparks.org		E-MAIL ADDRESS	kristal.maze@sanparks.org	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION: 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT. 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS. 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA. 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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:

.....

1. PURPOSE

The purpose of this RFQ is to appoint a consultant to provide specialist services in climate change and protected area resource mobilisation.

2. BACKGROUND

South African National Parks (SANParks) is a public entity functioning under National Environmental Management: Protected Areas Act 57 of 2003 (Act 57 of 2003); with the mandate to conserve; protect; control; and manage national parks and other defined protected areas and their biological diversity (Biodiversity). As a public entity, SANParks is also governed by the Public Finance Management Act, Act 1 of 1999 (as amended by Act 29 of 1999), and it is listed as Schedule 3 Part A: public entity.

SANParks' operations are guided by its vision statement and mission statement. As a public entity, the organisation is committed to act in pursuance of transformation of South Africa's society in support of entrenching South Africa's democracy. In this regard, the organisation has adopted a transformation mission to guide its efforts accordingly.

SANParks seeks to contract a consultant to assist them strategically conceptualise what climate resilience and protected area expansion interventions will secure both long term sustainable finance, climate proof infrastructure and park development investments and deliver the highest biodiversity protection impact in line with the SANParks strategic plan. This work is required to assist SANParks to align with and strategically position its interventions with recent policy developments, priorities and funding opportunities linked to among others the Presidential Climate Commission's Just Energy Transition Framework and a range of recent DFFE strategies and plans.

The world has already warmed by 1.1 °C and will reach 1.5°C of warming within 20 years, even in a best-case scenario where deep cuts in GHG emissions are achieved. The emission increases already experienced are unprecedented and affect every region, with the poor being particularly vulnerable in South Africa. SANPark's protected area network has been hard hit by climate change, for example flooding and droughts.

SA is an active participant in all key global environmental/climate-related agreements – such as the UNFCCC, CBD, and CITES - having committed itself to significantly reducing its GHG emission to achieve a 2030 annual emissions target of at least 350 MtCO₂e at the bottom of the range. The risks the country faces from the impacts of climate change are already beginning to be felt and the IPCC reports stress the seriousness of the risk for Africa. SA faces not only this looming threat of climate change, but a deteriorating economic situation, high levels of unemployment (at least 7.9 million people), very high levels of inequality (World Bank poverty database lists SA as the most unequal country in the world) and significant governance and institutional challenges.

In the international debate, there is increased emphasis on Nature-based Solutions as a key part of climate change strategies. Although definitions and interpretations of Nature-based Solutions (NbS) vary, also referred to as Nature-based Approaches, they are generally considered to include approaches for Ecosystem-based Adaptation (EbA), Ecosystem-based Mitigation and Ecosystem-based Disaster Risk Reduction (Eco-DRR). Given South Africa's extensive protected areas network and its status as a mega-biodiverse country, this is a key issue and opens major opportunities for proactive solutions to climate risks through building resilience and addressing risk upfront. This, however, can only achieve the desired impact in the context of a comprehensive and proactive approach. SANParks would like to develop a comprehensive Climate Resilience Plan for SA's Protected Area Network that provides for a Just Nature Transition.

There are several key initiatives in SA that frame the context within which this work will occur, and which offer opportunities for synergies. These include:

1. **SANParks** has developed a draft Climate Change Preparedness Strategy which is currently under review as well as an approved Green Energy Strategy. These create the Policy Framework within which a Climate Resilience Plan can be developed.
2. The **Presidential Climate Commission (PCC)**, established by President Cyril Ramaphosa in December 2020, released its draft Just Energy Transition Framework in February this year which is the first building block towards reaching South Africa's vision for just and equitable transition towards climate resilience and zero-emissions development. The framework states that the science is clear—tackling climate change will require significant and unprecedented changes across all sectors of the

economy. It will require innovations in the energy system, including a massive shift to low-carbon energy sources, as well as changes in how SA uses its land and grows its food.

3. The President has appointed Daniel Mminele, former deputy Reserve Bank governor, as the leader of a South African Task Team to bring home the **\$8.5-billion Climate Funding**, announced at COP26, required to support the Just Energy Transition. Critical amongst its tasks is securing funding for grid extension and transmission without which green energy projects cannot proceed.
4. The **Presidential Employment Stimulus**, launched in October 2020, as part of government's Economic Reconstruction and Recovery Plan has already supported over 850,000 publicly funded jobs and livelihood opportunities, in a diverse range of programmes. The assistant-teacher initiative raises the question whether the option of a conservation-led equivalent - assistant-rangers/conservators – can be initiated.
5. The **C40 Cities network** – a group of 100 cities around the world that represents one-twelfth of the world's population and a quarter of the global economy, and which includes the metropolitan cities in SA, released the Creating Local Green Jobs in SA report in March this year. This identifies the opportunity for SA cities to create 1 million jobs through “shovel-ready climate action solutions” – from building retrofits to green energy and transport and urban nature-based solutions.
6. There are a range of **Strategies and Plans** developed by the Department of Forestry, Fisheries and the Environment (DFFE), National and Provincial Conservation Authorities and environmental NPOs, that form a critical backdrop to this work. Examples of these include the National Adaptation Strategy, Long-Term Adaptation Scenarios, the South African National Protected Area Expansion Strategy (NPAES) and associated provincial strategies, and the Climate Change Adaptation Plans for South African Biomes.
7. The draft **post-2020 Global Biodiversity Framework** asks Convention on Biological Diversity parties to **conserve at least 30% of the planet by 2030** ‘through a well-connected and effective system of protected areas with the focus on areas particularly important for biodiversity.
8. **SANParks** has a **Land Inclusion Plan** that contributes to the implementation of the NPAES and in turn to the draft CBD targets. This

creates a further framework within which a Climate Resilience Plan and PA expansion resourcing opportunities can be developed.

9. There are also a range of **Adaptation and Mitigation Programmes, Initiatives and Tools** being implemented across SA that are developing Resilience on the ground. Examples include Private Sector Financing solutions such as the recently announced World Bank Rhino Bond, National Treasury's carbon tax incentives and financing initiatives, DFFE's Biodiversity Offsets Guidelines, and the Sustainable Landscape Finance Coalition's incubators.

3. SCOPE OF WORK

SANParks seeks to contract a consultant to assist them strategically conceptualise what climate resilience and protected area expansion interventions will both secure long term sustainable finance, climate proof infrastructure and park development investments and deliver the highest biodiversity protection impact in line with the SANParks strategic plan.

The initial key outputs will be:

1. Mapping of key interventions and finance opportunities. This will include:
 - 1.1. Key stakeholder inputs regarding interventions and opportunities.
 - 1.2. Qualitative and, where feasible, quantitative assessment of SANParks' NbS value proposition.
 - 1.3. Concept for optimising and accessing carbon finance opportunities, including identifying the appropriate carbon credits mechanism.
 - 1.4. Initial ideas for accessing the GEF 8 and possibly GCF opportunities around protected area expansion, buffer zone management and sustainable protected area financing.
2. Climate Resilience Scoping Report that:
 - 2.1. Summarises the views of the key stakeholders on a Climate Resilience Plan, identifies its scope, identifies finance opportunities and synergies, identifies its champions and process, frames it within the SA context (specifically addressing poverty alleviation), and provides examples of best practice CRPs.
 - 2.2. Detailed ToR for the development of a granular, implementable, and fundable Climate Resilience Plan for SA's Protected Area Network.

4. COMPLIANCE AND GOVERNANCE VERIFICATION DOCUMENTS (Standard Bidding Documents)

The verification during this phase is to assess the bid responses for purposes of verifying compliance with RFQ requirements, whereby a bidder may be disqualified if they do not fully comply which requirements as stipulated below:

- Submission of fully completed SBD1 (Invitation to Bid),
- Submission of a quotation on the company letterhead,
- Submission of fully completed SBD 4 (Bidder's disclosure),
- Submission of fully completed SBD 6.1 (Preference Claim Certificate), accompanied by the original or certified B-BBEE Status Level Verification Certificate or original B-BBEE Sworn Affidavit,
- Submission of fully completed SBD7.2 (Contract Form),

5. CENTRAL SUPPLIER DATABASE INFORMATION

Bidders are required to be registered on the Central Supplier Database (CSD) of National Treasury. Failure to submit the requested information may lead to disqualification. (Please provide proof of registration on the Central Supplier Database).

6. EVALUATION PHASE: MANDATORY REQUIREMENTS

The service provider will be disqualified if they do not fully comply with all mandatory requirements. No “unanswered” questions will be allowed. If a response to a question has been indicated as comply but not elaborated upon or **substantiated** it shall be regarded as mandatory non-compliance and the bidder shall be disqualified.

The consultant will need to have the following technical and behavioural competencies:

Technical, qualifications and Behavioural Competencies

<p>Proven experience of conceptualising, analysing and writing large scale policy/programme documents and detailed project plans and funding proposals.</p> <p>Proven experience of developing innovative interventions linked to sustainable finance.</p> <p>Understanding of the South Africa context, specifically the institutional set-up in the environmental sector.</p> <p>Proven experience of bridging the policy/implementation gap & the ability to identify workable solutions.</p> <p>At least 10 years proven experience in investment finance and the environment.</p> <p>Proven experience of working in public, private & NPO sectors.</p> <p>Process management in public, private & NPO sectors.</p> <p>Relevant Masters degree in economic or environment fields. MBA would be an advantage.</p>	<p>Excellent communication: verbal & written.</p> <p>Self-starter.</p> <p>Relationship builder.</p> <p>High levels of energy.</p> <p>Emotional intelligence.</p> <p>Ability to think laterally & innovate.</p> <p>Ability to execute & deliver agreed outcomes.</p>
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It is expected that the time required for this initial work is 45-50 full day's work spread over September 2022 to February 2023 with the Mapping of Key Interventions and Finance Opportunities Report by 15 October 2022 and the draft Climate Resilience Scoping Report by 30 January 2023 with the final copy by 15 February 2023.

Service providers interested in contributing towards this work should submit a concise written proposal that addresses the scope of work and the below requirements and outputs.

The proposal must include:

- Details of the service provider, including relevant skills, experience and track record.
- A brief description of the approach and deliverables.
- At least one example of recent reports that the service provider was personally responsible for in order to demonstrate skills and experience.
- A work plan, including proposed start and completion date and timeframes for activities and deliverables against which payments will be made.
- A detailed and complete budget for the proposed work, including fees (number of days and rate per day), disbursements and VAT. Each of these should be provided separately. **Travel and accommodation disbursements should NOT be included in the budget and may be claimed separately, in line with SANParks' policies and rates. Travel requirements will be discussed at the inception meeting.**
- Details of any contribution to empowerment of historically disadvantaged individuals (HDI) and/or transformation of the sector.
- Equity status of service provider (BBBEE scorecard of good practice) according to the attached form (SBD 6.1).
- Contact details of at least three current or recent clients.

Functionality evaluation criteria (Please note that this BID will be evaluated on Functionality)** ** Service providers who fail to score a minimum of 70 points out of a possible 100 points on functionality criteria will not be eligible for further consideration.

Evaluation of proposals will be done according to the following criteria (so sufficient information should be provided):

Criteria for measuring functionality	Weight	Maximum Points	Point Allocation
Technical merit of proposal (methodology to achieve the deliverables)	40	4	1 - The methodology is poorly described and/or does not provide any information regarding the relevant aspects of the project. 2 - The methodology is very briefly described and provides little information regarding the relevant aspects of the project. 3 - The methodology is satisfactorily and meets the requirements and provides information regarding the relevant aspects of the project and has comprehensive information. 4 - The methodology is more than comprehensively described and provides detailed information regarding the relevant aspects of the project and exceeds the expectation
Qualification, demonstrated relevant experience and competencies of service provider (company profile and CV that must include number of years' relevant experience with examples)	60	4	1 - 1-4 years' relevant experience 2 - 5-9 years' relevant experience 3 - 10 years' relevant experience 4 - Over 10 years' relevant experience
TOTAL	100		

7. PRICING

APPOINTMENT OF A CLIMATE CHANGE & PROTECTED AREA RESOURCE MOBILISATION SPECIALIST			
NO	DESCRIPTION	PRICE	
1	Project Fees		
		TOTAL	
		VAT @15%	
		GRAND TOTAL	

8. PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 (POPIA)

SANParks adheres to the Protection of Personal Information Act, 4 of 2013 (POPIA) requirements regarding personal information which came into effect 1 July 2021.

As SANParks, we are committed to protecting your privacy and ensuring that personal information collected is used properly, lawfully and transparently.

9. TIMELINES

It is anticipated that the assignment will run from September 2022 to February 2023.

10. FINANCIAL PAYMENT

Payment will be effected in accordance to the PFMA (within 30 days of receipt of invoice) after delivery of goods.

11. FINAL AWARD

SANParks recommends the bidder who has quoted on all the items as required in terms of the RFQ for the contract award subject to the bidder having supplied the relevant administrative documentation and complied in all aspects with the terms and conditions and requirements of the RFQ.

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

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

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

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

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

- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT POLICY FRAMEWORK ACT 5, 2000**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

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 POLICY FRAMEWORK ACT 5, 2000

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

1.2

- a) 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; or

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

- 1.6 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

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;

(h) **“proof of B-BBEE status level of contributor”** means:

- 1) B-BBEE Status level certificate issued by an authorized body or person;
- 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
- 3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Paragraph 2 (1) of the Preferential Procurement Policy Framework Act, 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 (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5. BID DECLARATION

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

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PPPFA,2000

- 6.1 B-BBEE Status Level of Contributor: = (maximum of 20 points)

(Points claimed in respect of Paragraph 6.1 must be in accordance with the table reflected in Paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

- 7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
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7.1.1 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 or QSE:

(Tick applicable box)

YES		NO	
-----	--	----	--

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of Company/Firm:.....

8.2 VAT Registration Number:.....

8.3 Company Registration Number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 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 paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

- 1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

- 2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to RFQ
 - Pricing schedule(s);
 - Bidders Disclosure;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Policy Framework Act 5, 2000

- 3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

- 4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.

- 5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

- 6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2

DATE:

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity
as.....
accept your bid under reference numberdated.....for the rendering of
services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions
of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:.....